

1. Number of pages 8
2. Date of repair 15/12/55
3. Initials of repairer

M.R.O. 1-22,400-22-11-80.

MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No.	1102	Press
		Mis.
Dated	14-7-	1862.

Not to be folded or roughly handled

Handwritten signature or initials at the bottom left corner.

Copy Opinion

The words "vol. aver qu'il a peus" do not seem to me to define precisely the nature of the offence of which these escaped French subjects have been convicted. The translation says "probably Highway Robbery", and I have nothing else before me.

2. The whole subject of extradition for criminal offences was very fully gone into by me on the 17th July 1858, upon the reference to me from Government in Extract Minutes of Consultation under date 19th May 1858, at 322 Political Department.

3. The matter is hardly one of law but rather of usage, and I can only say that the past acts of the French Government at Pondicherry are such that they could hardly complain if Government were to refuse the request now made.

1837. January 6th they refused to deliver 4. Natives charged with child stealing alleging the offence to be not so serious as to authorize their surrender.

1838. December 14th they refused to deliver a person charged before the Criminal Court of Combaconum with Forgery and Subornation of Perjury, on the ground that he was unwell - and two other persons, in the same year, charged with theft.

1845. June 27th Robbery and rescue, proved before the Tahsildar; the French Government refused to surrender the parties, saying the charge was false.

1849. August 27th 3 persons, in custody for kidnapping, escaped; and the French Government refused to surrender them.

1855. March 7th Assault and Robbery and judicial proceedings instituted; French Government refuses - says Complaint is false.

August 29th a like case, and like refusal.

4. In the face of these cases, the French Government could hardly complain if their present demand were refused; but it seems to me for the interests of both nations, as well as of public justice, that the mutual extradition of Convicts at least, especially for offences against life and property should be encouraged as much as possible.

5. I would therefore suggest, that in the present case, the Convicts should be surrendered; but that, in doing so, the attention of the French Government should be called to the many cases in which their refusals have frustrated the ends of justice; and a hope expressed that in future they will reciprocate the present act of extradition.

6. I cannot find any case in which the French Government ever refused to surrender an escaped Convict; on the contrary, on the 11th October

October 1848, they surrendered a man charged with stealing Indigo; and on the 3rd July 1830, in refusing to surrender an accused person, they only declined to do so till furnished with a judicial act shewing an offence to have been committed.

A Copy of the conviction of the two escaped persons had better be called for before surrendering them.

(Signed) J. Sydney Smythe
Adv. General

June 30th 1862

(True Copy)

John Smith
Actg. Gov. Solr

5
N^o 317.

Madras, July 2nd, 1862.

From John Miller Esq^r.
Actg. Government Solicitor - Madras.
To A. J. Arbuthnot Esq^r.
Actg. Chief Secretary to Government
Madras.

Sir,

- Dated 20th June 1862 and is } 1. I have the honor to
enclosed on a letter from the } acknowledge the Order of Govern-
Magistrate of Trichinopoly to }-ment noted in the margin -
Government of the 13th idem }
N^o 103.
2. I submitted them for the consideration
of the Advocate General and now forward a
copy of his opinion thereon.
3. Likewise return the enclosures
above noted.

I have the honor to be,
Sir,
Your most Obedient Servant
John Miller
Actg. Gov. Sol^r.

The 12th Division from
Trichinopoly of 13th idem
in favor of the
Magistrate of Trichinopoly
in the
Court of Madras and
Madras.

Copy
Advocate General's Office

No 317.

Recd for do^r.

Advocate General's Office

Dated July 2nd, 1862.

July 2nd 1862

10-1308

Oct. 19th May 1868 - 421165

June 1862. Sepdy
From
The Rev. Jos. S. Lister
(2) at New
Haven
to the Rev. Chas. F. Johnson
at New Haven
Conn. July

Boxed 2 $\frac{1}{2}$ doz.
Boxed 4 $\frac{1}{2}$ doz.

S. C. 1
 No 317.
 1/31/30
 No 1308
 1/31/30

through with reference
to the Disposal Government
dated 20th June 1892 and
referred on a letter from the
Chairman of the Richmond
to Sir J. H. B. 13th June 1892.
Copy will be sent to the
the Richmond from
the Chairman of the
Richmond with the best
Council of the City in the
County at Richmond and
London.

~~Proceedings of the Chasras Court.
Read the following letters—~~

~~read the following letters—
from the Magistrate~~

~~the Magazine - Enter 13th June
of Philadelphia - 162 No. 103.
Bloods. Solicitor - 2nd July
N^o. 317.~~

~~Order - 14 July 1862. No 1108.~~

~~The attached is requested
to be processed & submitted
to Dept. as copy of the~~

Witts and Ortolan.

The Allegiances of the
German People

of the refugees, for whose
rehabilitation applications
was made from Haikhal.

85-47-24