M.R.O. 1—30,000—16-10-39.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1005 Press Mis.

121-122.

Dated 19. 7. 1865 19 .

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Not to be folded or roughly handled

No. 121. Read the following letter from B. BROOKS, Esq., Assistant Registrar High Court, Madras, Original Side, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated Madras, 12th July 1865.

Referring to Act XIII of 1865, Section 28, I am directed by the High Court to state that the case of Alexander Bain, from Coorg, European British subject, has been committed for trial, and the accused person actually sent down to Madras; and to inquire whether it is the intention of His Excellency the Governor in Council to issue, under the provisions of the above Act, a Commission authorizing a Judge of the High Court to hold sittings at any place other than the Court's usual place of sitting, and I enclose a copy of an Instrument of charge against Alexander Bain.

2. I am also directed to add, for the information of His Excellency the Governor in Council, that no abstract of the evidence has by the Magistrate been sent with the depositions to the Crown office; a copy of the entire depositions can, however, be furnished by the Crown office, if required.

COURT OF THE SUPERINTENDENT OF COORG.
MAGISTRATE CASE No. 27 of 1865.
REGINA
Versus
Alexander Bain.
Charge.

I, Robert Andrews Cole, Officiating Superintendent of Coorg, and one of Her Majesty's Justices of the Peace, declare that there is hereby made against Alexander Bain the charge—

First.—That he, on or about the 11th day of June 1865, at or near the estate of Culdees in the Kuggod-Naad of the Mercara Taluq of the Province of Coorg, committed murder by causing the death of one Borah; and that he has thereby committed the offence of murder punishable under the Section 302 of the Indian Penal Code, and within the cognizance of the High Court of Judicature at Madras.

Secondly.—That he, on or about the eleventh day of June, one thousand eight hundred and sixty-five, at or near the estate of Culdees in the Kuggod-Naad of the Mercara Taluq of the Province of Coorg, committed culpable Homicide by causing the death of one Borah; and that he has thereby committed an offence punishable under Section 304 of the Indian Penal Code, and within the cognizance of the High Court of Judicature at Madras.

Thirdly.—That he, on or about the tenth day of June, one thousand eight hundred and sixty-five, at or near the estate of Culdees in the Kuggod-Naad of the Taluq of Mercara in the Province of Coorg, did voluntarily cause grievous hurt by means of an instrument, to wit a long heavy pointed areca pole, which used as a weapon of offence is likely to cause death; and that he has thereby committed an offence punishable under Section 326 of the Indian Penal Code, and within the cognizance of the High Court of Judicature at Madras.

And I hereby direct that the said Alexander Bain be tried by the said Court on the said charge.

(Signed) R. A. COLE,
Offg. Supt. of Coorg, and Justice of the Peace.

No. 122. To the Honorable Sir C. H. SCOTLAND, Knight, Chief Justice of the High Court of Judicature, Madras; dated Fort Saint George, 19th July 1865, No. 1005.

In acknowledging the receipt of Mr. Brooks' letter of the 12th instant, I am directed to inform you that it is not the intention of the Governor in Council to issue a Commission under the provisions of Act XIII of 1865, for the trial of the case therein referred to.

W. HUDLESTON,
Acting Secretary to Government.

Exd. J. H. Burns.

Recd 19/7

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N
C.S.T.

Judicial Department.

No 1055

The Honorable Sir W. Scottaus. Kt.
Chief Justice of the High Court of Judicature
Madras.

Honble Sir,

In acknowledging the receipt of Mr Brooks letter of the 12th instant, I am directed to inform you that it is not the intention of the Governor in Council to issue a Commission under the provisions of Act XIII of 1865 for the trial of the case therein referred to.

C.S.W.

R. H. Kerr
19 July 65

Judicial 1865 Ex parte

No. 1005.

In the Matter
of The Chief Justice of the
High Court of Jamaica

Date 19 July 1865.

121.122