M.R.O. 1—32,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1474 Press ~~Mis.~~

98-100

Dated 14.9.1883. ~~19~~ .

415

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 14th September 1863.

Read the following papers :—

No. 98. From JOHN D. MAYNE, Esq., Acting Clerk of the Crown; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Madras, 3rd August 1863.

I have the honor to acknowledge the receipt of your letter, dated 31st ultimo. In reply, I beg to state that a Commission of the Peace was issued on the 25th March last from this office on behalf of the Officers named in the margin,* upon the requisition of Government, dated 16th of the same month, No. 407. A notification to that effect was made to Government in a letter from this office, dated 31st March.

* Mr. P. Grant, Collector and Magistrate of Coimbatore.
Mr. J. C. St. Clair, Acting Sub-Collector and Joint Magistrate of Coimbatore.
Mr. C. G. Walker, Acting Head Assistant to the Collector and Magistrate of Coimbatore.

No. 99. From P. GRANT, Esq., Magistrate of Coimbatore; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Ootacamund, 15th August 1863, No. 58.

Adverting to your Memorandum of the 8th instant, No. 210, I have the honor to inform you that Mr. J. C. St. Clair qualified as a Justice of the Peace before the Assistant Magistrate's† Court at Coimbatore and not before the Civil Court of the Zillah.

† Mr. Walker.

No. 100. ORDER THEREON, 14th September 1863, No. 1,474.

It appears from the foregoing letters that a Commission of the Peace was, on the requisition of the Government, issued on behalf of Mr. St. Clair (jointly with two other nominees) on the 25th March last, and that Mr. St. Clair qualified as a Justice of the Peace before the Assistant Magistrate's Court at Coimbatore.

2. An Assistant Magistrate's Court is a Criminal Court within the meaning of Section 112, Regulation II, 1820, and Act XVI, 1841, and Mr. St. Clair has, therefore, duly qualified.

3. The Magistrate of Bellary is informed accordingly, and the Order of the 31st July last, No. 1,239, passed on his letter of the 22nd idem, No. 29, will be cancelled.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Ed. T. O'Connor.

ACT No. XVI. OF 1841.

Passed by the Right Hon'ble the Governor General of India in Council on the 20th of August, 1841.

An Act concerning the taking of Oaths of Qualification by Justices of the Peace.

I. WHEREAS inconvenience has arisen in consequence of pursuing the course heretofore deemed necessary for taking of Oaths by Justices of Peace, in order that they may be duly qualified to act under Commissions of the Peace ;—It is hereby enacted, that all persons who are or shall be nominated and appointed in any Commission of the Peace, shall be capable of acting as Justices of the Peace in every respect, according to the tenor of such Commission, upon taking and subscribing in any Civil or Criminal Court of Justice within the places in and for which any such Commission shall have issued before the Officer presiding in such Court, whether such Officer be a Justice of the Peace or not, the Oaths appointed to be taken by Justices of the Peace ; and the subscription of such persons to the said Oaths shall be deposited and kept with the Records of the Courts of Justice in which the said Oaths shall have been administered.

II.

ACT No. XVI. OF 1841.

II. And it is hereby enacted, that every Justice of the Peace who, before the passing of this Act, shall have had administered to him the Oaths of qualification by any other Justice of the Peace, shall be deemed to have been duly qualified to act as a Justice of the Peace from the time of taking such Oath, and shall continue so qualified notwithstanding such Oath may not have been taken in a Court of Justice as required by any previous Law, or by this Act.

Calcutta :—1841.—Printed at the Bengal Military Orphan Press, by G. H. Huttmann.

3 Judicial.

Proceedings of the Madras Govt,

Read the following letters —

From the Clerk of the Crown — Enter 3" Aug." 63.

" the Magistrate of Coimbatore — 15" do No. 58.

— Order — No. 1611 of 11. Sept. 1863

It appears from the foregoing letters that a Commission of the Peace was, on the requisition of the Govt, issued on behalf of Mr. St. Clair (jointly with two others nominees) on the 25" March last — & that Mr. St. Clair qualified as a Justice of the Peace before the Assistant Magistrate's Court at Coimbatore.

The Governor in Council is of opinion that the Assistant Magistrate's Court is a Criminal Court within the meaning of § 112 - Reg II - 20 & Act XVI - 41, & that Mr. St. Clair has, therefore, duly qualified.

The Magistrate of Bellary is informed accordingly, & the Order of the 31" July last No" 1239, passed on his letter of the 22" idem No" 29, will be cancelled.

the Magistrate of Bellary

Pro. Lett

Judicial 1863. Department.

No. 1474

PROCEEDINGS OF GOVERNMENT,

Dated 14th Sept. 1863

Informing the Magistrate of Bellary that Mr. J. C. St. Clair qualified as a Justice of the Peace before the Assistant Magte's Court at Coimbatore

Mis No. 79-81
March 63
10-11
March 63
89-91
Jan 64

98 to 100