

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. /	Press ~~Mis.~~
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Dated 3-1-1862	19

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Not to be folded or roughly handled

may

*Proceedings of the Madras Government, Judicial Department,
3rd January 1862.*

No. 1. Read the following letter from P. GRANT, Esq., Magistrate of Malabar; to T. PYCROFT, Esq., Chief Secretary to Government, Judicial Department, Fort Saint George, dated Calicut, 21st December 1861, No. 113.

With reference to the Notification in the Gazette of the 3rd December, pointing out the powers to be exercised by the various Magisterial authorities under the provisions of Act XXV of 1861, I beg to recommend that the Acting Head Assistant Magistrate Mr. Hannyngton be invested with the full powers of a Magistrate—his head quarters are at Palghat, 83 miles distant from Calicut, and although he has not passed the prescribed examination, I consider him perfectly competent to exercise the above powers.

2. I also strongly recommend that Mr. Richardson, Deputy Magistrate Wynad, be invested with the full powers of a Magistrate—he is a careful and hard-working official. The nearest part in Wynad is some 40 miles distant from the Tellicherry Court, to which offenders have to be committed, and several parts of the Taluq are above 100 miles distant from that station.

3. In the explanatory Notes prefixed to the Schedule of Act XXV of 1861, it is stated in Note 4 that “any offence which is triable by an Officer exercising the powers of a Magistrate, may be tried by a Subordinate Judge or a Principal Sadr Amin in the Presidency of Fort Saint George.” I therefore beg to know whether it is not competent to the Magistrate to direct that parties charged with crimes and misdemeanors demanding a higher punishment than can be inflicted by Sub Magistrates of the first class shall be committed to the Court of the Sub Judge or Principal Sadr Amin.

4. It will be well that this point be settled; for, I really do not see how I am to get through my work, if the additional labor of trying serious criminal cases devolves on me. As it is, I am engaged from morning to night and cannot get through my duties satisfactorily.

5. I conclude that the Subordinate Criminal and Principal Sadr Amin's Courts, will exercise the same powers as are invested in Magistrates, and that Magistrates will exercise them as a general rule when they happen to be in localities at a distance from the Courts, so as to save witnesses and other parties the trouble and loss of time entailed by a long journey.

No. 2. ORDER THEREON, 3rd January 1862, No. 1.

The Government resolve under Section 23 of the Code of Criminal Procedure, to invest Mr. J. C. Hannyngton, Acting Head Assistant Magistrate of Malabar, and Mr. H. Richardson, Deputy Magistrate Wynad, with the full powers of a Magistrate.

2. The point raised in paragraph 3 of the foregoing letter will be referred to the Fouzdaree Udalt for their opinion.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

To-day No 1 3rd January 1862

The Govt. resolve under Sec 23
of the Code of Criminal Procedure
to invest Mr. J. L. Harrington,
Acting Head Assistant Magistrate
of Malabar, and Mr. H. Rick-
ardson, Deputy Magistrate, My-
nad, with the full powers
of a Magistrate.

2. The point raised in
para 3. of the foregoing let-
ter will be referred to
the Fouzdaree Adalat
for their opinion

To the Magistrate of Malabar 3
" Session Judge of Calicut 3
" do do Tellicherry 3
" Fouzdaree Adalat 3
" Gazette. para 1. 5

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