M.R.O. 1—30,000—16-10-22.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 791 Press Mis.

284.285

Dated 31.5 ~~19~~ 1886

3/4

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 31st May 1864.

No. 284. Read the following letter from J G. THOMPSON, Esq., Acting Magistrate of South Canara; to A. J. ARBUTHNOT, Esq., Chief Secretary to Government, Fort Saint George, dated Mangalore, 9th May 1864, No. 11.

In the Order of Government, dated 5th April 1864, No. 466, it is directed that "at the "several stations in the provinces, the Magistrate of the District will depute one of his assistants "to superintend the execution of sentences of whipping passed by the Session Judge;" and also that, "whenever it may be practicable, the punishment is to be inflicted in the presence of a "Medical officer."

2. I have the honor to point out that it often happens that there is no European Magistrate present at the Zillah station, and that when there is not, a prisoner will have to be sent to the nearest Magistrate, and will not have a Medical officer present at the whipping. This will throw a good deal of unprofitable labor on the Police and will defeat the intention of the Legislature, in perhaps a large number of instances.

3. I beg therefore to suggest that it might be well to direct the officer in charge of the Jail to superintend all whippings inflicted by the Session Court. Whether he be Judge or Magistrate, he has, under Regulation X of 1832, the power of whipping for Jail offences; and, practically, he is obliged to use the power. It will be no worse for him to superintend whippings which he has ordered at his Court or Kacheri, than to superintend those which he has ordered at the Jail. The Jail is the most convenient place for the whippings, as is shown in the following extract from a letter I am addressing to the officer in charge:—"2. The warrant will generally not reach the "Superintending Magistrate till the evening, too late for him to get the Surgeon to attend his Kacheri. "The most convenient arrangement will be for the punishment to be inflicted the next morning at "the Jail, at the hour when the Surgeon is generally there. The prisoner will be there of course: "and it will be easy for the Magistrate also to be there. Your office is well supplied with cats; "and there are practised whippers among your warders. I have the honor therefore to request "that you will be good enough to place some of them at the disposal of the Superintending Ma- "gistrate, for the execution of every sentence of whipping passed by the Session Judge which has "to be carried out at Mangalore."

No. 285. ORDER THEREON, 31st May 1864, No. 791.

The Governor in Council is not prepared to order the Session Judges who, at present, at most stations are the officers in charge of Jails, to superintend the execution of sentences passed under the Whipping Act.

(True Extract.)

Chief Secretary.

To the Magistrate of South Canara.

Pro No. 49-50
5-4-64

Lnd. J. Tulloch.

Jud^l Department,

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the Acting Magistrate of South Canara.

Received 9th May 1824

Order thereon No 791 of 31st May 1824.

The Governor in Council is not prepared to order the Sessions Judges who at present at most stations are the officers in charge of Jails, to superintend the execution of Sentences passed under the whipping Act.

To the Magistrate of South Canara } despd 2/6

Judicial 1864. Department.

No. 791

PROCEEDINGS of GOVERNMENT.

Dated 31 May 1864

Council

284-285.