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தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

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அரசாணை எண். 83
மு. கோப்புத் தாள் எண். பலவகை
நாள் : 18 - 1 - 1881 199

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மடிக்கவோ துண்டபடி. கையாளவோ கூடாது.

GOVERNMENT OF MADRAS.
JUDICIAL DEPARTMENT.

18th January 1881, No. 83.

Bills—Legislative.

Read the following paper :—

No. 66. *From D. FITZPATRICK, Esq., Secretary to the Government of India, Legislative Department, to the Chief Secretary to Government, dated Fort William, 6th January 1881, No. 4.*

I am directed to forward, herewith, forty copies of the papers noted on the margin, and to request that His Excellency the Governor in Council will favor the Government of India with an expression of his opinion on the provisions of the Bill, and with the opinions of the Honorable the Chief Justice and Judges of the High Court, and of such officers as His Excellency in Council may think fit to consult on the subject.

2. I am also to request that the Bill and Statement be published in the *Fort St. George Gazette* in English and in such other languages as His Excellency in Council may deem proper, and that the dates of such publications be communicated in your reply.

3. The reply to this letter should be sent in by the 3rd February 1881.

No. 67. ORDER THEREON, 18th January 1881, No. 83.

Ordered that copy of the Bill to empower the Madras Government to alter the local limits of the Coroner's jurisdiction, &c., and of the Statement of Objects and Reasons received with the above letter, be forwarded to the Honorable the Judges of the High Court and to the officers noted in the margin, with the request that they will favor the Government with their views on the provisions of the Bill by the 24th January 1881.

2. The Bill was published in the *Fort St. George Gazette Supplement* of the 12th January 1881.

(True Extract.)

Chief Secretary.

To the Honorable the Judges of the High Court, with covering letter,

„ Advocate-General,
„ Coroner of Madras,
„ Commissioner of Police,

} with Bill, &c.

Exd. J. Wright.

Govt. of (1881) Madras.
JUDICIAL.

THE HONORABLE THE JUDGES
OF THE HIGH COURT,
&c. &c. &c.

Dated January, 13th.

Local.

Recd.

G.O., 13th January 1881, No. 83.

JANUARY.
Nos. 66-67.

Note. — Legislative. — Copy of the Bill to empower the Madras Government to alter the local limits of the Coroner's jurisdiction, forwarded to the Honorable the Judges of the High Court and to certain officers, with request that they will favor Government with their views on the provisions of the Bill by the 24th January 1881.

STATEMENT OF OBJECTS AND REASONS.

UNDER Act No. IV of 1871 (The Coroners Act, 1871), the local limits of the jurisdiction of the Coroners in the towns of Calcutta, Madras and Bombay are made co-extensive with the local limits of the ordinary original civil jurisdiction of the High Courts of Judicature at Fort William, Madras and Bombay, respectively, no power to alter them being conferred. In Madras, these limits comprise twenty-seven square miles and include twenty-three agricultural villages. This area having of late years, owing to the increase in the number of inquests to be held, become too large for one Coroner, it is proposed that the Governor in Council should be empowered to restrict the local limits of the Coroner's jurisdiction by excluding from them the non-urban portion which differs but little from the adjoining mufassal district. To give effect to this proposal, the present Bill has been prepared. It empowers the Governor in Council, with the previous sanction of the Governor General in Council, to alter the local limits of the Coroner's jurisdiction, as may be from time to time convenient, provided that these limits are never extended beyond the present ones.

2. In the event of the powers conferred by the Bill being exercised and the local limits of the Coroner's jurisdiction restricted, the provisions of the Criminal Procedure Code relating to enquiries by the Police into unnatural and sudden deaths will (section 2) extend to the tract excluded from the jurisdiction of the Coroner, and the Commissioner of Police will discharge the functions of the Magistrate under those provisions.

3. The present opportunity has been taken to correct an error (the result of an oversight) in section 9 of the Madras Police Act (Madras Act No VIII of 1867) as amended by the Code of Criminal Procedure.

The 24th December, 1880.

WHITLEY STOKES.

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

ANNEXURE

TO

Bill to empower the Government of Madras to alter the local limits of the Coroner's Jurisdiction, and for other purposes.

(Statement of Objects and Reasons.)

Govt. Central Press.—No. 181 L. D.—24-12-80.—120.

A
BILL

TO

Empower the Government of Madras to alter the local limits of the Coroner's Jurisdiction, and for other purposes.

WHEREAS under the Coroners' Act, 1871, the local limits of the jurisdiction of the Coroner of Madras are made co-extensive with the local limits of the ordinary original civil jurisdiction of the High Court of Judicature at Madras;

and whereas it is expedient to empower the Governor of Fort St. George in Council to alter the local limits of the said Coroner's jurisdiction;

and whereas it is also expedient to correct an error in section nine of Madras Act No. VIII of 1867 (an Act to incorporate the Police of the Town of Madras with the general Police of the Madras Presidency and for other purposes) as amended by the Code of Criminal Procedure; It is hereby enacted as follows:—

1. The Governor of Fort St. George in Council may, from time to time, with the previous sanction of the Governor General in Council, by notification in the Fort St. George Gazette, alter the local limits of the jurisdiction of the Coroner of Madras:

Provided that such limits shall not extend beyond the local limits of the ordinary original jurisdiction of the High Court of Judicature at Madras.

