

MADRAS RECORD OFFICE.

Government of Madras.

Invoice DEPARTMENT.

G.O. No.	1590	Press ~~Mis.~~
<i>110-111</i> Dated	10-10-1886	

3/4

Not to be folded or roughly handled

10th October 1866.

No. 110. Read the following letter from the Magistrate of Cuddapah, to the Chief Secretary to Government, Fort Saint George; dated Cuddapah, 26th September 1866, No. 37.

In submitting a letter, dated 22nd September 1866, No. 59, which I have received from the Joint Magistrate of this District, I have the honor to request that, in the event of your forming an opinion that a separate order of Government is necessary for the apprehension of criminals in the Mysore Territory, besides the one dated 11th January 1864, No. 35, you will be pleased to lay the matter before His Excellency the Governor, and obtain his orders for my guidance.

From the Joint Magistrate of Cuddapah, to the Magistrate of Cuddapah; dated Madanapalli, 22nd September 1866, No. 59.

With reference to your Memorandum, dated 13th September, No. 676, I have the honor to forward copies of the evidence in the case of murder, alluded to in my letter to you dated 5th September 1866, No. 55, and to request you will obtain the apprehension of the accused in the manner laid down in the Government Order, dated 11th January No. 35, as directed in your Memorandum under reply.

2. I scarcely think that this Government order applies to this particular case. The order provides only for the apprehension of criminals in the Nizam's country, and no mention whatever is made regarding its application to other Foreign States.

3. From the Resident's letter, it appears that it has been the practice for the Nizam's local Officers to surrender criminals on the requisition made to them by British District Officers, and he suggests a change in the practice with the approval of the Nizam's Minister. The above-mentioned practice has been the procedure here with the Mysore Territory. Whether the course has been adopted by authority does not appear. But before a change in the practice hitherto pursued can take place, I think an order of Government and a reference to the Mysore officials will be necessary.

4. I know of no order which refers distinctly to the apprehension of offenders (whether British or Foreign subjects) in British Territory, who have escaped into the Mysore country. The question has been authoritatively settled as regards the Hyderabad Territory, and a similar order is necessary for cases connected with the Mysore country.

No. 111. ORDER THEREON, 10th October 1866, No. 1590.

The Government observe that neither in the Magistrate's letter, nor in the enclosure forwarded, are the facts of the case clearly stated: reference is made in the Joint Magistrate's letter to some previous proceedings, the purport of which is not communicated.

2. It appears, however, that the Joint Magistrate has had produced before him evidence such as to justify the apprehension of a person, accused of murder, who has escaped into Mysore Territory: it cannot be gathered whether the accused is a British subject or not.

3. It is undesirable to lay down any general rule, while the question as to the working of the Regulations and Act providing for the extradition of offenders, for crimes committed in British and Foreign Territory, is under consideration.

4. In the present case the Magistrate should apply to the Commissioner of Mysore for the delivery of the offender, forwarding all the necessary information, with regard to the nature of the charge, and of the evidence, with full particulars as to the name, country, and abode of the accused.

(True Extract).

Actg. Under Secy. to Govt.

To the Magistrate of Cuddapah.
Ed. J. Tulloch.

from the Magistrate of Cuddalore dated 26th Sep. 1866
No. 37.

Order thereon.

10th October 1866. No. 1590.

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The Magistrate of Cuddalore dated 10th Oct 1866

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Dated 10th October 1866.

Proceeding of the Court.

No. 1590.

Indevid 1866 Report.