

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1572

Press
~~Mis.~~

186-188

Dated 19.9.1862. 49

Not to be folded or roughly handled

Office of the Madras Government, Judicial Department,
19th September 1862.

Read the following paper

WAPSHARE, J.

OFFICE OF THE ADVOCATE GENERAL

September 1862

I have the

No. 181. From JOHN MILLER, Esq., Acting Government Solicitor, Madras; to the honorable T. PYCROFT, Chief Secretary to Government, Fort Saint George, dated 15th September 1862, No. 412.

Order dated 6th September 1862, and endorsed on letter from the Joint Magistrate of Ootacamund to Government of the 1st idem, No. 109.

1. I have the honor to acknowledge the receipt through the Advocate General, to whom it was erroneously despatched, of the Order of Government noted in the margin.

2. Having obtained from the Clerk of the Crown a copy of the depositions taken before the Magistrate of Ootacamund, on the investigation of the charges against Mr. Russell, I have submitted them for the consideration of the Advocate General and have also conferred with him thereon, and

3. I now forward a copy of his opinion.

4. I also return the Order of Government above noted.

COPY—OPINION.

The only witnesses that I think can safely be omitted, are General MacDougal and Bashium Naidoo who really say nothing.

Colonel Primrose, Lieutenant Paske, Inspector Percy, Mr. Sylk, Mr. Mascutine (and Mr. Palman—but he resides I understand in Madras,) Aboo Sait, Abdoollah Saib, and Khassim Khan his Peon, are all in my opinion necessary witnesses.

As Government has referred the matter for my opinion, I have given it, but unless it is laid down that Government is to prosecute in every case of cheating, I cannot see what the Government has to do with this particular case. The interests of Government are not in the slightest degree involved in it.

A very slight degree of attention may be directed to the fact that General MacDougal and Bashium Naidoo are not witnesses—and that Sylk, Mr. Percy, Lieutenant Paske and Colonel Primrose are not witnesses in the case, Aboo Sait, Mr. Percy and Lieutenant Paske; and in Abdoollah

Proceedings of the Madras Government, Judicial Department,
19th September 1862.

Lieutenant Paske. The slightest knowledge of M
out such knowledge it may be difficult to say how
such duties.

It may perhaps be as well (though it ought to be necessary) to tell Major Wapshare that
Mr. Sylk should be cautioned to bring down which the prisoner wrote his
name.

(Signed

15th Sept.

Government Solicitor.

No. 188. ORDER THEREON, 19th September 1862.

The Joint Magistrate at Ootacamund is informed that, in the opinion of the Advocate
General, to whom the depositions with the Clerk of the Court have been submitted,
that can safely be omitted are General MacDougal and
which the prisoner wrote his name.

Proceedings of the Madras Govt.
Read the following letters

From the Joint Ma-
gistrate at Ootaca-
mund

Enter 1st Sept. 62 No 109.

" the Govt. Solicitor

For 15th do. 412.

Order - 19th Sept. 1862 No 1842.

The Joint Magistrate ^{at Ootacamund} is in-
formed that, in the opinion
of the Advocate General, to
whom the depositions with
the Clerk of the Crown have
been submitted, the only wit-
nesses that can safely be omit-
ted are General MacDougal
and Nathaniel Naidoo.

2. Mr. Sylk should be cautioned

The Saint Magistrate at
Sotomundo—

851.2481

to bring down with him his book
in which the prisoner wrote his name.

in its own Order.

109
 108
 107
 106
 105
 104
 103
 102
 101
 100
 99
 98
 97
 96
 95
 94
 93
 92
 91
 90
 89
 88
 87
 86
 85
 84
 83
 82
 81
 80
 79
 78
 77
 76
 75
 74
 73
 72
 71
 70
 69
 68
 67
 66
 65
 64
 63
 62
 61
 60
 59
 58
 57
 56
 55
 54
 53
 52
 51
 50
 49
 48
 47
 46
 45
 44
 43
 42
 41
 40
 39
 38
 37
 36
 35
 34
 33
 32
 31
 30
 29
 28
 27
 26
 25
 24
 23
 22
 21
 20
 19
 18
 17
 16
 15
 14
 13
 12
 11
 10
 9
 8
 7
 6
 5
 4
 3
 2
 1