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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Technical DEPARTMENT

Specy

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Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,
11th March 1868.*

No. 94. Read the following letter from the Acting Magistrate of Vizagapatam, to the Chief Secretary to Government, Fort Saint George; dated Vizagapatam, 2nd March 1868, No. 91.

Mr. E. L. Pearse, Assistant Magistrate, has been attached to this district for the past nine months. Previous to that he was in Ganjam for a few months, and before that again he was in this district for a short period. He has hitherto failed to pass the Examination for the first Standard.

2. As, however, he has acquired a good deal of experience, and has evinced good judgment in his decisions, I have the honor to request that he may be invested with the powers of a Subordinate Magistrate of the 1st Class, with power to dispose of appeals from the decisions of 2nd Class Sub-Magistrates in the Principal Assistant's sub-division.

No. 95. ORDER THEREON, 11th March 1868, No. 403.

Under Section 23 of the Code of Criminal Procedure, Mr. Edwin Langford Pearse, Assistant to the Collector and Magistrate of the Vizagapatam District, is invested with the powers of a Subordinate Magistrate of the 1st Class.

2. It is observed that under Section 412 of the Code of Criminal Procedure, appeals from the decision of Officers exercising powers less than those of a Magistrate must be preferred to the Magistrate of the district, or other Officer exercising the powers of a Magistrate who has been empowered by Government to hear such appeals. Under these circumstances Mr. Pearse, who is invested with the powers of only a Subordinate Magistrate of the 1st Class, cannot be empowered to hear appeals from Subordinate Magistrates of the 2nd Class.

(True Extract).

Secretary to Government.

To the Magistrate of the Vizagapatam District.

Ed. P. L. Pearse.