M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1492 Press ~~Mis.~~

35

Dated 17 — 11 — ~~1918~~ 57

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 17th November 1857.

No. 35. Extract from the Minutes of Consultation, dated 17th November 1857, No. 1492,

It having been observed that cases have been sent for trial to the Commissioner in Salem, which ought to have been left to the ordinary Criminal Courts, Government resolve to call the attention of the Magistrate to their Circular Order of 25th August last, No. 1081, and to direct him to be careful that no cases are forwarded to the Commissioner, except offences against the State and actual dacoities or robberies by open violence. As also, only such as have been committed after personal inquiry by the Magistrate himself or one of his European Assistants, under Section X, Act XIV of 1857.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Desp.ch 19.

Judl. Dept. No. 1492. of 1857.

W. Knox Esqr.	Commissioner of	Ganjam
Capt.n J.G. Russell	Do	of	Kurnool
C.W. Reade Esqr.	Do	of	Vizagapatam
P. Irvine Esqr.	Do	of	Bellary
H.D. Cooke Esqr.	Do	of	Calicut
E.B. Glass	Do	of	Chicacole
W. Dawdeswell Esqr.	Do	of	Chingleput
G.A. Harris Esqr.	Do	of	Chittoor
L.N. Ward Esqr.	Do	of	Coimbatore
G.F. Branchaud Esqr.	Do	of	Combaconum
G.H. Ellis Esqr.	Do	of	Cuddalore
W. Elliot Esqr.	Do	of	Cuddapah
F. Onslow Esqr.	Do	of	Guntoor
V.M. Mello Esqr.	Do	of	Honore
A.W. Phillips Esqr.	Do	of	Madura
R.N. Chatfield Esqr.	Do	of	Mangalore
J.D. Cotton Esqre.	Do	of	Masulipatam
F.H. Crozier Esqr.	Do	of	Nellore
J. Ratcliff Esqr.	Do	of	Rajahmundry
S.W. Cherry Esqr.	Do	of	Salem
H. Freere Esqr.	Do	of	Tellicherry
E. Story Esqre.	Do	of	Tinnevelly
J.S.P. Harris Esqr.	Do	of	Trichinopoly

The question is altogether
a technical one.

I consider the Act fully
& fairly drawn & hold
the Clerk of the Crown
to prepare cases & take up
them & the Magistrate for
trial before the Leinster Court

But it is the Magistrate instead
of Police who really commits
for trial

If the Act is Question can
be heard. Without reference
to the meaning attached
in the Act & Regulations

against the State & cases
of actual assault, or de-
livery by open violence" be
on any pretense whatever
[illegible] with the
& the ordinary course of
law-

None of the Salaam
cases that I have seen
should have been sent
to the Commissioners-

W. de-
6 Sept.
57-
I agree in this view
LC

words to the same" to come
"suit for trial" may operate
[illegible] to the ground-
And as unquestionably
the act is a peculiar
one, & framed to meet
the present crisis, this
act-free of the strict law
rules-

But I would strongly
urge that the orders of
the 25th of August 1857 be
strictly observed- & that
no cases, save "special

No 1492

Sh. of C 17th Nov. 1857.

It having been observed that
cases have been sent for trial to
the Commissioner in Salem, which
ought to have been left to the ordi-
-nary Criminal Courts, Govt. desire
to call the attention of the Magts
to their Circular Order of 25 August
last No 1051, and to direct them
no
to the case of that cases are
forwarded to the Commissioner
except offences against the State
& actual larcenies or robberies
by open violence. — & also
only that
such have been committed after
personal inquiry by the Magt
himself or one of his Conpeta
-nt assistants

Vide Letter X. Act XIV of 1857

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In Cons: 17th Nov.

C 25th Augt 1857 Eds 1081

Judl. 185 Dept.
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Fo 1192.

&c. Min. Consultation

Dated 17th Novr. 185

Fo 2000

Judl. Dept. to Engd 3rd March
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To the Magistrate of the
" — General Dirhgo } Dispd 17th
" — Agent for Revenue }
" " Comrs under Act XIV of 1857 } Dispd 19th
" " of the several Districts }
" — Judges of the Courts of } Dispd 19th
Sudr & Zillah Foujdaree }

Fo 1192

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