

MADRAS RECORD OFFICE.

Government of Madras.

Juridical DEPARTMENT.

G.O. No. <i>Leta no 1275</i>	Press Mis.
<i>39-40</i>	
Dated <i>21st September 1857</i>	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
from 17th to 23rd September 1859.*

No. 39. Read the following letter from THOS. SYDNEY SMYTH, Esq., Advocate General;
to the Chief Secretary to Government, Fort St. George, dated 12th September 1859.

I beg to bring to the notice of the Honorable the Governor in Council, with a view to the same being brought to the notice of the Legislature, another and serious defect in the Police Act XIII of 1856.

2. Section 82 gives no power whatever to a Magistrate over a servant getting drunk, and behaving riotously and disorderly in his master's house or compound. A servant or beggar or other stranger may be guilty of drunken, riotous, violent or indecent behavior, to any extent, but so long as it is not in "a street or thoroughfare" or in "a Police Office Station, or Section-House," the Magistrate has no power to interfere; nor a Police Officer either, even if he should see the misconduct in question, (Section 86) for it is not an "offence against *this* Act." It might, perhaps, be sometimes *twisted* into one against Clause 18 of Section 81, but not in all cases.

3. This omission can never have been intended, and surely ought to be rectified at once.

No. 40. To H. FORBES, Esq., Member for Madras of the Legislative Council of India;
dated Fort Saint George, 21st September 1859, No. 1275.

I am directed to forward to you copy of a letter, 12th Instant, from the Advocate General, and to request that the defect pointed out in Act XIII, 1856, may be rectified in the revision of that Act now before the Legislative Council.

(Signed) T. PYCROFT,
Chief Secretary.

Dispt. 23^d

Nº 1275

H. Forbes Esq.
Member for Olladras of the
Legislative Council.

Sir-

I am directed to forward to
you copy of a letter, 12th Instant, from
the Advocate General, & to request
that the defects pointed out in Act
XIII 1855 may be rectified in the
revision of that Act now before
the Legislative Council.

W^m

Forbes Esq.
21 September, 1859.

J. P.

Sept 21 1859

Cp. to the Advocate General. Dispt. 23^d