

Judicial (1895) Department.

ORDINARY PRINTED.

G.O., No 1474-75

Dated 13 July 1895

INDEXED.

[Despatch Abstract.]

LEGAL PROCESSES.

Drawing the attention of District Magistrates, &c., to the notifications of the Chief Commissioner of Mysore regarding the execution by the Subordinate Courts of the Government of Mysore of--- or decrees issued by courts within the territory of Fort St. George, in respect of persons residing within the limits of the Mysore State; and forwarding a copy of the Proceedings to the Resident in Mysore.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	4125		95		1954		
	5707		95		16993		
			2624				
			22-12-85				

13TH JULY 1895, Nos. 1474, 1475, JUDICIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—again the following paper :—

G.O., dated 10th October 1885, No. 2757, Judicial.

Read—the following letter from A. H. T. MARTINDALE, Esq., Assistant to the Resident in Mysore, to the Chief Secretary to Government, dated Bangalore, 2nd October 1885, No. 1820-490 :—

I am directed to forward a copy of the papers noted in the margin, and to request that, with the permission of His Excellency the Governor in Council, the procedure therein described regarding the execution by the Mysore Courts and Police officers of criminal processes issued by Magistrates in British India may be made generally known to all Magistrates and Police officers of districts in the Madras Presidency bordering on Mysore.

1. From the District Magistrate, Coimbatore, No. 634, dated 21st September 1885.
2. To the District Magistrate, Coimbatore, No. 1768-904, dated 28th September 1885.
3. Notification, No. 111, dated 23rd July 1878, issued by the Chief Commissioner of Mysore, and sanctioned by Government of India.

ENCLOSURES.

From G. D. LEMAN, Esq., District Magistrate of Coimbatore, to the Resident of Mysore, Bangalore, dated Coimbatore, 21st September 1885, No. 634.

With reference to the enclosed copy of the docket, dated 17th current, No. 342, from the District Magistrate of Bangalore, I have the honour to enclose two warrants against (1) Jamla and (2) Marah the accused concerned in a dacoity that occurred in Kollegal taluk in May last, and who are now in the lock-up from an order of the amildar of Kankanhally. I request that the two accused and a stolen property concerned in the said dacoity, being also kept there, may be caused to be delivered to the police on the British frontiers for production before the Kollegal Magistrate.

2. The two Canarese depositions, which accompanied the above docket, are forwarded herewith.

From A. H. T. MARTINDALE, Esq., Assistant to the Resident in Mysore, to the District Magistrate of Coimbatore, dated Bangalore, 28th September 1885, No. 1768-904.

I am directed to acknowledge the receipt of your letter, No. 634, dated 21st September 1885, forwarding two warrants addressed to the District Magistrate of Bangalore, for the arrest and surrender, to the British authorities, of two persons named Jamla and Marah, who are said to be concerned in a dacoity which occurred in the Kollegal taluk of the Coimbatore district.

2. In reply, I am to state that with a view to avoid delay the warrants in question have been forwarded to the Durbar for execution; I am, however, to request that in future similar warrants and other criminal processes may be forwarded direct to the Magistrate concerned in Mysore, as, under the Notification, No. 111, dated 23rd July 1878, issued by the late Chief Commissioner of Mysore under the authority of the Government of India, and still in force, all criminal processes of whatsoever description, when issued by any Magistrate having jurisdiction in any district of British India, have to be acted upon and executed by all Magistrates and Police officers in Mysore, under the same conditions, and in the same manner, as if such processes had been issued by a Magistrate having jurisdiction in Mysore.

Notification by the Chief Commissioner of Mysore.

General.

The 23rd July 1878, No. 111.

Under the authority of His Excellency the Viceroy and Governor-General in Council the Chief Commissioner directs that all criminal processes of whatsoever description, when issued by any Magistrate having jurisdiction in any district of British India, shall be acted upon and

13TH JULY 1895, Nos. 1474, 1475, JUDICIAL.

executed by all Magistrates and Police officers in Mysore, under the same conditions, and in the same manner, as if such processes had been issued by a Magistrate having jurisdiction in Mysore.

