

Number of 14
Date of 5.12.33
3. Initials of

M.R.O. 1-22,400-23-11-20

MADRAS RECORD OFFICE.

Government of Madras.

Judicial

DEPARTMENT.

G.O. No. 276

Press
Mis. *CL*

Dated 9-2-1887

Not to be folded or roughly handled

9TH FEBRUARY 1887, No. 276, JUDICIAL.

GOVERNMENT OF MADRAS.
JUDICIAL DEPARTMENT.

READ—the following paper:—

From His Excellency Mons. ED. MANES, Governor of the French Settlements in India, dated Pondicherry, the 26th January 1887, No. 4.

I have the honor to call your attention to the various modes of procedure followed with respect to extradition by both our Governments. As regards the Settlement of Pondicherry and the South Arcot district, extradition is regulated by a convention of the 15th August 1872, of which a copy is attached, whereas in other parts of the peninsula, notably at Karikal, Tanjore, and on the coast of Orissa; the French and British authorities have no definite instructions on the subject. Having no other guide but Article 9 of the Treaty of the 7th March 1815, the above authorities have been accustomed to arrest criminals whose extradition is demanded, only on the receipt of reports containing information, and to hand them over if the papers—often incomplete—contain sufficient charges and grounds to justify guilt. The consequence is that some dangerous criminals often find refuge through delay caused by the observance of formalities.

2. In view to remedy the inconvenience in question, and to render more uniform the relations of our respective Governments on the subject of reciprocal demands for extradition, I have the honor to propose that the application of the convention concluded on the 15th August 1872, between the authorities in Pondicherry and those in South Arcot, be extended to all the British possessions comprised in the Presidency of Madras. For my part, I will take the same measures in order that the arrangements may be observed at Karikal, Yanam, and wherever necessary.

ENCLOSURE.

No. 304.

CONVENTION concluded regarding the suppression of offences and crimes committed in French and British territories.

At 8 A.M., on the 15th August 1872, the undersigned, Michaux (Ordonnateur), Laude (Solicitor-General), Ferrier (Director of the Police), and Young (Superintendent of Police in the district of South Arcot), met for the purpose of arriving at a conclusion regarding a more efficacious mode for suppressing grave crimes committed in French and British territories, have agreed to the following provisions:—

1. The police of both territories will respectively communicate any useful information regarding what they do.
2. They will exchange lists of vagrants and people without fixed residences who wander from one territory to another.
3. The officers of the Judicial police belonging to French territory will arrest, provisionally, on either written or verbal requisitions of officers of the British police—
 - (1) All French subjects suspected of theft with dacoity, of gang robbery on the high roads, of theft with force, of homicide or of murder. They will draw up reports of the arrest and submit information as to what has been done by them.
 - (2) British subjects suspected of crimes and offences other than those relating to the Revenue and Customs' Laws.
4. They will proceed on similar requisitions to search for articles stolen and prepare reports regarding their seizure.

5. They will forthwith send the arrested prisoners and the articles seized to Pondicherry, for the orders of the Solicitor-General.

6. In no case and under no pretext, will they themselves make over the prisoners arrested or the articles seized to foreign agents (unknown parties).

7. They are prohibited from performing any of their duties in foreign territory.

8. The above provisions are reciprocal, and will be observed by the officers of the British police on requisitions made by officers of the French Judicial police.

We have drawn up, in duplicate, the present proceedings and have signed them.

(Signed) MICHAUX.
 (") LAUDE.
 (") FERRIER.
 (") YOUNG, Captain,
Supdt. of Police, S. Arcot.

Approved—as regards the intervention of the French police.

PONDICHERRY,
 23rd August 1872.

(Signed) FARON,
Governor and Commissary-General.

Approved—as regards the intervention of the British police.

CUDDALORE,
 26th August 1872.

(Signed) SULLIVAN,
Collector of the S. Arcot District.

Transferred to the Chief Secretary to Government, for disposal.

GOVERNMENT HOUSE,
 26th January 1887.

(Signed) J. D. REES,
Private Secretary.

ORDER—dated 9th February 1887, No. 276, Judicial.

Communicated to the District Magistrates of Tanjore, Malabar and Godáviri, and the Inspector-General of Police, for remarks.

(True Extract.)

Ag. Chief Secretary.

To the District Magistrate, Tanjore.

" do. Malabar.

" do. Godáviri.

" Inspector-General of Police.

Copy to the District Magistrate, South Arcot.

Govt. of (1887) Madras.

JUDICIAL.

Issued

Recd.

Encl.

G.O., 9th February 1887, No. 276.

FEBRUARY.

Extradition.

Communicating to certain officers, for report, proposal of the Governor of Pondicherry, that the convention of August 1872, regulating — in the South Arcot district, be extended to the whole presidency.

