M.R.O. 1—20,000—16-10-23.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1795 Press ~~Mis.~~

140-141

Dated 19.11.1863 ~~-19-~~ .

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Not to be folded or roughly handled

No. 140. Read the following letter from G. BANBURY, Esq., Acting Magistrate of the Madras District; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Saidapet, 2nd November 1863, No. 66.

I have the honor to submit an application* from Mr. Hutchins, the Acting Joint Magistrate of this District, requesting to be authorized to take down depositions in English, under Sections 190 and 249 of the Code of Criminal Procedure.

* Copy.

2. Mr. Hutchins' knowledge of Tamil enables me confidently to recommend that his request should be complied with, I experience the same inconvenience in my own office, and were it not for my fortunately having at head-quarters Mr. Locke, who is a Deputy Magistrate with full powers, considerable delay would occur in disposing of my numerous Magisterial cases. It would greatly expedite matters and facilitate the transaction of the daily duties, if the authority now solicited for Mr. Hutchins, is also delegated to Mr. Locke and myself.

3. Mr. Locke is an excellent linguist, knows Telugu thoroughly, and Tamil and Hindustani remarkably well; he also devotes much attention to the cases referred to him.

4. I cannot speak of my own qualifications, but trust the Government will be disposed to extend to me the provisions of these Sections, should they think fit to do so in the cases of the Acting Joint and Deputy Magistrates.

From P. P. HUTCHINS, Esq., Acting Joint Magistrate of the Madras District; to G. BANBURY, Esq., Acting Magistrate of the Madras District, dated Chingleput, 29th October 1863, No. 194.

The Revenue work in this Sub-division, as you are aware, is fully sufficient to occupy one's whole time. The Magisterial work is also occasionally very heavy. This morning, for instance, I had no less than four separate cases submitted to me.

2. It would much simplify the Procedure in such cases, and tend considerably to lighten my Magisterial work, if I were permitted to dispense with formal depositions. As it is, under Sections 195 and 249 of the Code of Criminal Procedure, I am obliged, as the examination of each party proceeds, to take down the evidence with my own hand in the form of notes, but I am often compelled to wait a considerable time while the Goomastah is writing precisely the same matter in Tamil.

3. Under these circumstances, I have the honor to request that you will be good enough, should you see no objection, to move Government to authorize me under Sections 196 and 249 of the Code of Criminal Procedure to take down the evidence of witnesses in English.

4. I refrain from making the same recommendation on behalf of the Magistrates Subordinate to me, because I am as yet imperfectly acquainted with their abilities, you will yourself be in a better position than myself, to judge what should be done in their case.

(True Copy.)

(Signed) G. BANBURY,
Acting Magistrate.

No. 141. ORDER THEREON, 19th November 1863, No. 1795.

Under Section 196 of the Code of Criminal Procedure, Mr. G. Banbury, Acting Magistrate of Madras, Mr. P. P. Hutchins, Acting Joint Magistrate, and Mr. S. Locke, Deputy Collector and First Class Subordinate Magistrate in the same District, are authorized to take down the evidence of witnesses with their own hands in English.

2. This order will be published in the Fort Saint George and Madras District Gazettes.

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

Rxd. T. McMootry.

No. 1795- 19th November 1863.

Under § 196 of the Code of Criminal Procedure, Mr. G. Banbury, Acting Magistrate of Madras, Mr. P. P. Hutchins, Acting Joint Magistrate, & Mr. S. Locke, Deputy Magistrate in the same district, are authorised to take down the evidences of witnesses with their own hands in English.

2. This order will be published in the Fort St. George and Madras District Gazettes.

The Hon'ble the Judges of the High Court.
Collector & Magistrate of Madras
Para 1 in Gazette.