M.R.O. 1—69,000—16-10-59.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 737 Press ~~Mis.~~

222-223

Dated 27— 8— ~~19~~ 1864

3/3

Not to be folded or roughly handled

No. 222. Read the following letter from J. F. DICKSON, Esq., Colonial Secretary of Colombo; to the Chief Secretary to Government, Fort Saint George, dated Colombo, 7th May 1864, No. 15.

With reference to your letter, No. 279 of the 1st March last, I am directed to transmit to you, for the information of the Honorable the Governor of Madras in Council, the annexed copy of one from the Queen's Advocate; but I am to suggest, for the consideration of His Excellency in Council, that as the Acts VI and VII Vic. Cap. 34 requires the Magistrate before whom the offender is brought to examine and commit him upon such "evidence of criminality as would justify his committal," copies of the Depositions upon which the original warrant was granted should be forwarded as required by the 4th Section of the Act, "certified under the hand of the person or persons issuing the warrant," and that the person producing the Depositions should be able to swear that the Depositions produced are true copies of the original Depositions.

From R. F. MORGAN, Esq., Queen's Advocate; to the Honorable the Colonial Secretary, dated Colombo, 14th April 1864, No. 128.

I have the honor to acknowledge the receipt of your letter, No. 83, of the 16th ultimo, referring to me the accompanying letter from the Chief Secretary to the Government of Fort Saint George.

2. The Chief Secretary is anxious to be informed to what functionaries any Constables, despatched to Ceylon by the Inspector General of Police for the apprehension of convicts, should apply with a view to their obtaining the necessary endorsements on their warrants from the Chief Justice or other Judge of the Supreme Court.

3. The Registrar of the Supreme Court is the proper person to apply to when an act or endorsement is wanted from the Judges of that Court. But, in his absence, the Constable may apply either to the Superintendent of Police, or to any officer of this Department, who will see that the necessary endorsement is obtained without delay.

4. The Constables despatched to Ceylon should be in a position to adduce the necessary proof as to the seal or signature and authority of the person issuing the warrant, which the 9th Section of the Act (VI and VII Vic. Cap. 34) requires prior to the endorsement.

No. 223. ORDER THEREON, 27th May 1864, No. 757.

Communicated to the Inspector General of Police.

2. Ordered, also, that copies of the foregoing letter, and of Proceedings 1st March last, No. 279, and 15th April 1862, No. 604, be furnished to all Magistrates of Districts.

(True Extract.)

A. J. ARBUTHNOT,
Chief Secretary.

To the Inspector General of Police.
" Magistrate of
with No. 279 of 1864, and No. 604 of 1862.

Exd. J. Tulloch.

Trans. to Colonial Secy. 1864 No. 1722

Lieut Governor
3-7-64

Chief Clerk's Department
From
The Colonial Secretary
To
The Colonel Commandg
&c &c &c

Sir

I have the honor to transmit herewith for your information a Circular Memorandum addressed to the Inspector General of Police and Magistrates of Districts, relative to the apprehension of Deserters from Her Majesty's Service.

I have the honor to be
Sir
Your most obedient
Humble Servant
Colonial Secretary

Circular Memorandum addressed to the Inspector General of Police and Magistrates of Districts, relative to the apprehension of Deserters from Her Majesty's Service.

Colonial Secretary's Office
Perth 1st June 1864.

Sir

I have the honor to transmit herewith for your information a Proclamation issued by His Excellency the Governor and Commander in Chief, relative to the apprehension of Deserters from Her Majesty's Service, and to request that you will cause the same to be published in the Districts under your charge.

I have the honor to be
Sir
Your most obedient
Humble Servant
Colonial Secretary

The Inspector General of Police
" Magistrate of
With No. 279 of 64.
" 604 of 62.

Dup. 1/6/64

By His Excellency
Arthur Edward Kennedy Esquire
Companion of the Most Honorable Order of the Bath
Governor and Commander in Chief in and over Her Majesty's Territory and Dependencies of Western Australia
and Vice Admiral of the same
&c &c &c

A Proclamation

Whereas it is enacted by the Act of Parliament passed in the Session holden in the 26th and 27th years of Her Majesty's Reign, Chapter 118, intituled "An Act for the better apprehension of Deserters from Her Majesty's Service" that it shall be lawful for any Justice of the Peace, Constable or other Police Officer, upon Information upon Oath before him that any Person charged therein as a Deserter from Her Majesty's Service is or is suspected to be harboured or concealed in any House, Premises or Place, to enter such House, Premises or Place, and search for and apprehend such Deserter, and that if Admittance be not obtained to such House, Premises or Place, it shall be lawful for such Justice of the Peace, Constable or other Police Officer, to break open the same, and that any Person who shall harbour or conceal any Deserter, or shall prevent or hinder the apprehension of any Deserter, shall forfeit and pay a Sum not exceeding Five Pounds, and in default of Payment shall be liable to be imprisoned for any Term not exceeding One Month, unless such Penalty and Costs be sooner paid; and whereas it is expedient that the Provisions of the said Act should be made known to the Inhabitants of this Colony, I do hereby Proclaim and Make known the Provisions of the said Act, and I do hereby Order and Direct that the Justices of the Peace, Constables and other Police Officers within this Colony shall duly execute the Powers and Authorities given to them by the said Act, and that all Persons shall aid and assist them therein.

Given under my Hand and the Public Seal of the Colony at Government House, Perth, this 1st day of June in the year of Our Lord One Thousand Eight Hundred and Sixty four.

By His Excellency's Command
Colonial Secretary

No. 757 - 27th May 1864.

Communicated to the Inspector Genl. of Police.

2. Ordered also that copies of the foregoing letter & of Pros: 1st Mar. last No. 249 be furnished to all Magistrates of Districts.

222.223.

+ 8/5: Apl 62 No. 604-