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M.R.O. J-38,000-15-10-20

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 383

Press

~~Mis.~~

Dated

23-3-1948

Not to be folded or roughly handled

செப்பனெடுவர் பெயர்

செப்பனெடுவதற்கு எடுத்துக்
கொள்ளப்பட்ட நாள்

செப்பனெடு முடிந்த நாள்

சரி பார்த்து
மு. ப. ராஜகோவை
செ. 9.98

குரா பிச்சி
உதவியாளர்
கையொப்பம்

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Fort St. George, Judicial Consultation, 23rd March 1858.

No. 25. Read the following letter from R. B. CHAPMAN, Esq., Under Secretary to the Government of India; to H. FORBES, Esq., Acting Secretary to the Government of Fort St. George, dated Fort William, the 24th February 1858, No. 331.

SIR,

Home Department. With reference to the accompanying Extract, paragraph 15, of a Despatch in the Legislative Department, No. 1 of 1858, dated the 6th January, from the Hon'ble the Court of Directors, I am directed to request that with the permission of the Government of Fort St. George, you will have the goodness to communicate the information therein required, respecting the operation of the Hindoo Widows' Marriage Act No. XV. of 1856, for transmission to the Hon'ble Court.

Extract from a Despatch from the Hon'ble the Court of Directors, in the Legislative Department, No. 1, under date the 6th January 1858.

Paragraph 15.—This Act had its origin in a Petition presented by nearly a thousand Hindoos, amongst whom were some of high caste who state that in their opinion and firm belief, the custom of prohibiting the marriage of Hindoo Widows "is not in accordance with the Shasters or with a true interpretation of Hindoo Law" and they accordingly pray the Legislative Council "to take into early consideration the propriety of passing a law to remove all legal obstacles to the marriage of Hindoo Widows, and to declare the issue of all such marriages to be legitimate." While the Bill was pending before the Legislative Council, fifty-one Petitions from persons of the Hindoo religion were presented in relation to it, of which twenty-three signed by 5191 persons were in favor of the measure and twenty-eight signed by 55746 persons against the measure. The objections taken in the several Petitions against the Bill were considered and reported in detail by a Committee of the Legislative Council in their report of the 31st May 1853. Some more Petitions adverse to the measure were presented after the submission of the report of the Committee, and Mr. Grant in his speech of the 12th July 1856, on the order of the day being read for the Council to resolve itself into a Committee on the Bill, states the number of opposing Petitions to be "upwards of 40 signed by from 50000 to 60000 persons." The Bill was maturely considered by the Council and passed unanimously. We desire to be informed whether it has had any practical effect and whether any well authenticated cases of the marriage of Hindoo Widows of respectability have been brought to the notice of the public authorities.

(True Extract.)

(Signed) R. B. CHAPMAN,
Under Secy. to the Government of India.

No. 26. ORDER THEREON, No. 383; dated 23rd March 1858.

Ordered to be communicated to the Magistrates in the Provinces and the Commissioner of Police, who will report whether the Act (XV of 1856,) respecting the marriage of Hindoo Widows, has had any practical effect and whether any authenticated cases of the marriage of Widows of respectability, have been brought to their notice.

(Signed) T. PYCROFT,
Chief Secretary.

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Act XIII of 1853, for regulating the Police of the towns of Calcutta, Madras and Bombay, and the several Stations of the Settlements of Prince of Wales' Island, Singapore and Malacca, 13th June 1856.

Sections III. IV.

Section VII.

from time to time ordered by the Local Government with the sanction of the Governor General of India in Council, and is to be under the supervision of the Commissioner. The numbers

Section VIII.

Section X.

whom also is to rest the power of suspending or dismissing any Police Officer, whom he shall think remiss or negligent in the discharge of

Section XL

his duty or otherwise unfit for the same with the further power of fining where he may consider such a mode of punishment more

power of fining where he may consider such a mode of punishment more appropriate to the case. Provision is then made in regard to the powers and duties of the Police and to the penalties to which they are liable on conviction.

Sections XVII., XVIII., XIX. of the Act contains rules for the formation and appli-

Sections XXII, XXIII, XXIV, XXV. case may be, may be divided into Police Districts.

Magistrates are to be appointed by the Local Government and Criminal processes are to be served exclusively by Officers of Police.

Police Force. Sections XXVI. to LXXXIX. inclusive, contain generally the substantive Criminal Law to be administered by the Magistrate.

substantive Criminal Law to be administered by the Magistrates under the Act and from Section XC. to Section CXII. both inclusive, is comprised the Law of

Sections CXIII. CXIV.

to Section CXII, both inclusive, is comprised the Law of Procedure. The Act then closes with a few provisions

Sections CXV, CXVI.

Procedure. The Act then closes with a few provisions in regard to the mode of dealing with intestate property.

Section CXVII.

in regard to the mode of dealing with intestate property under the value of Rupees 200, also with stray animals and Foreign Deserters. (Contd.)

been bestowed by the Legislative Council upon the preparation of this Act, and we desire that when it has had a sufficient trial, it may be found to be

we desire that when it has had a sufficient trial, we may be informed how far its operation has proved successful.

(True Extract)

Under Secretary to the Government of India.

Chas. J. Kieckhefer

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Order 2. D. la communicated to the
Court of Sessions and the Magistrate
and the Comm. of Police
States in the Province, who will report
whether the Act (XV of 1856) respecting the
marriage of Hindu widows, has had any
practical effect & whether any authorities
of the marriage
of widows of respectability have
been brought to their notice.

To Mr. George,
23 March 1858.

J

By the Commission of Police

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Under Secy. to the Govt. of India.