

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	778	Press
		~~Mis.~~
<i>132-138</i>	Dated	15.5.1867 19

8/9

Not to be folded or roughly handled

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(1)

*Proceedings of the Madras Government, Judicial Department,
15th May 1867.*

No. 137. Read the following letter from the Magistrate of Tinnevely, to the Chief Secretary to Government, Fort Saint George; dated Tinnevely, 13th April 1867, No. 127.

The Government lately declined granting the full powers of a Magistrate to the Deputy Magistrate now in charge of the Northern Taluqs; these Taluqs require the presence of a Magistrate, more perhaps than any other Taluqs, as they abound with cattle thieves, and notoriously bad characters. No Magistrate with full powers has resided there for some time past, and I beg to enclose a copy of a letter from the Assistant Superintendent of Police, pointing out the difficulties of getting parties to attend to prosecute before the Head Assistant Magistrate, 70 miles distant. The Head Assistant, Joint Magistrate, and I have our time fully employed, and I think it would be greatly to the interest of good government in these Taluqs, if a Deputy Magistrate with full powers could be appointed. The Head Assistant Magistrate has not been empowered to hear appeals, and I have 25 appeal cases from the Head Assistant's, and 23 appeal cases from the Deputy Magistrate's offices just received to dispose of.

SATTUR, 12th April 1867.

MY DEAR SIR,

I take the liberty of calling your attention to the fact of there being no full power Magistrate in any of the Northern Taluqs. Great inconvenience is caused thereby to the public and Police. Cases cognizable only by such Magistrate have to go from Strivilliputtur down to Tuticorin, some 70 miles. A case occurred recently, where, the Sattur Sub-Magistrate, unaware of the Deputy Magistrate not having full powers, sent a case up to him, which he was therefore compelled to re-refer to Tuticorin, of course much to the inconvenience of all concerned; should the case chance to be mere thrown out, I think it will have the effect of deterring the ryots from preferring complaints at all in many cases. If I wish to investigate any case of bribery or extortion against any of my Station-house Officers, I have to take them and the witnesses down to Tuticorin. Rather than submit to this, the aggrieved parties will put up with the lesser evil of the extortion, and will deny the transaction in toto.

2. The Tahsildar even of the Taluq has only 2nd Class powers, which occasions a perpetual reference of cases to the Deputy Collector.

3. I have been informed that in many cases, especially of cattle stealing, the ryots prefer putting up with their first loss to the risk of being referred to Tuticorin; and as none of the Magistrates on this side are empowered to issue warrant or summons without a written complaint, these cases are never heard of.

(Signed) F. R. TREVOR,
Asst. Supt. of Police.

(True Copy).

(Signed) R. K. PUCKLE,
Magistrate.

No. 138. ORDER THEREON, 15th May 1867, No. 778.

Under the circumstances stated in the foregoing letter, and adverting to the favorable opinion expressed by the Magistrate regarding the qualifications of the Deputy Magistrate Vencata Row, the Governor in Council resolves to invest the latter Officer with the full powers of a Magistrate, and with power to hear appeals from the decisions of Sub-Magistrates within his range.

his range -

The

Proceedings of the Madras Government, Judicial Department,
15th May 1867.

2. The Acting Head Assistant Magistrate will also be invested with the power of receiving appeals.

3. The Government regret to observe that neither of the Assistants to the Collector and Magistrate, Messrs. Wallace and Crosthwaite, have yet passed the Assistants' examination according to the first standard. Mr. Wallace was appointed to the District on the 8th August 1865, and Mr. Crosthwaite on the 2nd May of that year. The Collector and Magistrate will urge upon these gentlemen the necessity of qualifying themselves without further delay for the discharge of more important duties than can at present be entrusted to them.

(True Extract).

Chief Secretary.

To the Magistrate of Tinnevely.

Ed. J. Talloch.

Memorandum

There are two Deputy Collectors in Tinnevely.

Mr. Locki &
Venkat Row.

Venkat Row is recommended for full powers of a Magistrate to be authorized to hear & dispose of appeals. but Govt. were not prepared to confer the full powers.

The Asst. Magistrate may be empowered to hear & dispose of appeals in order that the Magistrate may be relieved of the work now devolving upon him.

Order to
422.3
15th March.

At Madras should be authorized to hear appeals J. J.

Dec 13th 1867
March 1867
185

W. H. must it not be well under the
circumstances to give full power to
the Deputy Magistrate Resident? 134

Yes.
See the
paper

W. H.

copy
R 13

1867
Dec 13th 1867
From the Magistrate
Sincerely
To the Chief Secretary
to Government
Fort Saint George
Dated 13th April 1867
Recd 20
No 127
Encls. 1-5
No 870

Recommending the
appointment of a Deputy
Magistrate with full
powers to the Northern
Taluk of the Sivevelly
District.

W. H. R.
S. R.
In order

Just. DEPARTMENT.

No. 870.

From

The Magistrate of Tennessee

Dated 13th April 1864.

FOR ORDERS.

I think that under the circumstances,
how represented that low may
be invested with full powers, &
power to hear appeals. - He is
not, I see, a passed candidate
but he can trust in Pickle and
be recommended an upright
man -

The H. A. Mag. should be autho-
rized to hear appeals. H. A.

Isabel - the propriety
of the Govt. giving to a
native officer of whom
they know only what is
shown in these papers,
the important powers
of a full magistrate -

imprisonment for two years
and
fine to the extent of 1000 Rs -

Do not also the propriety
of appointing a person
of Police being the medium
through which these powers
are to be exercised. If
a person at all, the Sup-
t of Police of the district should
have had a voice in the
matter -

One of the difficulties enumerated
could have been removed some time ago
by a simple application from
the Magistrate - Mr. Puckle to
confer appellate powers on
his head assistant. - But how long
have we been, thought not with a
view to the above effect -

As this matter has
been brought up, I would suggest

proposed by Govt. whether some
body should not be taken of the false
position taken in the generally
described of the Assistant Mr. Wallace
who has now been there nearly 2 years &
nevertheless has not yet qualified for
being of use as a magistrate than
any Native Sub-Magistrate of the District.

It would seem that there has been a
large waste of public money in paying
Mr. Wallace for doing next to nothing -
I know Mr. Wallace to be a pattern of
unusual ability but he is keeping idle and
wasting to maintain to keep stored up

The question of Mr. Puckle might
be decided to report - how it is that Mr.
Wallace cannot be made available for
the larger duty of a Magistrate. - I think he is
has been laying himself out to acquire
the knowledge of the Government in the
Court servants - Such a movement might
lose Mr. Wallace from worse things hereafter

W.D.

The wants of the district appear to be very
pressing. Mr. Puckle has no doubt some
personal knowledge of Venkata Row
with which he could not recommend
him. Mr. Garstin assures me that
Venkata Row is an honest and able
Native functionary. I would give him
full powers and direct Mr. Puckle
to report specially on his conduct
at the end of the specified period.
Mr. Puckle should also report on
the conduct and studies of Mr.
Wallace.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read letter from the Magistrate
of Tinnevely

of 13 April 1867 No 127

Order thereon. 15th May 1867 N: 778.

N^o 778
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stated in the foregoing
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gk

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To the Magt. of Tinnevely despt 16/5
- Gazette 4/5

Legation of France
Tunis, 1864

137.130

Legation 1864. Department.

No. 440

PROCEEDINGS OF GOVERNMENT.

St. A. 1022/64

Dated 15 May 1864