M.R.O. 1—30,000—16-10-28.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 995 Press Mis.

108-109

Dated 17.7.1865 19 .

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,

17th July 1865.

No. 108. Read the following letter from Æ. R. McDONELL, Esq., Magistrate of Trichinopoly, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated Trichinopoly, 7th July 1865, No. 25.

I have the honor to request that you will be good enough to obtain the necessary permission of Government to Colonel Wilson to forward, to the Superintendent of Police here, the prisoner Mootoocaruppen, for the purpose of his being arraigned before the tribunal here, on a charge of abetting in the highway robbery committed within the limits of this District prior to the perpetration of the offence for which he is at present undergoing incarceration in the Jail at Madras.

2. Colonel Wilson would seem, from the accompanying copy of Captain Bates' letter to my address, to object to forwarding the prisoner, on the ground that there is no legislative enactment at present in existence authorizing his so doing.

From Major C. E. BATES, Superintendent of Police, Trichinopoly, to Æ. R. McDONELL, Esq., District Magistrate of Trichinopoly; dated 23rd June 1865, No. 189.

I have the honor to state that one Mootoocaruppen, inhabitant of Trichinopoly Fort, who is charged with having participated in a highway dacoity committed on 7th September 1864, on the person of one Naragiri Row, on the road from Trichinopoly to Madura, has been traced into the Jail in Madras, where it appears he is undergoing a sentence of imprisonment for some other crime, committed subsequently to that above mentioned. His term of imprisonment does not expire until some time in December next, and before that time arrives the witnesses in the case may die or disappear, and justice be defeated. Colonel Wilson, however, objects to give the man up for trial, on the grounds that there is no "Act" existing by which such could be athorized. May I, therefore, beg the favor of your addressing the Government on the subject, for information as to whether a prisoner, under sentence of imprisonment for a crime committed in one District, may not be sent (previous to the expiration of such sentence) to any other District, for trial for any offence committed either previous or subsequent to the committal of that for which he is undergoing punishment.

(True Copy).

(Signed) Æ. R. McDONELL,
Magistrate.

No. 109. ORDER THEREON, 17th July 1865, No. 995.

No copy of the order of the Commissioner of Police having been forwarded, and the reasons of his refusal not appearing from the foregoing letter, Government are not in a position to pass any orders on the matter at present.

2. Colonel Wilson is requested to inform the Government, at an early date, of the reasons on which his refusal was based.

(True Extract).

W. HUDLESTON,
Acting Secretary to Government.

To the Magistrate of Trichinopoly.
" Commissioner of Police.

Exd. J. H. Burns.

No 995 - 17th July 1865

No copy of the order of the Commissioner of Police having been forwarded, and the reasons of his refusal not appearing from the foregoing letter, Government are not in a position to pass any orders on the matter at present.

2- Colonel Wilson is requested to inform the Government, at an early date, of the reasons on which his refusal was based.

718

To the Magte of Nuckinpolly Despd 8/7 inclos.
— Commr of Police. Despd 17/7 inclos.