

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1327	Press
158-159	Mis.
Dated 31.10.1861	19

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,
31st October 1861.*

Read again letter, 9th September 1861, No. 262, from the Magistrate of Madura, recorded in Proceedings, 20th idem, No. 1,181.

No. 158. Read also the following letters from V. H. LEVINGE, Esq., Magistrate of Madura; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 1st October 1861, No. 282.

As directed in the Judicial Department Proceedings of Government, dated the 20th ultimo, No. 1,181, I have the honor to submit copies of the rulings of the Sessions and Higher Court, as also of my letter to the Registrar to the Sudder Court.

From V. H. LEVINGE, Esq., Magistrate of Madura; to the Registrar to the Court of Foujdary Udalt, Madras 21st August 1861, No. 249.

1. I have the honor to request you will lay before the Judges of the Foujdaree Udalt the enclosed copy of Extract* of Proceedings of the Session Court of Madura, with reference to which I would request you to bring to the notice of the Judges, that hitherto prisoners sentenced to short terms of imprisonment by the Joint Magistrate of Paumben have always undergone their sentences in the Jail on that island, but now in accordance with the instructions contained in the Proceedings of the Session Court, it will be necessary to send any man who may be sentenced by the Joint Magistrate at Paumben to ever so short a term of imprisonment to Madura Jail, a distance of 96 miles, in which case the time of imprisonment ordered might nearly, if not quite, have expired before the Jail of Madura was reached. Besides this great inconvenience, it would entail a march of nearly 200 miles on the Constables sent in charge, during which time their services are entirely lost to Government.

2. Under these circumstances I request that the Judges will be pleased to cancel the order as conveyed in the Proceedings of the Session Court of Madura.

3. I would indeed suggest that all prisoners sentenced to short terms of imprisonment at Ramnad should also be sent to Paumben, a distance of only 26 miles, instead of to Madura distant 67.

Extract from the Proceedings of the Session Court of Madura under date the 16th August 1861.

Read A. report submitted by the Joint Magistrate at Paumben in No. 1 of 1861, in which for wilful neglect of duty, he has sentenced the prisoner to one month's imprisonment with hard labour in the Jail at Paumben under Section XLIV, Act XXIV of 1859.

The Court resolves to point out to the Joint Magistrate through the Magistrate that his sentence is irregular.

The Jail at Paumben is merely a branch Jail, and not one to which prisoners can be committed, nor is the officer in charge thereof authorized to receive prisoners other than those transferred to Paumben from some Zillah Jail.

(True Extract.)

(Signed) R. R. COTTON,
Session Judge.

To the Magistrate of Madura.

Proceedings of the Sudder Court, 31st August 1861.

Read letter, dated the 23rd instant, from the Session Judge of Madura, submitting a letter from the Magistrate taking exception to the proceedings of the Session Court, dated 16th August 1861, pointing out that a person sentenced by the Joint Magistrate to imprisonment ought to have been committed to the Zillah Jail and not to the branch Jail at Paumben.

Judicial Department.

Proceedings of the Madras Government, Judicial Department,
31st October 1861.

1. The Judges concur in the opinion with the Session Judge, that the sentence of the Joint Magistrate was illegal. If he commits a convict to Jail, it can only be to the Zillah Jail.
2. If the Magistrate thinks it advisable, he can move the Government to permit prisoners punished by the Magistracy to undergo their sentences at Paumben.

(True Extract.)

(Signed) C. F. CHAMIER,

Magistrate.

(True Copy.)

(Signed) R. R. COTTON,

Session Judge.

To the Magistrate of Madura.

(True Copies.)

(Signed) V. H. LEVINGE,

Magistrate.

No. 159.

ORDER, THEREON, 31st October 1861, No. 1,327.

The Governor in Council sanctions the confinement in the Jail at Paumben of persons sentenced to imprisonment by the Magistracy of Paumben and Ramnad.

(Signed) J. D. SIM,

Secretary to Government.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read again letter, 9th Sept. '61, N^o 252, from the
Magistrate of Madurai - (Recorded in Nos.
20 idem N^o 1181.
Read also letter from do - Inter - Oct. '61, N^o 282.

Order - 31st October 1861 No. 1327

The Governor in Council sanctions the confinement in the jail at Paumben of persons sentenced to imprisonment by the Magistracy ~~in the district of~~ of Paumben & ~~xxx~~ Ramnad.

Mr. [Signature]
Mr. [Signature]
+ +

The Sudder Court:
" Session Judge, Madurai
" Magistrate of do.
" Inspector Genl. of Jails.
[Signatures]

Exd. F. Cartledge.

May 20/92
Died
1861. Department.

No. 1327

PROCEEDINGS OF GOVERNMENT.

27th 1795/62.

Died 31st Decr 1861.

denoting the
confinement in the
jail at Bannock of
persons sentenced to
imprisonment by the
Magistrate of Bannock
and Bannock.