2. When, in exercise of the power conferred by section one, any area within the local limits of the said ordinary original civil jurisdiction is excluded from the local limits of the Coroner's jurisdiction, sections 133 to 135 (both inclusive) of the Code of Criminal Procedure shall extend to that area while so excluded, and all functions assigned to a Magistrate by those sections shall be discharged by the Commissioner of Police.

3. For section nine of the said Madras Act No. VIII of 1867, the following section shall be substituted:—

4. The Town Police shall be governed by all the provisions of the Criminal Procedure Code, contained in sections 89, 91 to 103 (both inclusive), 108, 109, 110, 111, 112, 114, 116, 117 (first part), 118, 119, 120, 123, 124, 125, 127, 129, 131, 136, 139, 140, 141, 142, 144, 147, chapter XII, sections 159, 161, 163 to 170 (both inclusive), 174 to 185 (both inclusive), chapter

XXVII (except section 385), sections 415 to 420 (both inclusive), 480, so far as they are applicable:

"Provided always, that the officer in charge of a Police-station shall not be required to bind over the prosecutor and witnesses as directed in section 123 of the said Code, if their immediate attendance can be procured without recognizances."

4. The portion of Schedule V of the Code of Criminal Procedure, under the heading "Acts of the Governor of Madras in Council," shall be read as if the letter and figure "s. 9" in the first column, and all the words and figures in the second and third columns opposite the said letter and figure, were omitted.

Exd.—R. S. B.

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GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

A
BILL
TO

Empower the Government of Madras to
alter the local limits of the Coroner's
Jurisdiction, and for other purposes.

(Mr. Stokes.)

No 4

83/5

From

D. Fitzpatrick, Esquire,

Secretary to the Government of India,
Legislative Department.

To
The Chief Secretary to Government,
Madras.

Dated, Fort William the 6th January, 1881.

Sir,

I am directed to forward herewith
forty copies of the papers noted on the margin,

Bill to empower the Govt. of Madras
to alter the local limits of the Coroner's
Jurisdiction, & for other purposes.

Statement of Objects & Reasons of
the above Bill.

and to request that His Ex-
cellency the Governor in Council
will favour the Government
of India with an expression
of his opinion on the provisions

of the Bill, and with the opinions of the
Honourable the Chief Justice and Judges of the
High Court and of such officers as His
Excellency in Council may think fit to con-
sult on the subject.

2. I am also to request that the Bill
and Statement be published in the Fort

St. George Gazette in English and in such
other

languages as His Excellency in Council
may deem proper, and that the dates
of such publications be communicated
in your reply.

3. The reply to this letter should be
sent in by the 3rd February 1881.

I have the honor to be,

Sir,

Your obedient servant

J. F. W. Patrick
Secretary to the Govt. of India.
H. H.

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Judicial 1881 Depatt.
/ Bills - Legislative /

From

Govt. of India
Legislative Dept.
No. 4.

No 83/11

(En: 40 copies, 1500, 1500)

Dated 6th January 1881
Recd: 17th — " —

No: 1318

Forwards copies
of Bill to empower the
Madras Govt. to alter
the local limits of the
Coroner's jurisdiction
and requesting opinion
to be furnished by
3rd Feb: '81.

Judicial Department.

83/

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following

Letter from the Secretary to the Govt. of India,
Legislative Dept, dated 6th January 1881, No 4.

Order thereon, 18th Jan 1881, No 83.

Ordered that copy
of the Bill to empower
the Madras Government
to alter the local limits
of the Coroner's jurisdiction
etc., and of the Statement
of Objects and Reasons, received
with the above letter,
be forwarded to the

able the Judges of the
High Court and to the
Officers noted in the
margin with the request
that they will favor
the Government with
their views on the
provisions of the Bill
by the 24 January 1881.

The Bill was
published in the Fort
George Gazette Sept.
the 12th January 1881.

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x
The Advocate Genl.
The Coroner of Madras
The Commissioner of Police

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To The Honble the Judges of the
High Court with covering letter
- " - Advocate General
- " - Coroner of Madras

} Comd of Police & Secy. 21/1
Desp 21/1

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Jan 5!

$$I_{\text{d}}$$

Dated 18 Jan 1981, No.
Recd.

Nos. 66-69.

Brills - Reg. copy of the
Bill to empower the masters
for to alter the local limits
of the Coloner's jurisdiction, and
for to the Hon. the Judges
of the High Ct. & to certain
offrs, with request that
they will favor for with
their views on the provisions
of the Bill by the
Jan'y 1881.