M.R.O. 1—30,000—16-10-20.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1899 Press ~~Mis.~~

11-12

Dated 5 - 12 - ~~19~~ 1906

3/4

Not to be folded or roughly handled

1899/12

Proceedings of the Madras Government, Judicial Department, 5th December 1866.

No. 11. Read the following letter from V. H. LEVINGE, Esq., Magistrate of Madura, to the Secretary to Government, Fort Saint George; dated Madura, 24th November 1866, No. 554.

I have the honor to bring to notice that, by Order of Government, dated 10th August 1866, published in the *Fort Saint George Gazette*, Mr. W. E. Underwood was vested with powers to hear appeals; subsequently, Government took away from him the full powers of a Magistrate. I am in doubt whether that act cancels his power to hear appeals or not, and request the orders of Government whether Mr. Underwood can hear appeals from the Sub-Magistrates of the 2nd Class in the Taluqs in which he exercises the powers of a Magistrate of the 1st Class.

No. 12. ORDER THEREON, 5th December 1866, No. 1899.

The Government are surprised that a Magistrate of Mr. Levinge's standing should propound such a question as that contained in the foregoing letter. He is informed that the G. O. depriving Mr. Underwood of the full powers of a Magistrate necessarily involved the forfeiture of the power to hear appeals from the decisions of Subordinate Magistrates, as such power cannot, according to Section 412 of the Code of Criminal Procedure, be conferred upon, or exercised by, any Officer not holding the full powers of a Magistrate.

(True Extract).

Chief Secretary.

To the Magistrate of Madura.

Exd. J. H. Burns.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from
the Magte of Madura
(Received 24 Novr 1866 No 5541)

Order thereon 5th Decr 1866 & No 1899.

The Govt are surprised
that a Magistrate of Mr Levinge's
standing should propound such
a question as that contained in
the foregoing letter. He is in-
formed that the G. O. depri-
ving Mr Underwood of the full
powers of a Magistrate necessari-
ly involved the forfeiture of the
power to hear appeals from the
decisions of Subordinate Magis-
trates, as such power cannot,
according to Sect 412 of the Code
of Criminal Procedure, be confer-
red upon or exercised by any
Officer not holding the full
powers of a Magistrate.—

N.
W.

440-B

The Magte of Madura. Despch 8/12
66

Judicial 1866. Department.

No. 1899.

PROCEEDINGS OF GOVERNMENT

Dated 5th December 1866.

Chronological 131-133
10/8/66

11.12