

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	10957	Press Mis.
Dated	7-8-1943	

52-53

4/5

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
7th August 1865.*

No. 52. Read the following letter from W. ROBINSON, Esq., Inspector General of Police, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated Kotagherry, 18th July 1865, No. 1420.

I have the honor to solicit the instructions of Government on the subject of the custody of records of committed cases, during the annual recess of the Courts.

2. In the District of Madras, during the recent recess, the records of such cases were not received by the Court, and had to be kept by the Police until the Court re-opened. I addressed the Judge and append his reply. In most, if not all, other Districts, the Judges made arrangements for receiving the records, but uniformity should be established.

3. I would venture to suggest that committing officers be directed to transmit in future the sealed record to the Magistrate of the District as soon as the case is closed. He would see that all the records, which may have accumulated during the recess, are duly transmitted to the Court when it opens.

P. S.—No orders are required on the subject of property alluded to in both letters.

From W. ROBINSON, Esq., Inspector General of Police, to the Judge of Chingleput; dated Madras, 8th June 1865, No. 1093.

The Superintendent of Police reports that a sealed packet of jewels and two packets of records were recently sent to your Court by the Deputy Magistrate, with certain prisoners for trial. They were not taken charge of by the Officer of the Court on the grounds, it was alleged, that the Court was closed, and had to remain in charge of the Police.

2. I venture to draw your attention to the matter, as I believe arrangements for transacting such business during the recess are made, and it is obvious that the Police are not the proper persons to be left in charge of records addressed to your Court, or valuables connected with a case committed for trial before your Court.

(True Copy).

(Signed) M. W. CARR, Captain,
Assistant Inspector General of Police.

From J. G. THOMPSON, Esq., Acting Session Judge of Chingleput, to W. ROBINSON, Esq., Inspector General of Madras Police; dated Chingleput, 19th June 1865, No. 171.

In reply to your letter of the 8th instant, No. 1093, I have the honor to inform you that during the late recess there was no one in attendance at the Court, so that records and valuables sent up by the Magistrates, in cases committed for trial, could not be received. This was in conformity with the order* marginally noted, in which "the Governor in Council resolves to

* Proceedings Madras Government, Judicial Department, 6th May 1863, No. 743.

"communicate to the Judges of the Sudder

"Court his opinion, that the servants of the Courts in question, equally with the Judges presiding over them, should be at liberty to leave their stations during the adjournment, without obtaining any special leave for that purpose, and that the Courts in fact should be fully closed, "due provision being made for the safe custody of the buildings and of the records."

Proceedings of the Madras Government, Judicial Department,

7th August 1865.

2. The property sent up in a committed case is never received by this Court. It always remains in the custody of the Police till the case is finally disposed of. To transfer it to the officers of the Court would be to introduce a new difficulty in the identification of it; so that I think the present practice is the proper one.

(True Copy).

(Signed) M. W. CARR, Captain,
Assistant Inspector General of Police.

No. 53. ORDER THEREON, 7th August 1865, No. 1095.

As the Courts are fully closed during the annual adjournments, the Governor in Council approves the suggestion made in the 3rd paragraph of the foregoing letter. The Magistrates are requested accordingly to make the necessary arrangements in their respective Districts:

2. Copies of these Proceedings are furnished to the Honorable the Judges of the High Court, and to the several Session Judges, for information.

(True Extract).

Chief Secretary.

To the Inspector General of Police.

" Magistrate of

" Honorable the Judges of the High Court.

" Session Judge of

Exd. J. H. Burns.

Judicial.

No.

The Honble Sir Colley Harman Scotland
K.C.

Chief Justice of
H. M. High Court of
Judicature
Madras.

Honble Sir-

I am directed by the Governor in Council to send you the annexed copy of a letter from the Inspector Genl. of Police, dated 18th Inst. No. 1420, & to request that such orders may be passed on the subject of it, as the Honble the Judges of the High Court may deem proper.

will also be as well at once to require the Magistrate to make the arrangements. Mr. Robinson suggests? We must come to that, unless God modifies them. I am sure that a portion of the Court's labors will be removed at the Court House during the recess. We are to take the records of committed cases until the Court reopens. The High Court barrier is authority over the Magistrate who would, I think, be instructed on this point for Mr. Robinson to do as he thinks proper.

Lapra
W.D.

PROCEEDINGS of the MADRAS GOVERNMENT.

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General of Police — Enter 18th July '65 N^o. 1420.

Order — 7th August 1865 N^o. 1095.

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- The Inspector Genl. of
Police.
- " Magistrates of the Districts
- " Honble the Judges
of the High Court.
- " Session Judges of the Districts

disps 9/8/65

Custody of the
Cases committed
during the
absence of the
Judicial Magistrate
N^o. 1095.
Proceedings of the
Court 7th August 1865

10-6-95

Pro: G. B. G. B.
Medical 1865 Department.

No 1095

PROCEEDINGS OF GOVERNMENT.

Dated 24th August 1865.

Law

Pro No. 521

6/5/6-2

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