(By Order.)

(Signed) T. CLARKE,
Secretary.

Order—dated 10th October 1885, No. 2757, Judicial.

Communicated to the District Magistrates concerned and to the Registrar of the High Court.

(True Extract.)

(Signed) H. A. STUART,
Ag. Asst. Secretary to Govt.

To the Registrar of the High Court.

" District Magistrates, Salem, North Arcot, Nilgiris,
Coimbatore, Malabar, Bellary, Anantapur and Cuddapah.

READ—also the following paper:—

From W. LEE-WARNER, Esq., Resident in Mysore, to the Chief Secretary to the Government of Madras, dated Bangalore, 29th June 1895, No. 2408.

I have the honour to inform you that several instances have recently occurred in which the presiding officers of Courts, both of Civil and Criminal jurisdiction, within the territory of Fort St. George, have requested me to forward to the Government of Mysore for execution by the Subordinate Courts of that Government processes or decrees relating to persons residing within the limits of the Mysore State.

2. In view of the subjoined notifications which are still in force and by a compliance with which the execution of legal processes will be in most cases expedited, I beg to invite your attention to the correspondence ending with my letter to you No. 1820-490, dated 2nd October 1885, and to suggest that, if His Excellency the Governor in Council sees no objection, the order passed by the Madras Government on the 10th October 1885, No. 2757, Judicial, may be republished with the addition thereto of notification No. 112 relating to civil decrees and processes.

ORDER—dated 13th July 1895, No. 1474, Judicial.

The attention of the officers concerned will accordingly be drawn to the notifications printed as an appendix to these Proceedings.

(True Extract.)

For Chief Secretary.

To all District Magistrates.
" all District and Sessions Judges.
" the Chief Presidency Magistrate.
" the Inspector-General of Police.
" the Commissioner of Police.
" the Chief Judge, Court of Small Causes.
" Copy to the Honourable the Chief Justice (with C.L.).

ENDORSEMENT—dated 13th July 1895, No. 1475, Judicial.

Copy forwarded to the Resident in Mysore for information (with C.L.).

J. F. PRICE,
Chief Secretary.

APPENDIX.

NOTIFICATIONS.

Criminal.

The 23rd July 1878, No. 111.

Under the authority of His Excellency the Viceroy and Governor-General in Council, the Chief Commissioner directs that all criminal processes of whatsoever description, when issued by any Magistrate having jurisdiction in any District of British India, shall be acted upon and executed by all Magistrates and Police officers in Mysore, under the same conditions, and in the same manner, as if such process had been issued by a Magistrate having jurisdiction in Mysore.

Civil.

The 23rd July 1878, No. 112.

Under the authority of His Excellency the Viceroy and Governor-General in Council, the Chief Commissioner declares that —

(1) All decrees of any Court established in British India, which cannot be executed within the jurisdiction of the Court by which it was made, may be executed in the manner provided by sections 223-228 of the Code of Civil Procedure within the jurisdiction of any Court in Mysore.

(2) That all processes of whatsoever description issued by any Civil Court in British India, may be acted upon and executed by all Courts in Mysore, as if such process had been issued by a Court having jurisdiction in Mysore.

Govt. of {1895} Madras.
JUDICIAL.

Issued

Recd.

Encl.

G.O., &c., 13th July 1895,
Nos. 1474, 1475.

JULY.

Legal Processes.

Drawing the attention of District Magistrates, &c., to the notifications of the Chief Commissioner of Mysore regarding the execution by the Subordinate Courts of the Government of Mysore of — or decrees issued by Courts within the territory of Fort St. George, in respect of persons residing within the limits of the Mysore State; and forwarding a copy of the proceedings to the Resident in Mysore.

Notification.

Criminal.

The 23rd July 1873.

No. 111.

