M.R.O. 1—38,000—16-10-20.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1127	Press Mis.
542-543	
Dated 27th April 1869	

Not to be folded or roughly handled

No. 542. Read the following letter from the Acting Commissioner of Police, Madras, to the Chief Secretary to Government, Fort Saint George, dated Madras, 7th April 1869, No. 22:—

I RECEIVED the enclosed Warrant on the 1st instant, from the Assistant Conservator of Forests, for the apprehension of Thomas Nash Turnbull. The Warrant is issued by a Deputy Magistrate, and not by a Justice of the Peace, and is addressed to the Inspector of Police, Manantoddy Station, D. Division.

2. As the Warrant appeared to me informal, before sending it to Government for transmission to England, I submitted it to the Acting Government Solicitor for his opinion, and have the honor to enclose his reply.

3. Warrants of arrest are generally more definite in giving the designation of the person charged with an offence, and I would suggest that the Warrant should show that Thomas Nash Turnbull was in the service of Government, and committed criminal breach of trust on or about some particular date. I have the honor to request that a correct Warrant may be prepared and sent to me for endorsement in the manner prescribed by the Government Solicitor, when it shall be forwarded to Government for transmission to England.

From the Acting Government Solicitor, Madras, to the Acting Commissioner of Police, datep Madras, 6th April 1869, No. 154.

I HAVE the honor to acknowledge the receipt of your letter of the 3rd April 1869, No. 15, with its enclosures, requesting my opinion as to the legality and form of the Warrant for the apprehension of Mr. T. N. Turnbull.

2. I have perused the Warrant, (being one of the enclosures contained in your letter under acknowledgment), and having given the matter my most careful consideration, I am of opinion that although the form of the Warrant is correct, yet it does not appear to be original, and has not moreover been properly endorsed, and cannot therefore be acted upon.

3. I observe from the foot-note to the Warrant now before me, that a Warrant was first issued on the 9th February 1869 for the apprehension of Mr. Turnbull, though to whom such Warrant was directed does not appear. The present Warrant was issued by the Deputy Magistrate of Wynaad on the 29th March 1869, directed to the Inspector of Police, Manantoddy Station, D. Division; but has not been endorsed by him, although by a foot note-the Deputy Magistrate has endorsed it to the Commissioner of Police: this, in my opinion, is informal, as the proper course was for the Officer, to whom the original Warrant was directed, to have endorsed it to the Commissioner of Police, and then forwarded it to him, and on the latter's receiving it, he should endorse on it his return to the effect that the person charged could not be found, and this done the Warrant should be sent to Government to be forwarded to England.

4. I may here also mention that the Warrant appears not to have been issued by a Justice of the Peace, but only by the Deputy Magistrate of Wynaad, who, I believe, is not a Justice of the Peace; and if such be the case, I do not think the Warrant will be recognised in England.

5. I return the enclosures forwarded with your letter under acknowledgment.

Proceedings of the Madras Government, Revenue Department,
27th April 1869.

No. 543. ORDER THEREON, 27th April 1869, No. 1,127.

Miscellaneous.

ORDERED to be recorded.

(True Extract.)

(Signed) H. WELLESLEY,
Acting Under Secretary to Government.

Exd. F. R. Bantleman.

No. 22.

Madras Police
Commissioner's Office
7th April 1869

From

Captain T. E. Tennant
Adjt. Commissioner of Police

To The Hon'ble R. S. Ellis C.B.
Chief Secretary to Government
Fort St. George

Sir,

I received the enclosed warrant on the 1st Instant from the Assistant Conservator of Forests for the apprehension of Thomas Nash Turnbull. The warrant is issued by a Deputy Magistrate and not by a Justice of the Peace and is addressed to the Inspector of Police Ootacamund Station D. Division.

2. As the warrant appeared to me informal, before sending it to Government for transmission to England, I submitted it to the acting Government Solicitor for his opinion and have the honor to enclose his reply.

3. Warrants of arrest are generally more definite in giving the designation of the person charged with an offence

and

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should show that Thomas Nash Turnbull
was in the Service of Government and
committed Criminal Breach of trust
on or about some particular date.
I have the honor to request that a cor-
rect warrant may be prepared and
sent to me for endorsement in the
manner prescribed by the Government
Solicitor when it shall be forwarded
to Government for transmission to England.

I have the honor be,
Sir,
Your most Obt. Servant
J. E. Dumaresq
Ag: Commissr. of Police

Rec'd 1869 Dep't

From " No 1109.

Capt J. C. Tennant

Ag: Commiss'r of Police

To

The Chief Sec'y to Govt

Fort St. George

Dated 7 "

Rec'd 7 " April 1869

En: 2.

Encloses a warrant

received from the Assistant

Conservator of Forests for

the apprehension of J. R.

Turnbull which is

considered by the acting

Government Solicitor to

be informal & requests

therefore that another warrant

in proper form may be

obtained and sent for his

endorsement prior to

transmission for England.

No 127.

RECEIVED 69

7 April