

20-12-80/R.H.
51/81

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1319	Press Mis.
161-162		
Dated	14. 9. 1865	19 .

215

Not to be folded or roughly handled

22

Proceedings of the Madras Government, Judicial Department,

14th September 1865.

No. 101. Read the following letter from Lieutenant Colonel W. J. WILSON, Acting Inspector General of Jails, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated Bangalore, 3rd August 1865, No. 139.

Judicial Department, 20th July 1865, No. 1007.

With reference to the Order of Government noted in the margin, I have the honor to submit the following observations.

2. The order in question lays down the course to be pursued as to the surrender of convicts charged with offences for which it is desired to bring them to trial, but as it did not appear from Mr. Rohde's letter, embodied in the Proceedings above alluded to, whether the convict was required as a witness or as a defendant, I requested Captain Hankin to furnish me with the Warrant, or order, in compliance with which he had given up the man for transmission to Madura, and I herewith annex a copy thereof, from which, although not very clearly worded, I think it may be inferred that the convict was required as a witness, and I would therefore suggest that such requisitions be hereafter made in a regular form setting forth the purpose for which the attendance of the prisoner is required.

3. I append a form of order for the surrender of a convict charged with an offence, and in case that Government should see fit to extend the order so as to apply to convicts whose attendance as witnesses in Criminal cases may be necessary, the same form, *mutatis mutandis*, might be used.

4. When the convict is no longer required, he might be committed to the nearest convenient Jail by the officer who applied for his attendance.

From V. H. LEVINGE, Esq., Magistrate of Madura, to the Officer in charge of the Lawrence Asylum, Ootacamund; dated Madura, 28th January 1865, No. 63.

I have the honor to inform you that the attendance of one Periasamy Padamattur, who was sentenced on the 19th October 1864 to 18 months' rigorous imprisonment by the Principal Sudder Ameen of this station, and who appears to have been lately transferred to the Asylum, is necessary before the Town Sub-Magistrate, for the disposal of a cattle theft case. I therefore request you will be good enough to send him to me as soon as possible.

(True Copy).

(Signed) W. J. WILSON,
Acting Inspector General of Jails.

To The Keeper of the Jail at _____

Whereas _____ now a convict in the Jail at _____ stands charged before me A. B. Magistrate (or as the case may be) of _____ with the offence of _____ these are to command you, the Keeper of the said Jail, to deliver over the body of the said _____ to the proper officers, to be brought before me at _____ on the _____ to answer to the said charge, and to be further disposed of according to Law.

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Magistrate.

No. 102. ORDER THEREON, 14th September 1865, No. 1319.

The Governor in Council approves of the form of order for the surrender of a convict charged with another offence submitted with the foregoing letter. It should also be made applicable to the case of a convict whose attendance is required.

*Proceedings of the Madras Government, Judicial Department,
14th September 1865.*

as a witness. Every Magistrate, however, who may have occasion to call for the evidence of a convict, should satisfy himself that the trial cannot be closed without such evidence, before he proceeds to issue an order for his attendance.

2. Colonel Wilson's proposal that when a convict who has been sent from one station to another, either to take his trial for another offence, or to give evidence, is no longer required, he should be committed to the nearest convenient Jail by the officer who applied for his attendance, is approved.

(True Extract).

A. J. ARBUTHNOT,
Chief Secretary.

To the Inspector General of Jails.
„ Magistrate of
„ Session Judge of

Ed. J. H. Burns.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

*Read the following letter
from the Acting Inspector
General of Jails.*

12/3rd August 1865 No. 139,

Order thereon. No 1319 of 14 Sep 65

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1870-1871
170-180-190
of which
with names

Inspection General of Jails
Magistrates of all Districts
Session Judge of do-
} despatch
} 66
} 1871

Surrender of Convict
required as witness

6/20/94 No. 125-26

20/7/65

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Medical 1865. Department.

No. 1314

PROCEEDINGS OF GOVERNMENT.

7th 2224.

Dated 14 July 1865