Gouvernement

les Etablissements Français

de l'Inde

Administration

de la

Justice

N. 4

au sujet des demandes
d'extradition

Pondicherry, le 26 Janvier 1887.

République Française

Liberté - Egalité - Fraternité.

Administration

de la

Justice

N. 4

au sujet des demandes
d'extradition

Son Excellence Monsieur Ed. Manès,

Gouverneur des Etablissements Français dans

l'Inde

Son Excellence le très honorable Monsieur Robert

Bourke, Gouverneur de la Présidence de

Madras, Fort St. Georges.

Monsieur le Gouverneur,

J'ai l'honneur d'appeler votre attention

sur les différents modes de procédure suivis,

en matière d'extradition, par nos deux

Gouvernements. — Entre l'Etablissement de

Pondicherry et le District du Sud Arcot, cette

matière est réglée par une convention du

18 Août 1872 dont ci joint la copie, tandis que

dans les autres parties de la péninsule,

notamment à Karikal, au Canjore et sur

la côte d'Orissa, les autorités françaises et

anglaises ne possèdent aucune instruction

précise à cet égard. N'ayant d'autre guide,

que l'article 9 du traité du 7 mars 1815, elles

ont l'habitude de n'arrêter les malfaiteurs

dont l'extradition leur est demandée que

sur le vu des procès-verbaux d'information

et de ne les livrer que si Elles trouvent dans ces documents souvent incomplets des charges et indices suffisants de culpabilité. Il en résulte que des malfaiteurs dangereux trouvent souvent leur salut dans les lenteurs de toutes ces formalités.

Dans le but de remédier à cet inconvénient et de rendre plus uniformes les relations des deux Gouvernements respectifs, au sujet des demandes réciproques d'extradition, j'ai l'honneur de proposer à Votre Excellence de vouloir bien étendre à toutes les possessions Britanniques comprises dans la Présidence de Madras l'application de la convention conclue le 15 Août 1872 entre les autorités de Pondichéry et celles du Sud. De mon côté j'prendrais les mêmes dispositions pour que ces arrangements soient observés à Karikal, à Yanam et partout où ce sera nécessaire.

Veuillez agréer, Monsieur le Gouverneur, l'assurance de la haute considération, avec laquelle j'ai l'honneur d'être, De Votre Excellence, Le très-obéissant serviteur.

Robert

26.30h. — Convention conclue pour la répression des délits et des crimes qui se commettent sur les territoires français et anglais. Le 15 Août 1872, à 8 heures du matin, les soussignés, Michaud, Ordonnateur, Le Procureur Général, Terrier, Directeur de la police, et Young, Superintendant de la police du district du South Arcot, réunis dans le but d'arriver à une répression plus efficace des crimes graves qui se commettent sur les territoires français et anglais, ont arrêté les dispositions suivantes :

1. Les polices des deux territoires se communiqueront respectivement tous les renseignements utiles à leur action, et elles se remettront les listes des vagabonds et gens sans aveu qui passeront d'un territoire sur l'autre.
2. Les officiers de police judiciaire du territoire français arrêteront, provisoirement, sur réquisitions écrites ou verbales des officiers de police anglaise :
 1. tout sujet français prévenu de vol à main armée (dacoity), de vol sur les grands chemins et en rébellion, de vol avec violence, d'assassinat ou de meurtre. Ils dresseront procès-verbal de l'arrestation et se livreront

et sans aucune information sur les faits;

impunies et les sujets anglais prévenus de crimes
criminels et délits autres que ceux relatifs aux lois
fiscales et de douane;

— 4^e Ils procéderont, sur les mêmes réqui-
sitions, à des perquisitions pour rechercher

et saisir les objets provenant des crimes et dresseront
procès-verbal de la saisie;

Ils enverront immédiatement les
prévenus arrêtés et les objets saisis à Pondi-
chery, à la disposition du Procureur de la
République; et à ceux

des douanes de Pondichery. Dans aucun cas, ils ne livreront eux-mêmes les
prévenus ou les objets saisis, aux agents
étrangers;

Il leur est interdit de faire aucun
acte de leurs fonctions sur le territoire étranger;

Les dispositions contenues dans les
paragraphe ci-dessus sont réciproques
et seront observées par les officiers de police

anglais sur les réquisitions des officiers
de police judiciaire française.

De tout qui, par nous dressé, en
duplicata, le présent procès-verbal et laons

signé.

Signé: Michaux, Laude, Ferrier,
Capitaine Supérieur

of Police South Arcot.

Approuvé,

Approuvé, en ce qui
concerne l'intervention de
la police française.

Pondichery, le 23 août 1872.
Le Commissaire Général,
Gouverneur,
Baron.

Approuvé, en ce qui
concerne l'interven-
tion de la police
anglaise.

