

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. <i>280</i>	Press ~~His.~~
<i>10-11</i>	
Dated <i>2-3-1861</i>	~~19~~

2/4

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
2nd March 1861.*

No. 10. Read the following letter from J. ROHDE, Esq., Inspector General of Jails, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Ootacamund, 26th February 1861, No. 77.

I have the honor to state for the information of Government, that a week ago I saw, at the Jail, a warrant of Captain Nicholas sitting as Magistrate of Ootacamund, for the imprisonment of a man convicted by him; I directed the Officer in charge of the Jail to refuse all warrants signed by persons not having jurisdiction and pointed out to him that although Captain Nicholas may have taken charge of Mr. Nesbitt's Office, yet this does not sanction his acting as Magistrate beyond the limits of his jurisdiction, to which the Government Orders restrict him; and for which alone he has been sworn in.

2. As I find that the Magistrate considers that Captain Nicholas has jurisdiction, I have now referred the matter by Telegram. I have at the same time informed Mr. Thomas that his own warrant will of course be recognised and that if he considers Captain Nicholas' conviction valid, his own signature to the warrant is all that was needed to justify the Jailor.

3. It is hardly necessary for me to quote instances to show that the charge of an Office does not confer Magisterial or Judicial functions without special appointment. I may however instance my own case, when, as Register of Rajahmundry in 1836, I took charge, by special appointment of the Court, but was not permitted to do any act not properly belonging to the Register.

No. 11. ORDER THEREON, 2nd March 1861, No. 280.

It is observed that Captain Nicholas has been appointed to act as Joint Magistrate of Ootacamund until the arrival of Colonel Brown, such appointment to have effect from the 18th ultimo. No orders are therefore required on the above letter. It will be recorded.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. T. O'Connor.

Exd^g Order thereon 2^d March 1861. No 280.

It is observed that Capt Nichols
has been appointed to act as Joint
Inspector of Ordnance
until the arrival of Col Brown, such
appointment to have effect
from the 18th instant - No orders
are therefore required on the above
letter - It will be recorded.

J.P.

