

(1) பக்கங்களின் எண்ணிக்கை

24

(2) புதுக்கித் திருப்பி. நாள்

16 செப் 1995

(3) ஆதாரங் குறிப்பவர் சுருக்கொப்பம்

## தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

Judicial குறை

|                                       |                  |                  |
|---------------------------------------|------------------|------------------|
| அரசாணை எண்.<br>மு. கோப்புத் தாள் எண். | 161<br>(106-107) | அச்சகம்<br>பலவகை |
| நாள் :                                | 25.1.1881        | 199              |

க.யு.ந.  
மடிக்கவோ கண்டபடி கையாளவோ கூடாது.

①  
181

GOVERNMENT OF MADRAS  
JUDICIAL DEPARTMENT.

25th January 1881, No. 161.

Opium Act.

Read the following paper :—

No. 106. *From Lieutenant-Colonel T. E. TENNANT, Inspector-General of Jails, to the Chief Secretary to Government, dated Madras, 31st December 1880, No. 404.*

Under Section 18 of the Prisoners Act V of 1871, I have the honor to refer the accompanying copy of a warrant issued by the Cantonment Magistrate of Pallavaram under (the Opium) Act I of 1878.

2. The Superintendent of the District Jail at Chingleput requested the Cantonment Magistrate to state whether the imprisonment awarded meant simple or rigorous imprisonment. The Magistrate, in reply, as will be seen from the copy of letter, No. 90, dated 15th December 1880, herewith enclosed, declined to give an opinion as to the description of imprisonment. I, therefore, refer the matter for the orders and instruction of the Right Honorable the Governor in Council.

ENCLOSURE No. 1.

From Surgeon-Major E. A. TRIMNELL, Superintendent of the District Jail, Chingleput, to the Cantonment First-class Magistrate, Pallavaram, dated 13th December 1880, No. 295.

I have the honor to bring to your notice that in your warrant, No. 42, dated 10th December 1880, against convict G. No. 2707, Bullamsing, in Calendar Case No. 17 of 1880, it is omitted to state whether the four months' imprisonment is simple or rigorous, and to request that you will be good enough to let me know the same.

From Major J. B. TAYLOR, Cantonment First-class Magistrate, Pallavaram, to the Superintendent of the District Jail, Chingleput, dated 15th December 1880, No. 90.

Referring to your letter, No. 295, dated 13th December 1880, I have the honor to state that in Section 9 of the Opium Act (1878), it is said that the punishment for any offence under that section should be imprisonment, but it does not state whether it is simple or rigorous. I adhered to the letter of the Act.

No. 107. ORDER THEREON, 25th January 1881, No. 161.

By Section 2, Clause 18, General Clauses Act (I of 1868) "imprisonment" (where the species is not stated) means "imprisonment of either description as defined in the Indian Penal Code." It was the duty, therefore, of the Cantonment Magistrate of Pallavaram, in awarding sentence under Section 9 of the Opium Act, to have set out in the warrant the species of imprisonment which he meant to impose. The warrant will now be returned to the Magistrate (through the Inspector-General of Jails) for amendment accordingly.

(True Extract.)

R. DAVIDSON,  
Chief Secretary.

To the Inspector-General of Jails,  
all District Magistrates.

Erd. J. Wright.

செப்பிடுபவர் பெயர் K.யுன்  
செப்பிடுவதற்காக எடுத்த  
கொள்கப்பட்ட நாளி *1880/12/31*  
செப்பிட்டு முடிந்த நாளி *1881/1/25*

சரிபார்க்கும் ஆராய்ச்சி  
மு.பா.எ. உதவிபாவர்  
கையொப்பம் கையொப்பம்

Govt. of (1881) Madras  
JUDICIAL.

To  
THE INSPECTOR-GENERAL OF  
JAILS,  
&c., &c., &c.

Dated January, 25th.

Issued

Recd.

Encl.

G.O., 25th January 1881, No. 101.

JANUARY.  
Nos. 103-107.

*Opium Act.*—Certain warrant issued by the  
Cantonment Magistrate of Pallavaram under this  
Act returned to the Magistrate (through the  
Inspector-General of Jails) for amendment.

No. 1104

2/1/80

Madras 31<sup>st</sup> December 1880

From  
Lt Colonel J. E. Tennant  
Inspector General of Jails

To  
The Honble R. Davidson Esq.  
Chief Secretary to Government  
Fort St. George

Sir

Under Section 18 of the  
Prisoners Act of 1871 I have the  
honor to refer the accompanying copy  
of a warrant issued by the Cantonment  
Magistrate of Pallavaram under the  
Opium Act I of 1878.

2. The Superintendent of the  
District Jail at Chingleput requested  
the Cantonment Magistrate to state  
whether the imprisonment awarded  
meant simple or rigorous imprisonment.

The Magistrate in reply, as will be seen from the Copy of letter No 90 dated 15<sup>th</sup> December 1880 herewith enclosed, declined to give an opinion as to the description of imprisonment. I therefore refer the matter for the orders and instruction of the Right Honorable the Governor in Council.

I have the honor to be  
Sir  
Your most obedient servant.

Inspector General of Rails

Referring to the  
 signed by the Canton -  
 must ~~be~~ ~~the~~ ~~same~~  
 with answers for order  
 and instruction.