Under the authority of His Excellency the Viceroy and Governor-General in Council, the Chief Commissioner directs that all criminal processes of whatsoever description, when issued by any Magistrate having jurisdiction in any District of British India, shall be acted upon and executed by all Magistrates and Police Officers in Mysore, under the same conditions, and in the same manner, as if such process had been issued by a Magistrate having jurisdiction in Mysore.

Notification.

Civil.

The 23rd July 1873.

No. 112.

Under the authority of His Excellency the Viceroy and Governor-General in Council, the Chief Commissioner declares that—

- [1] All decrees of any Court established in British India which cannot be executed within the jurisdiction of the Court by which it was made, may be executed in the manner provided by sections 223-223 of the Code of Civil Procedure within the jurisdiction of any Court in Mysore.
- [2] That all processes of whatsoever description issued by any Civil Court in British India, may be acted upon and executed by all Courts in Mysore, as if such process had been issued by a Court having jurisdiction in Mysore.

CURRENT NO. 342

No. 2408 Enc. 1.

Has also the following papers

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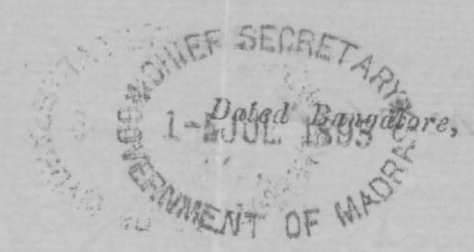
FROM

THE RESIDENT IN MYSORE.

TO

The Chief Secretary to the

Government of Madras.



29th June. 1895.

SIR,

I have the honour to inform you that several instances have recently occurred in which the presiding Officers of Courts both of Civil and Criminal jurisdiction within the territory of Fort Saint George have requested me to forward to the Government of Mysore for execution by the subordinate courts of that Government processes or decrees relating to persons residing within the limits of the Mysore State.

2. In view of the subjoined notifications which are still in force and by a compliance with which the execution of legal processes will be in most cases expedited, I beg to invite your attention to the correspondence ending with my letter to you No 1320-490 dated October 2nd. 1895 and to suggest that, if His Excellency the Governor in Council sees no objection, the order passed by the Madras Government on the 10th October 1895 No 2757 Judicial may be republished with the addition thereto of Notification No. 112 relating to Civil decrees and processes.

I have the honour to be,

Sir,

Your most obedient servant,

W. Lee Wainman

Resident.

1895
JUL 5
Encls. No 1
To
C. No 312

Judicial Department
CURRENT NO. 3127

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From, The Resident in Mysore

Dated 29th June
Recd 1st July } 1895
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Subjeit.

Regarding the execution by the
subordinate courts of the Govt of
Mysore processes or decrees issued
by Courts within the territory of Fort
St. George, relating to persons
residing within the limits of the
Mysore State.

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P.S. 27 13th July 1895 N^o 147.

The attention of ~~the~~ The office
concerned will accordingly
be drawn to the notices
printed as an appendix
to these groups

No. 2408.

[illegible]

6 copies
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31/7/95
discrepancy n° 1475

Copy forwarded to the
Rest in Mysore for informa-
tion (with C. L.)

13TH JULY 1895, Nos. 1474, 1475, JUDICIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

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(True Extract.)

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Ag. Asst. Secretary to Govt.

To the Registrar of the High Court.
District Magistrate, Salem.

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" " Nilgiris.
" " Coimbatore.
" " Malabar.
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Chief Secretary.

Exd. P. Seetharam.

Govt. of {1895} Madras.
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First copy sent to Press.

Returned for signature.

Despatched in print.

READ AGAIN G.O. No.
189

DATED

CURR. No.

ENCLOSURES TO G.O. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH DIRTO.

APERS NOT FILED UP, BEING MEANT FOR DESPATCH
ORIGINAL.

NUMBER OF COPIES
REQUIRED. { Order complete.
Letter only.
Order complete with Letter.

N.B. —

A = Print in full.
B = Not to be printed.
P = Print abstract only.
Q = Print heading only.