

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1166	Press
		~~Mis.~~
105-106		
Dated	17. 9. 1886	10

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Not to be folded or roughly handled

(1)

*Proceedings of the Madras Government, Judicial Department,
2nd August 1866.*

No. 3. Read the following letter from the Magistrate of Coimbatore, to the Acting Chief Secretary to Government, Fort Saint George; dated Coimbatore, 3rd July 1866, No. 60.

The Acting Deputy Superintendent of the Mysore District has requested me to issue the necessary orders for the rendition of an offender, reported to be residing in one of the Coffee Estates on the Neilgherry Hills. According to the ordinary procedure in such cases the Magistrate should first apply to the Session Judge within whose jurisdiction the offender resides, for the requisite sanction, and on obtaining it, order the culprit to be delivered up before the proper Court for trial—(Vide Government Order of the 17th February 1855, Judicial Department, No. 126.) I accordingly applied to the Ootacamund Session Judge for such sanction; but Mr. Cherry refused it, on the ground that his Court is not authorized to give effect to such requisitions. Under these circumstances, I request that the early sanction of Government may be obtained for my acting as provided for in Act I of 1849.

2. To avoid delay in the event of similar cases arising in future, I beg to suggest that the authority conveyed in the Government Order of the 17th February 1855, No. 126, Judicial Department, and Act I of 1849, may be delegated to the Session Judge of Ootacamund.

No. 4. ORDER THEREON, 2nd August 1866, No. 1166.

Under the provisions of Act I of 1849, the Government will consider the propriety of authorizing the Magistrate to arrest and render up to the Mysore authorities the offender in question, on receiving from the Magistrate fuller particulars as to name, offence charged, &c., all which should have been stated in the first instance.

2. Application will be made to the Supreme Government for the necessary order to empower the Sessions Judge of Ootacamund to exercise delegated authority under the Act.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

No. 5. To the Secretary to the Government of India, Home Department, dated Fort Saint George, 2nd August 1866, No. 1167.

Referring to the annexed copy of a letter from the Magistrate of Coimbatore, and to the correspondence noted in the

To the Secretary to the Government of India, Home Department, dated 25th November 1854, No. 849.
From do. do. dated 5th January 1855, No. 22.

margin, I am directed by the Governor in Council to request that, under Section 9, Act I of 1849, the authority to receive reports and give orders in cases falling under that Act, may be delegated to the Sessions Judge of Ootacamund, to avoid the delay which must otherwise occur in applying for and obtaining an Order of Government in each case.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

2^d August 1866 No. 1166 (v)

Under the provision

of Act 1. of 1844. the Sup.
considered the propriety of
with authorizing the Magistrate to

to arrest & send up to the

Magistrate authorities the

offender in question, on

and from the Magistrate's full

particulars and

name, offence charged

&c. all of which have been

stated in the first instance.

Application will be

made to the Sup. Court for

the necessary order to empower

the Dist. Judge of Port-au-Prince to
exercise delegated authority under the

W.M.

Act. 1. of 1844.

Magistrate of Port-au-Prince 1866

despd 4/8

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Judicial Department.
No. 1167.

To

The Secretary to the Government
of India,

Home Department.

Sir,

To the Secy: to the Govt: of India.
Home Departt.

D/ 25th November 1854. No 849.

From the Secy: to the Govt: of India

D/ 5th January 1855. No 22.

Referring to the annexed
Copy of a letter from the
Magistrate of Coimbatore,
and to the correspondence
noted in the margin, I am
directed by the Governor in
Council to request that,
under Section IX Act 1 of 1849,
the authority to receive
reports and give orders in
cases falling under that
Act, may be delegated to
the Sessions Judge of
Pohacannud, to avoid the
delay which must other-
wise occur in applying
for and obtaining an
Order of Government in
each case.

W. H. W.

Fort St. George }
29 August 1856 }

Delegation
without
Section for
obtaining
the best paper

By G. S. No. 7-8
19/2/55
Act of 1929

1166-67
Judicial 1886 Report

Attest
J. J. Lee, Secy. to the Court
of Childen
Feb. 20 1883.

Dated 2nd August 1883.

Committed

C1454

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