Proceedings of the Madras Government, Judicial Department, 21*st July* 1864.

No. 222. Read the following letter from H. M. DURAND, Esq., Secretary to the Government of India; to the Chief Secretary to Government, Fort Saint George, dated Simla, 4th July 1864, No. 585.

Foreign Department.
General.

I am directed to state, for the information of the Madras Government, that owing to the multiplication of Europeans attached to the Great Indian Peninsular Railway, His Excellency the Viceroy and Governor General in Council thinks it desirable that Judicial powers over them should be conferred on Captain Osborn Morgan of the 38th Regiment, Madras Native Infantry, the Officer who has been appointed Judicial Superintendent on the Railway, within His Highness the Nizam's dominions.

2. The Supreme Government is doubtful whether Justices of the Peace acting under a Commission from Calcutta or Bombay could commit Europeans in the Nizam's dominions, but the considerations on which the doubt rests do not apply with the same force to Justices of the Peace commissioned from Madras on account of Section 30 of 26 Geo. III, C. 57. The Governor General in Council requests that the Madras Government will be good enough to consult their legal advisers whether, in consequence of that Section, a Justice of the Peace commissioned from Madras could commit to the High Court of Madras Europeans guilty in the Nizam's dominions of offences which would be committable in British India. If the answer is affirmative, His Excellency the Governor General in Council requests that the High Court be moved to issue a Commission to the Judicial Superintendent.

No. 223. To the Secretary to the Government of India, Foreign Department, (General,) Simla, dated Fort Saint George, 21st July 1864, No. 1102.

With reference to your letter of the 4th instant, No. 585, I am directed to inform you that, on application made by the Resident at Hyderabad, under date the 29th ultimo, Captain Morgan, Judicial Superintendent of Railways within the Nazam's territories, was appointed a Justice of the Peace. I am to add that, since the receipt of Mr. Under Secretary Aitchison's letter of the 28th June 1861, No. 3437, and its enclosures, Justices of the Peace in Hyderabad have been appointed from Madras.

(Signed) J. D. SIM,
Secretary to Government.

Exd. J. Tulloch.

Desp.d to Simla with Dup.e to Calcutta } 25/7

No. 1102.

The Secretary to the Govt. of India
Foreign Dept. (General).
Simla.

Sir -

With reference to your letter of the 4th Inst. No. 585, I am directed to inform you that, on application made by the Resident at Hyderabad under date the 29th Ulto., Captain Morgan, Judicial Superintendent of Railways within the Nizam's territories, was appointed a Justice of the Peace. I am to add that, since the receipt of Mr. Under Secretary Aitchison's letter of the 28th June '61 No. 343, and its enclosures, Justices of the Peace in Hyderabad have been appointed from Madras.

Fort St. George
27th July 1864

I am

M.E.O. 1—32,000—15-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Political DEPARTMENT.

G.O. No. 1102 Press Mis.

222- 223

Dated 21— 7— 1864

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Not to be folded or roughly handled