1844

۱۲

W

22 July 1880

John C. Brown

Mr. Childs  
to - Barnum

The Director General  
of Rail

Z

No. 90  
Lanthier - of Free - all over  
15 - December 1880  
280

From the Santo Magistrate  
Pallacurum

2. Followed  
the Sup. Ct. District judge

Chesapeake Co.

hi

Regarding Evans letter No. 295 dated 13/12/80. I have been known to state that in Section 9 of the Opium Act (1878) it is said that the punishment for any offence under that Section, should be imprisonment. But it does not state whether it is simple or rigorous. I adhered to the letter of the act. I have to learn the

Ernst <sup>his</sup> Mont. Redd. Land.

Self J. W. Taylor  
 1<sup>st</sup> Class.

1 True Copy!

E. C. Turner  
 Pres. D. C. of Chicago & Jail  
 18 December 1880

No 295

Chambers Dist. Jail  
13<sup>th</sup> December 1880  
380

From

The Superintendent of the Dist. Jail  
Chambers

To The Judge 1<sup>st</sup> Class Magistrate

Pallavaram

Sir I have the honor to have from  
notice that in your warrant No 42 dated  
10<sup>th</sup> December 1880 against Corrie S. N.  
2707 Pullam in Cauder Case No  
17 of 1880 it is omitted to state whether  
the 2 months delay is simple or  
reformed & I request that you will  
be good enough to let me know  
the same.

I have to ever be

Yours most obedt. Servt.

J. E. A. Trimmell

Jud. of Dist. Jail

/ True Copy

E. A. Trimmell per J. E. A. Trimmell

Jud. of Chambers Dist. Jail  
18<sup>th</sup> December 1880

Examination Roll of Council Ed. No. 2707  
Hallam, Ind. in presence of District Phil.  
6/5

[illegible]

G. C. Tamm

Rev. Dr. [Signature]

Superintendent of Jail  
 Chicago, Ill.  
 25. December 1887

Robert Lewis

No 42

3 The best Constable  
2. Acid paint - Palladium  
The pailer  
Distant job Change job  
Section 303

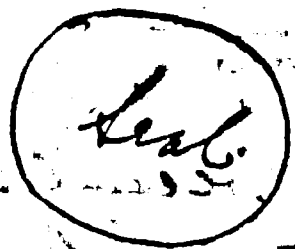
Warrant of Commitment

Whereas on the 10<sup>th</sup> day of December 1870  
Billumbing N. 2544 Private 33<sup>d</sup> Regiment  
N. I. person in Call No. 17 of the Calendar  
for 1870 was convicted before me by  
James Best Taylor, Lieutenant Major:  
of the 7<sup>th</sup> Battalion of the 9<sup>th</sup> Division of  
Selling Opium without license under  
section 9 of act 1 of 1878, two sentences  
to four (4) months imprisonment.

This is to authorize you the  
said Head Constable to take & deliver  
or cause to be taken & delivered the  
said Bullum King to the jailer of the  
said jail & you the said jailer to  
receive the said Bullum King into your  
custody in the said jail together with  
his warrants & there carry the  
aforesaid sentence into execution

according to Law.

Given under my hand & the Seal  
of the said Court this 10<sup>th</sup> day of  
December 1880.



Given by J. B. Taylor

County Registrar

True Copy of

Superintendent of Chief Justice  
20<sup>th</sup> December 1880.

8/18

Submitted 11<sup>th</sup> December 1880

Chief Justice  
C. N. 2707  
C. N. 2018  
Procurator  
General  
James Sullivan

India Mail DEPARTMENT. 9/16/80

No. 23.

From Sup. Gen. Jais

Dated 21 Dec 80

FOR ORDERS 25<sup>th</sup> Jan'y 1881. No 161  
Submitted

6/1/81

2.

By sec 2 cl 18 General Clauses  
Act (2 of 1855) "imprison-  
ment" (where the species  
is not stated), means  
imprisonment of either  
description as defined  
in the Indian Penal  
Code. It was the duty  
therefore of the Cantonment  
Magistrate of Palanpur  
in awarding sentence  
under sec 9 of the

Opium & to have  
set out in the Warrant  
the species of imprison-  
ment which he means  
to impose. The Warrant  
will now be returned  
to the Mayor (through  
the Disposer of Gaols)  
for amendment ac-  
cordingly. J.R.  
1788

To the Disposer of Gaols  
130 Dec. 4/2  
L 100-150

Imprisonment &  
9 Opium & 70

10/18

FOR ORDERS.

Printed for the

c15/1  
R 7/1

Judicial (1881) DEPARTMENT.  
Jails.

From The Inspector General  
of Jails

No. 404 / Enc: 4 /

Dated 31<sup>st</sup> Decr. '80.

Recd. 4<sup>th</sup> January 1881.

No. 23

SUBJECT.

Referring Warrant  
issued by Cantonment  
Magr. Palaveram with  
remarks for order and  
instruction.—

Sept. of 1887. *Adams.*

Just

C.O., 25 July 1901, No. 161.

MS. 106-107

Opium Act. (ertain  
Warrant issued by the  
Quintessence Magistrate of Calcutta  
under the Opium  
Act, 1858, to the Magistrate  
(through the S. of J. of the  
for a warrant, ~~in the name of~~  
~~the Magistrate of the District of~~  
~~the District of~~).