M.R.O. 1—33,000—16-10-27.

# MADRAS RECORD OFFICE.

## Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1021 Press ~~Mis.~~

97-99

Dated 14. 8. 1861

3/3

***Not to be folded or roughly handled***

## *Proceedings of the Madras Government, Judicial Department,* 14*th August* 1861.

Read the following papers :—

No. 97. From A. HATHAWAY, Esq., Magistrate of Bellary ; to T. PYCROFT, Esq., Chief Secretary to Government, Judicial Department, Fort Saint George, dated 27th June 1861, No. 21.

1. I have the honor to request the instructions of Government, as to whether a Magistrate can punish a European British subject under Section XLIV, Act XXIV of 1859.

2. There are, I believe, in this District several Inspectors of Police of this class ; and Regulation II of 1820, it is to be observed, only applies to cases of assault and trespass.

3. I have already brought this matter demi-officially to the notice of the Commissioner of Madras Police ; but have as yet received no reply from him.

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Referred to the Inspector General of Police for his remarks.

(Signed) T. PYCROFT,
*Chief Secretary.*

FORT SAINT GEORGE,
*4th July* 1861.

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No. 98. From W. ROBINSON, Esq., Inspector General of Police ; to the Secretary to Government, Fort Saint George, dated 7th August 1861, No. 1,176.

With reference to the letter of the Magistrate of Bellary, dated 27th June 1861, I have the honor to observe that I have little doubt that European subjects would dispute the jurisdiction of a Magistrate trying them under penal clauses of the Police Act, as would any other European employed in the Service of Government, but I observe that in Act 5 of 1861, Section 4, the Legislative Council appears to assume the existence of power to fine an European subject and recover the penalty.

2. I think that the point may be tried on the occurrence of any case of sufficient importance.

3. Mr. Hathaway points out that Regulation 2 of 1820 sufficiently provides for the offences ordinarily committed by Europeans, and immediate dismissal would follow any other irregularity.

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No. 99. ORDER THEREON, 14th August 1861, No. 1,021.

The opinion of the Advocate General will be taken on the subject of the above letters.

(Signed) J. D. SIM,
*Secretary to Government.*

Exd. F. Cartledge.

Proceedings of the Madras Govt,

Read the following letters—

From the Magistrate of
Bellary —— Enter 27th June 61 No. 21.
" the Inspector of Genl.
of Police —— 7th Augt. 1861

Order— 14th August 1861 No. 1021.

The opinion of the Advocate Genl. will be taken on the subject of the above letters.

J. D. S

RB

The Govt. Solicitor.
" Inspector Genl. of Police.
" Magistrate of Bellary.

14/8

This seems to me a letter that ought to be treated by the Police. RB