

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No.	1444	Press ~~Mis~~
<i>76-32</i> Dated	6. 9.	~~19~~ 1867

5/6

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
6th September 1867.*

No. 76. Read the following letter from the Acting Collector of Trichinopoly, to the Acting Chief Secretary to Government, Fort Saint George; dated Pitchandur Covil, 30th August 1867, No. 49.

There is a point connected with the refusal of the Government, conveyed in their Proceedings of the 20th instant, No. 1345, Judicial Department, to confer on Deputy Magistrate Mahomed Esuff Sahib, the full powers of a Magistrate, upon which I am not clear, and I have the honor to request that Government will favor me with their decision.

2. It is whether a Deputy Magistrate with first class powers has any control over the 2nd Class Subordinate Magistrates situated within the taluqs comprised in his division.

3. If, as I incline to believe is the case, he has none, I should be wanting in my duty did I not press the Government either to grant full powers to Mahomed Esuff, or to remove him, and substitute an Officer whom they are willing to entrust with the exercise of such powers.

4. I have lately spent nearly a month in traversing the large outlying taluq of Wodiarpolliem, and I write what I know to be fact when I assert that to leave that part of the country with its 2nd Class Sub-Magistrate under no better control than can be exercised by the Magistrate of the District is tantamount to a denial of justice to the people. They are a people who know little or nothing of Europeans (women ran, as for their lives, in sheer fright when they met me), and they will not—nor is it fair to expect them to—journey 40, 50, 60, or 70 miles to seek justice from a European Magistrate.

5. I am under the impression that, as a rule, all the Deputy Magistrates possess full powers, nor have I ever heard of an instance of one of them abusing those powers. That Mahomed Esuff would furnish such an instance, or that his possession of those powers would be otherwise than a substantial gain to the people, I do not believe. Still, if for reasons with which I am not acquainted, Government consider it desirable to make him an exception to his class, I think I am justified in asking them not to do so at the expense of the people for whose well-being I am responsible, but to replace him by a Deputy Magistrate with full powers, in whom they have more confidence.

6. I have no prejudice either for or against Mahomed Esuff. I never saw him before I came to this District, but I think it only fair to him to state that, from what I have seen of his work, and lately of himself, I am prepared to accept the responsibility of recommending his investiture with full powers, feeling satisfied, after having acquainted myself with all attendant circumstances, that the same would be productive of positive good, instead of possible evil as apprehended by the Government.

No. 77. ORDER THEREON, 6th September 1867, No. 1444.

The Acting Magistrate of Trichinopoly will be informed that the Government see no reason for making any alteration in their Order, dated 20th August 1867, No. 1345.

(True Extract).

Acting Chief Secretary.

To the Acting Magistrate of Trichinopoly.

Exd. J. H. Burns.

Trichinopoly District
Collector's Office
Pitambar Caid

No 49 30th August 1857.

From,

L. Vans Agnew Esquire
Acting Collector of
Trichinopoly

To,

The Honble R. S. Ellis
Ag. Chief Secretary to Government
Fort Saint George

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positive good instead of possible
evil as apprehended by the
Government.

I have the honor to be

Sir,

Yours most obedient Servant

M. M. M. M. M.
Asst. Secy. to the Government
for Asst. Secy.

Trichinopoly Dist.
Collyer's Circuit Court
Pitcheandran Caud
30 August 1867

To
The Honble R. S. Ellis
Asst. Secy. to the Government
Fort Saint George

St. Louis - 6. Sept. 1857.

Mr. Acting Magistrate of
the Court will be informed
that the Government are no
reason for making any citation
in their order dated 20th August 1867.

W. H. C.

Nov. 8th Nov^r 1866 at 96-97
 " 18th July 1867 at 212
 " 22nd Sept^r " at 223-246
 " 26th Oct^r " at 209-208

[illegible]

27
The Libel Society
to Government
Mr David Perry.

dictated by M. C. Murphy
J. C. Murphy
Oct. 1867

MS. A. 9.

1888

Requests the decision of
Government in a certain
point connected with the
repeal of the Government
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definite stage in the
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consider of a stage in the
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to the extent here of
incumbents, etc. etc.

1872

26-77