M.R.O. 1—83,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1267 Press Mis.
114-115

Dated 4-2-1930

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, from 24th September to 4th October 1859.

No. 114. Read the following letter from T. CLARKE, Esq., Magistrate of Madura; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 21st September 1859, No. 168.

I have the honor to enclose an Extract from the Proceedings of the Session Court of Madura, dated the 12th Instant, calling on me to state what authority Mr. Thomas my Assistant holds in this District and pointing out to me that under the revised rules for the examination of Assistants, Mr. Thomas is precluded from hearing and determining any criminal cases except those specially referred to him by the Magistrate.

2. Mr. Thomas joined this District on the 20th July last, at a time when I was without any Assistants or Deputy Collectors. My Sub Collector who afforded me great help was at the time ailing with fever contracted in his circuits in the division.

3. I found Mr. Thomas spoke the Tamil with ease, correctness and fluency; that he was possessed of habits of business; that he was acquainted with the ordinary regulations and rules, and had been entrusted with a separate and independent charge in Canara, and that he was every way competent to discharge the duties of an Assistant.

4. It appears to have been quite accidental that he had not been declared qualified according to the 1st standard, severe illness having prevented his attendance at the last two examinations.

5. Mr. Thomas has been about 3 years in the country.

6. I hope under this explanation Mr. Thomas' case may be deemed an exceptional one, and that I may be allowed to delegate to him a distinct Police charge and some few easy cases of revenue detail.

7. It will be impossible for me without the aid of Mr. Thomas to carry on the very heavy business of this large populous and important District in which, in addition to the ordinary work of Revenue and Police attaching in common to all Districts, I am charged with the duties of the Political Agent at Poodoocottah, of salt and sea and land customs, two estates under the care of the Court of Wards, Forests which will need conservancy, and a more than ordinary number of Civil Suits, some of a difficult and intricate character.

8. The Government are probably aware that I have at present but one Deputy Collector; Mr. Hayes, appointed on the 2nd Instant, has not yet joined this District, and it is possible I fear that circumstances may even prevent his joining within the prescribed period.

9. My Sub Collector forwards to-day or to-morrow a Medical Certificate to the Superintending Surgeon at Trichinopoly. It appears urgently necessary that he should not longer delay his departure to England. He has long endeavored to fight against the fever which has attacked him, but unsuccessfully, and the late Zillah Surgeon strongly urged the necessity of his proceeding to sea, a course he has at length reluctantly resolved to adopt.

Extract from the Proceedings of the Session Court of Madura, under date the 12th September 1859.

Several Petitions having been presented to the Session Judge, against the orders of the Assistant Collector Mr. Thomas, the Session Judge resolves to call upon the Magistrate to state what authority this Officer holds in the District.

The revised rules for the examination of Assistants, *lately** furnished to the Court by Government, lay down (Rule II) an Assistant must be examined and found qualified according to the 1st standard before he will be authorized to hear and determine any criminal cases except those especially referred to him by the Magistrate or before he will be vested with a distinct Police charge. The Session Judge believes Mr. Thomas has not passed his examination for the 1st standard.

* August 1859.

(True Copy.

(Signed) T. CLARKE,
Magistrate.

Proceedings of the Madras Government, Judicial Department, from 24th September to 4th October 1859.

No. 115. ORDER THEREON, 4th October 1859, No. 1347:

Under the special circumstances represented by the Magistrate, Government permit the Magistrate, as an exceptional case, to adopt the course proposed in paragraph 6 of his letter.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

No. 1347 — 4 October 1859.

Under the special circumstances represented by the Magistrate, Govt. permit the Magistrate, as an exceptional case, to adopt the course proposed in para. 6. of his letter.

Court of Judicature
The Magistrate of
do — Madura
} Despd 10th
" 3d Nov.

Exd. F. Cartledge.