

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

121-122	G.O. No.	1781	Press
			~~Mis~~
	Dated	12-11-	1866.

4/5

Not to be folded or roughly handled

No. 1781.

To

THE HONORABLE SIR ADAM BITTLESTON, Kt.,
Acting Chief Justice of Her Majesty's High Court of Judicature,
Madras.

HONORABLE SIR,

I am directed by the Governor in Council to forward, for the consideration of the Honorable the Judges of the High Court, the accompanying letter from the Commissioner of Police, enclosing the recommendation of the Medical Officer in charge of the Penitentiary, for the removal of the High Court Prisoner Sooboo Buttah from the Penitentiary.

2. A copy of the Opinion of the Advocate General, referred to by Major Hearn, is also forwarded.

I have the honor to be,
 Honorable Sir,
 Your most obedient Servant,

FORT SAINT GEORGE,
 12th November 1866.

Secretary to Government.

From Major C. S. HEARN, Commissioner of Police, to the Secretary to Government, Fort Saint George; dated Madras, 1st November 1866, No. 112.

I have the honor to forward a letter from the Medical Officer in charge of the Penitentiary, requesting that the sanction of Government may be obtained to the transfer of Sooboo Buttah, a prisoner under sentence of the High Court, to Madura Jail, on medical grounds.

2. A special order of the High Court would appear to be necessary, previous to transfer, vide Section 2, Act VII of 1850, and the Opinion of the Advocate General in Proceedings of Government, Judicial Department, No. 1140, of 16th August 1865.

From the Surgeon in Medical charge of the Madras Penitentiary, to the Commissioner of Police, Madras; dated Madras, 1st November 1866, No. 80.

I have the honor to forward, herewith, a Certificate, regarding the state of health of Sooboo Buttah, a High Court prisoner, sentenced to four years' imprisonment for "forgery and fraud, using as genuine a forged document," and to request that you will be good enough to obtain the sanction of Government for his being transferred to the Jail at Madura, his Native country.

I do hereby certify that Sooboo Buttah, a High Court prisoner in the Madras Penitentiary, sentenced, on the 1st November 1865, to four years' imprisonment, is in so weak a state of health from Anæmia following Diarrhœa, that any aggravation of his disease would, in all probability, prove fatal. I, therefore, recommend that he be removed to the Jail at Madura, his Native country, for change of air.

MADRAS, 1st November 1866.

(Signed) W. H. HARRIS, M. D.,
Surgeon in Medical charge,
Madras Penitentiary.

Exd. J. H. Burns.,

Deposited 14/11/1865
With Genl. 10 Aug 1865. N^o 1140.

Judicial Department

N^o 1781.

The Honorable Sir A. Pittelston Kt.
Acting Chief Justice of the High
Court of Judicature, Madras.
Maile Sir,

This is a brief
case -

It may go to Sir A B
for what he can make
of it - but I don't know
- the High Court
Judges can order the
main removal -

Act VII. 1855 empowers
the Court to remove from
Sail & another any
prisoner not sentenced
by the Supreme Court
but this does not give
that Court power to
order the removal of
this one prisoner.

I am directed by
the Governor in Council to
forward for the consideration
of the Honorable the Judges of the
High Court the accompanying
letter from the Commissioner
of Police enclosing the recom-
mendation of the medical
Officer in charge of the
Penitentiary for the removal
of the High Court Prisoner
Sooboo Buttal from the
Penitentiary.

A copy of the opinion of
the Advocate General referred
to by Major O'Leary is also
forwarded.

For the Secy. to the Govt.
12/11/1865

Wm D. D.

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Know my law that regarding...
does
12-12-12

He has not seen
him (the boy) any way
since he left the
Simpson's report -

How long has he
been in jail? - Since 1 Nov. 65 - Sentence
4 years in prison.

My belief is that
Sgt. A. B. Weston will

say that a birth happening
Sentence has nothing to do
with the place or manner
in which such sentence is
carried out.

W.D.
Soren

Judicial 1866 Depoitt.

Nov 1781.

To

The Honble
The Chief Justice of the
High Court of Judicature
Madras.

Dated 12th November 1866.