M.R.O. 1—32,000—16-10-23.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 94 Press ~~Mis.~~

140-141

Dated 21.1.1882 ~~19~~

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Not to be folded or roughly handled

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1916

Proceedings of the Madras Government, Judicial Department, 21st January 1862.

Read again letter from the Collector of the Godavery District, dated 7th December 1861, recorded in Proceedings, 21st January 1862.

No. 140. Read also the following letter from J. D. ROBINSON, Esq., Magistrate of North Arcot; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Wallajapet, 7th January 1862, No. 1.

I have the honor to request that Mr. W. T. Blair, the Joint Magistrate, and Mr. R. W. Barlow, the Acting Head Assistant Magistrate of this District, may under Section 412 of the Code of Criminal Procedure be empowered by Government to receive and dispose of appeals from the decisions of the 2nd class Subordinate Magistrates of their respective Divisions. As I read that Section, these Officers although vested with the full powers of Magistrate have no appellate jurisdiction whatsoever, until it has been specially conferred on them by Government.

2. I beg likewise to be informed whether I am right in supposing that Mr. Barlow, Acting Head Assistant, may without special authority exercise the full powers of Magistrate under Section 23 of the Code. Mr. Barlow has passed the examination for the higher standard, and has been exercising the extended powers under the old system; and I was therefore taking it for granted that he had full powers under the new Code of Procedure, until I observed in some recent Gazettes the names of several Acting Head Assistants in other Districts as having been specially empowered by Government under Section 23. This doubt I respectfully beg you will be pleased to remove.

No. 141. ORDER THEREON, 21st January 1862, No. 94.

Under the Notification of this day's date, the Joint Magistrates generally are empowered to hear appeals under Section 412 of the Code of the Criminal Procedure.

2. The Government resolve, under Section 23 of the Code, to invest Mr. R. W. Barlow, Acting Head Assistant Collector of North Arcot, and Mr. W. D. Horsley, Acting Head Assistant Collector of the Godavery District with the powers of a Magistrate, and, also under Section 412, with power to hear appeals from the decisions of the Subordinate Magistrates of the second class, located in their charge.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Judicial Department.

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PROCEEDINGS of the MADRAS GOVERNMENT.

Read letter from the
Magistrate of North
Arcot ——— Enter 7th Jany. 1862 No. 1.
Again Read do from Collr. of N. Arcot Dtd. 7 Dec/61
Recorded in Proc: 21st Jany 1862 No.
Order — 21st January 1862 No 94

Under the Notification of the Govt. instant, the Joint Magistrates generally are empowered to hear appeals under Section 412 of the Code of the Criminal Procedure.

2. The Govt. resolve, under Section 23 of the Code, to

Proceedings

Jan 1862. Department

No. 94.

PROCEEDINGS of the MADRAS GOVERNMENT.

Dated 21 January 1862.

Investing Messrs R. W. Barlow and W. D. Horsley with the full powers of a Magistrate and also under Sect 412, with power to hear appeals from the 2nd Class Subordinate Magistrates of their respective Divisions.

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21 Jan 1862