

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	<i>1438-39</i>	Press
		~~Mis.~~
	<i>146-148</i>	
Dated	<i>22.11.1861</i>	~~112~~

6/6

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
22nd November 1861. |

No. 146. Read the following letter from JOHN MILLER, Esq., Acting Government Solicitor, Madras; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 18th November 1861, No. 797.

Dated 18th November 1861, No. 1376, Judicial Department. 1. I have the honor to acknowledge the Proceedings of Government noted in the margin and the papers which accompanied them.

2. I submitted them for the consideration of the Advocate General, and now forward a copy of his opinion.

3. I likewise return the enclosures above noted.

COPY—OPINION.

The offence in question might be charged either as larceny or breach of trust, nothing more, neither of which constitute a "heinous offence" within the meaning of Act VII of 1854.

Section XXI enumerates the offences which are to be deemed "heinous" ones within the meaning of the Act, as regards offences committed within any part of Her Majesty's dominions, and clearly does not include a case like the present.

(Signed) T. SYDNEY SMYTH,
Advocate General.

16th November 1861.

(True Copy.)

(Signed) JOHN MILLER,
Acting Government Solicitor.

No. 147. ORDER THEREON, 22nd November 1861, No. 1,438.

A copy of the Advocate General's opinion will be furnished to the Magistrate of Tanjore, and the Government of Ceylon will be informed that this Government cannot under Act VII, 1854, authorize the arrest and delivery over of the individual referred to in the enclosures received with the Colonial Secretary's letter, 24th ultimo, No. 78.

(Signed) T. PYCROFT,
Chief Secretary.

No. 148. To the Colonial Secretary, Colombo, dated Fort Saint George, 22nd November 1861, No. 1,439.

I have the honor to acknowledge your letter, 24th ultimo No. 78, forwarding a copy of a communication from the Justice of the Peace, Colombo, in reference to a charge of theft against Wappa Saiboe Mommado Aboe Bakker of Adrampatam.

2. In reply I am directed to transmit to you a copy of the opinion, 16th instant, of the Advocate General, to whom were submitted the proceedings in the case, furnished by Mr. Dalziel to the Magistrate of Tanjore, and to state that this Government cannot under Act VII, 1854, authorize the arrest and delivery over of the accused individual.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

21/11/38

N^o: 1438 — 22nd November 1838

A copy of the Advocate
Genl's. Opinion will be fur-
nished to the Magistrate
of Tanjore — & the Govt.
of Ceylon will be inform-
ed that this Govt. can-
not under Act VII - '54
authorise the arrest &
delivery over of the in-
dividual referred to in
the enclosures received
with the Colonial Secre-
tary's letter, 24th Ultra N^o: 78.

The Magistrate of ^{the district} Tanjore — With Warrant & Papers
J. P. 8/11/38

From 22nd June 1861 to 16th 1866
20th July - 17th 1870
18th March - 12th 1876

Prosp. No. 7
Judicial Dept. 1871

dist of reg. doc.

Now
The Acty. Gov. Lt.
Madras.
The Chief Secy to Govt.
Madras

Dated 18th
Recd 19th November

No. 797.
1 x Enclosure.
No. 1853.

Forwards with reference
to Proceedings of Govern-
ment in its Judicial
Department dated 13th
November 1861 No. 1375.
Copy Advocate General's
opinion on a charge of
theft preferred by C.C.
M. Guine Lombey
against Wappa Saitre

146-148

With an Order.

Dec 25

Judicial.

25

Nº 1439.

The Colonial Secretary, Colombo.

I have the honor to
acknowledge your
letter, 24 Uto. Nº 78,
forwarding a copy
of a communication
from the Justice of
the Peace, Colombo,
in reference to a
charge of theft
against Wappa Saiboo
Mommado Abou
Bakker of Adram-
hataw.

2. In reply I am directed
to transmit to
you

you a copy of the O-
pinion, 12th Inst., of
the Advocate Genl.,
to whom were sub-
mitted the proceed-
ings in the case fur-
nished by Mr. Gal-
ziel to the Magis-
trate of Sangare — &
to state that this
Govt. cannot under
Act VII - '54 authorize
the arrest & delivery
over of the accused
individual.

Forb. & Geor. }
22^d November 1861 }

8 Copies. For
Schmidt & Co. &
to follow

Wm. G. L. L.

Engel & Horn
London 1861. 10. 10. 10. 10.

Ms. A. 9. 2. 14. 39.

Her National Secretary
Belmont

Dated 22^d November/01