

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. /23/	Press ~~Mis.~~
<i>111-112</i>	
Dated 8 - 8 - 19 1866	

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Not to be folded or roughly handled

Ans

*Proceedings of the Madras Government, Judicial Department,
8th August 1866.*

No. 111. Read the following letter from the Magistrate of Cuddapah, to the Acting Chief Secretary to Government, Fort Saint George; dated Cuddapah, 16th July 1866, No. 28.

I have the honor to forward you copies of correspondence between myself and Mr. J. D. Robinson, Magistrate of North Arcot, by which you will see that that Officer refuses to serve Summonses on witnesses residing in his District. As, therefore, I am powerless (unless I send Warrants) should any witnesses reside in that District, I have the honor to request the orders of Government on the subject.

From the Magistrate of Cuddapah, to the Magistrate of North Arcot; dated Cuddapah, 9th July 1866, No. 515.

With reference to your letter to my Assistant, Mr. Cruickshank, dated 12th June 1866, No. 62, in which you refuse to serve a Summons on C. Venkatasamy Nayadu, as it is contrary to the Order of Government, dated 27th March 1866, I have the honor to call your attention to Sections 23, 24, 25, and 26 of those Proceedings, in which it is clear that a Magistrate of one District is to move the Magistrate of another District, and it is the duty of the latter to deal with the case under Sections 74 and 88, and therefore request you will issue the Summons herewith sent.

From the Magistrate of North Arcot, to the Magistrate of Cuddapah; dated Chittoor, 13th July 1866, No. 77.

I have the honor to inform you that I am unable, as the Law at present stands, to serve the Summons forwarded with your letter of the 9th instant, No. 515. I have carefully perused the paragraphs 23 to 26 of the Advocate General's Opinion, and am of opinion that the observations contained in them refer to *accused parties*, and not to *witnesses*. Under these circumstances, I have no alternative but to return the Summons received from you.

No. 112. ORDER THEREON, 8th August 1866, No. 1231.

The question referred to in the foregoing letter has been referred to the Government of India, in order that the law may be amended, in the event of the Advocate General's construction of it being deemed correct.

(True Extract).

Chief Secretary.

To the Magistrate of Cuddapah.

Erd. J. H. Burns.

State of Cuddapah - despatch

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter
from the Magistrate of Cuddalore

(Dated 16th July 1866 No 28)

Order thereon 8 August 1866/23

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Wm JF

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For the Secretary to the Government

London 1806 Sept 17

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Proceedings of the

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