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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Jediceef DEPARTMENT

G.O. No.	403	Press.
B.P. No.		Mis.
Dated	11.2.1868	197.

S.N. 7

Not to be folded or roughly handled

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

No. 91. 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.

W. F. B. Benbow.

(91)

Vizagapatam, 2nd March 1868.

From J. H. Master Esquire,
Ag. Magistrate.

To: The Honorable R. S. Ellis, Esq.
Chief Secretary to Government,
Fort Saint George.

Sir, Mr. C. L. Pearce, 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 exami-
nation for the first standard.

So, however, he has acquired a good deal of ex-
perience and has evinced good judgment in his de-
cisions. I have the honor to request that he may
be invested with the powers of a Subordinate Ma-
gistrate of the 1st class, with power to dispose of
appeals from the decisions of 2nd class Sub Ma-
gistrates in the Principal Assistant's Sub division.

I have the honor to be,

Sir,

Your most obedt. servant,

J. H. Master

Ag. Magistrate

Judicial Department

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PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the
Acting Magistrate of
the Vizagapatam District
(H.E. dated 2nd March 1889)

Order - 11 March 1889 No. 403.

Under Section
23 of the Code of Criminal
Procedure Mr. Edwin
Langford Pearce Assis-
tant to the Collector &
Magistrate of the
Vizagapatam District
is invested with the
powers of a Subordinate
Magistrate of the
First Class.

It is hereby
that under Section

W.H.C.

W.H.C.

W.H.C.

No. 403

Magistrate of the District

Magistrate of the District

Magistrate of the District

Magistrate of the District

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Magistrate of the District

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. Pearce, who is
invested with the powers
of only a Subordinate
Magistrate of the
1st Class, cannot be
empowered to hear
appeals from Subordinate
Magistrates.

Magistrate of the 2nd
Class. C.W.

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The Magistrate of the
Vizagapatnam District. 1882/8
Gazette. Part: 1. 17/4

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No. 403.

PROCEEDINGS OF GOVERNMENT T.

Dated 11 Jan 1868.