

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1294

Press
~~Mis.~~

113-114

Dated 12.8.1862 19 .

415

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
12th August 1862.*

No. 113. Read the following letter from Lieutenant Colonel W. J. WILSON, Commissioner of Police; to the Honorable T. PYCROFT, Chief Secretary to Government, Fort Saint George, dated 11th August 1862, No. 99.

I have the honor to report that on the afternoon of Saturday the 9th instant, I received an application from Mr. Tolputt of Messrs. Lecot and Co., on the part of the French Consul, requesting me to take charge of two deserters from the French Troops at Pondicherry, who had been sent to him from the Mount under Escort by Brigadier Whistler, who it appears received them from Sadras in the neighbourhood of which they had been apprehended by the Mofussil Police.

2. The men gave their names to me as Leonard Bruteau, and Antoine Paret. They are both Natives of France, and state that they belong to the 4th Regiment of Marine Infantry stationed at Pondicherry, from which place they deserted on the 3rd of this month.

3. I have sent the Prisoners to the Penitentiary pending the Orders of Government.

4. Mr. Tolputt's letter* is forwarded herewith.

* To be returned.
From W. TOLPUTT, Esq., for the French Vice Consul, Madras; to Major W. J. WILSON, Commissioner of Police, Madras, dated 9th August 1862.

I have the honor to request that you will be good enough to detain in custody two deserters from the 4th Regiment H. I. M. Marine Infantry stationed at Pondicherry, who have been apprehended and forwarded to us under a guard by Brigadier Whistler, Commanding Saint Thomas' Mount.

I have telegraphed to His Excellency the Governor of Pondicherry for instructions as to their disposal, and shall be happy to defray the cost of their rations, &c., until sent back.

No. 114. ORDER THEREON, 12th August 1862, No. 1,294.

Resolved that a copy of the above letter and its enclosure be forwarded to the Advocate General for his opinion in regard to the delivery to the French Government of the deserters therein alluded to.

2. It is observed that the provisions of the Convention of 7th March 1815, Article IX, apply only to the extradition of persons "against whom Judicial proceedings may have been instituted for offences committed." Desertion from Military service is not one of the heinous offences particularized in Act VII of 1854, Section 22.

3. Mr. Smyth will also state whether the case could be dealt with under Act XXXIII, 1857, (extended by Act I of 1862,) Sections 10 and 12.

4. The correspondence which occurred between the Special Agent for Foreign Settlements and the French Government in the case of Ensign Wilkinson in 1831, will also be furnished for the Advocate General's information.

(Signed) T. PYCROFT,
Chief Secretary.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter
from the Commissioner of Police

(R.E. 11 August 1862 No 99)

Order thereon, of 12th August 1862 No 1294

Resolved that a copy
of the above letter and its
enclosure be forwarded to
the Advocate General for
his opinion in regard to the
delivery to the French Govt.
of the deserters therein alluded to.

2. It is observed that
the provisions of the Conven-
tion of 7th March 1815, Ar-
ticle IX, apply only to the
extradition of persons "against
whom judicial proceedings
may have been instituted
for offences committed".
Desertion from Military
Service is not one of the
heinous offences particularized
in

Judicial 1862 No 115

1862

Proceedings of the
Madrass Govt.

Dated 12th August 1862

Passing Order in regard
to the delivery to the French
Govt. of the 2 deserters from
the French Service at Pondicherry.

in Act VII of 1854. Sec. 22.

3. Mr Smyth will also state whether the case could be dealt with under Act XXXIII 1857 (extended by Act I of 1859) Secs 10 & 12.

4. The correspondence which occurred between the Special Agent for Foreign Settlements and the French Govt in the case of Eugén Wilkinson in 1831, will also be furnished for the Advocate General's information.

J

To the Govt. Solicitor.

with original papers -
(to be returned)

Foreign Dep. 6 May 1831.
17th 26th 28th with Enclaves
Complete

44/12

PM

S. L.
1862. Department

No. 1297.

PROCEEDINGS of the MADRAS
GOVERNMENT.

12th August 1862

*(Forwarding) for the
opinion of the Advocate
General in regard to the
delivery to the French
Government of the Decret
referred to in the letter
from the Government
of India.*