Cuddalore le 26 août 1872.
Le Collecteur
de la division du Sud.
Arcot.
Sullivan.

Pour copie conforme:
Le Procureur Général,



Samuel

Just 27689/2

6 HP 15
Letter from M. E. Lemoine, Governor
of the French Settlements in India, dated
Pondicherry, the 26th January 1887 No 4.

I have the honor to
call your attention
to the various modes
of procedure followed
with respect to extradition
by both our governments.
As regards the Settlement
of Pondicherry and
the South French District,
extradition is regulated
by a convention of the
15th August 1842 of
which a copy is at-
tached, whereas
in other parts of the
Peninsula, notably
at Karikal, Tanjore
and on the coast of

Prison, the French
and British authorities
have no definite
instructions on the
subject. Having no
other guide but article
9 of the Treaty of the
7th March 1815, the
above authorities
have been accustomed
to arrest criminals
whose extradition
here is demanded,
only on the receipt
of reports containing
information and
to hand them over
if the papers - often
incomplete - contain
sufficient charges
and grounds to
justify guilt. The
consequence is that
some dangerous

8. 17 2P
criminals often find
refuge ^{through} ~~owing to~~ the delay
caused by the observance
of formalities.

In view to remedy
the inconvenience in
question to render more
uniform the relations
of our respective
governments on the
subject of the reciprocal
demands for extradition,
I have the honor to
propose that the application
of the Convention concluded
on the 16th August 1842

between the authorities
in Pondicherry and
those in South India,
be extended to all
the British possessions
comprised in the
Presidency of Madras.
In my last I wish

take the same measures
in order that the
arrangements may
be observed at
Kauai, Yaman
& wherever necessary.

JP

Int. U. G. J. J.
1st January 1887.

10 19 28/2

10304 - Convention concluded
regarding the suppression
of offences and crimes
committed in French and
British territories.

At St. A. on the 15th
August 1872, the undersigned
Micheaux (Procurateur),
Lande (Solicitor General),
Ferrer (Director of the
Police), and Young
(Supt. of Police in the
District of South Aeth),
met for the purpose
of arriving at a conclusion
regarding a more efficacious
mode for suppressing
grave crimes committed
in French and British
territories, have
agreed to the following
provisions:—

1. The police of both
territories will respectively

communicate any useful information regarding what they do;

2. They will exchange lists of vagrants and people without fixed residences who ~~wander~~ wander from one territory to another;

3. The Officers of the judicial police belonging to French territory will ^{make} arrests, provisionally, on either written or verbal requisitions of Officers of the British Police;

(1). All French subjects suspected of theft with dacoity, of gang robbery on the high roads, of theft with force, of homicide or of murder - they will draw up reports

of the arrest and submit information as to what has been done by them;

(2) British subjects suspected of crimes and offences other than those relating to the Revenue & Customs laws;

4. They will proceed on similar requisitions to search for & articles stolen and prepare reports regarding their seizure;

5. They will forthwith send the arrested persons and the articles seized to Pondicherry for the orders of the Public Prosecutor;

6. In no case and under no pretext, will they themselves take over the prisoners arrested or the articles seized

13

to foreign Agents (unknown parties);

7. They are prohibited from performing any of their duties in foreign territory;

8. The above provisions are ~~are~~ reciprocal and to be observed by the Officers of the British Police on requisitions made by Officers of the French judicial Police.

We have drawn up, in duplicate, the present proceedings and have signed them.

(Signed) - Michaux, Claude
Ferre, Captain Young.
(Insp of Police, South Arch.)

Approved - as regards the inter-vention of the French Police -
(Signed) Farou - Governor of Pondicherry, 23rd Aug. 1872.
(Signed) S. B. C. C. -
Approved - as regards the inter-vention of the British Police -
(Signed) Sullivan - Collector of the South Arcot District, 23rd Aug. 1872.
(Signed) S. B. C. C. -

J. Bambergh
French Consul

In the presence of
24th January 1873

14

23

French letter
Received from H. E. the Governor
of Pondicherry

Dated 26th January 1887.

TRANSFERRED to the Chief Secretary to Government for disposal.

(By Order.)

Lieut. Colonel,
Private Secretary.

GOVERNMENT HOUSE,
29th January 1887.

A = Print in full.
 B = Not to be printed.
 F = Print abstract only.
 Q = Print heading only.
 R = Print but not for monthly column.

10.1.28 ✓

25.9.28 ✓

ORDINARY. PRINTED

J. S.
DEPARTMENT.
H.O. DATED *9 Dec 37*
No. *246*

First copy sent to Press.

Returned for signature. *187*

Despatched in print. *19/2*

[Despatch Abstract.]

*in addition - coming to certain offi
in for report, prepared of the Gov
Hence that the Convention of 1898
regulating - in the subject of
in being - has extended to the whole
Pres. -*