

- (1) பக்கங்களின் எண்ணிக்கை 62
 (2) புதுக்கித் திருப்பிய நாள் - 5-88
 (3) ஆதாரங்குறிப்பவர் கருக்கொப்பம் 6/2

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

Judicial துறை

அரசாணை எண்.	876	அச்சகம்
முகேயாட்டித் தாள் எண்.		11/11/88
(B no. 136-140)		
நாள்:	26-4-1878	1988

மடிக்கவேண்டிய கண்டிப்பானவோ கூடாது

A/K

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

26th April 1878, No. 876.

Honorary Magistrates.

Read the following papers:—

No. 136. *From A. McC. WEBSTER, Esq., Acting Commissioner of the Nilgiris, to the Chief Secretary to Government, dated Ootacamund, 22nd October 1877, No. 90.*

With reference to G.O., No. 1588, of 5th July 1877, Judicial Department, I have the honor to forward a letter from the Acting District Magistrate submitting the names of gentlemen to be appointed Honorary Magistrates at Kotagiri.

2. The District Magistrate proposes that the Bench should have second-class Magisterial powers, but it seems to me that at first it will be better to invest it with third-class powers, and to extend the powers hereafter if advisable. This will give the Bench cognizance in all petty nuisance cases, the primary object of its formation.

3. I think that for the present it will be well if Government were not to exercise the powers conferred by Section 225, Criminal Procedure Code, by investing the Bench with power to try summarily. This power can be conferred hereafter.

ENCLOSURE No. 1.

From L. McIVER, Esq., Acting District Magistrate of the Nilgiris, to the Acting Commissioner of the Nilgiris, dated Ootacamund, 28th September 1877, No. 104.

With reference to your endorsement of the 19th July forwarding G.O., No. 1588 (Judicial), of 5th July 1877, I have the honor to submit the names and the scheme proposed by Mr. Knox:

"The following gentlemen have consented to serve on the Bench:—Major-General Vine of Kotagiri; Messrs. E. J. C. Bruce of Kotagiri, F. Cockburn of Kotagiri, M. L. Edmiston of Bygahry, G. W. Forbes of Kotagiri, J. G. Hill of Kodanaad, F. Sherman of Kotagiri. Mr. Vernele declines as he has left that country side and now lives in Coonoor.

"The Magistrates should I think be appointed third-class Magistrates and directed under Section 50 to sit together as a Bench of the second class. This will enable it to inflict an adequate punishment in almost all cases which may come before it. Complaints of second-class cases will be made to the Bench and not to individual Magistrates.

"2. The Magistrates should be directed under Section 335 to record the evidence of complainants in English, to enable them to issue process in third-class case between sittings of the Bench and save unnecessary delay. They will be instructed by the District Magistrate not to proceed further individually than the issue of process to bring the case before the Bench.

"3. The Bench should have jurisdiction over all second and third class cases and should be invested with power to try summarily all offences under Section 225.

"4. They will require a good clerk who could also serve as Revenue Inspector or in some like office. Processes should be kept at the Police Station and the Constables could be taught to fill them up.

"5. I think the District Magistrate or Joint Magistrate of Wellington should be on the Bench to help the others at first. But I have not yet taken Colonel Richard's opinion on this.

"6. Differences of opinion on all interlocutory matters should be decided by a majority, the presiding Magistrate having a casting vote. When the question is guilty or not guilty, in case of equality of votes the finding will be not guilty. Judgment to be written by Presidency Magistrate or by Officer of Court at Magistrate's discretion. The Bench to sit once a fortnight on a day to be fixed by the Magistrates from time to time, and oftener if they find it necessary."

No. 137. From A. McC. WEBSTER, Esq., Acting Commissioner of the Nilgiris, to the Chief Secretary to Government, dated Ootacamund, 8th November 1877, No. 94.

I have the honor to forward a letter addressed to Government by the Acting District Magistrate.

2. The District Magistrate proposes, in order to improve the administration of Criminal justice in South-East Wynaad, the appointment of a Bench of Honorary Magistrates, each of whom individually should be competent to issue warrants and other process, and who should act as a Bench for the trial of cases alternately at Gudalore and Devala.

3. He also proposes that the Revenue Inspector of the Division should be nominated Clerk to the Bench. If the Revenue Inspector were capable this would be a good arrangement, but I am confident that an efficient man could not be obtained on the salary, and if Government see fit to make the Revenue Inspector the Clerk to the Bench (the best plan I think) the pay of the applicant will have to be raised to an amount sufficient to secure a good man. He will have to be acquainted with English, Malayalam, and Canarese, and I do not think a man of these attainments can be got much under Rupees 60 per mensem.

4. Mr. Knox also proposes that the Magistrates should individually be appointed Magistrates of the third class, but should act as a Bench with second-class powers. At the commencement it will I think be better that the Bench should be invested with third-class powers only, as it will be far easier and less invidious to extend their powers eventually after experience of the working than to curtail them.

5. Mr. Knox nominates certain gentlemen European and Native, among whom is the Tirumulpad of Nelambur. I much doubt that he will ever attend the meetings of the Bench, and it will be better perhaps to appoint the Eliah Tirumulpad whose consent to serve can be asked hereafter if Government think fit to appoint him.

6. Mr. Knox also brings to notice the insufficiency of the Police owing to sickness and the inadequate provision for their accommodation, and I beg to support his recommendation that the strength should be kept up to its full complement, and that better lines should be provided.

7. Mr. Knox's proposal with reference to the appointment of a Bench of Magistrates has my cordial approval, as it seems the only present way out of the difficulty and will ensure the speedy issue of warrants for arrest of absconding coolies—the one great defect of the present system.

ENCLOSURE No. 1.

From J. H. KNOX, Esq., Acting District Magistrate of the Nilgiris, to the Chief Secretary to Government (through the Commissioner of the Nilgiris), dated Ootacamund, 8th September 1877, No. 97.

In continuation of my letter, No. 68, dated 9th July 1877, I have the honor to state that having given particular attention to the subject during my recent tour in South-East Wynaad, I consider the administration of Criminal justice in that country to be in so unsatisfactory a state that it might almost be called a denial of justice. This may be attributed to two causes, viz., the application of an organization suited to a native country to a country which is now a European settlement, and the natural unhealthiness of the climate at certain seasons, which renders the Police quite inefficient. The former cause may I hope be removed by the measures now proposed free of cost or nearly so, but the latter is only remediable by heavy expenditure.

2. A second-class Magistrate, who is also Deputy Tahsildar and District Munsif and Small Cause Court Judge, is stationed at Gudalore in the extreme southern corner of his division as at present constituted, but a convenient situation if, as already recommended, the Ouchterlony Valley be added to the division. It extends northward for twenty-five miles to Choladi and for about seventeen miles towards Sultan's Battery in South Wynaad. There are four groups of coffee estates at Gudalore, Devala, Cherambady, and Nellacottah. Devala is ten miles from Gudalore and Cherambady is twelve miles beyond Devala by the high road. Nellacottah is twelve miles from Gudalore on the Sultan's Battery road.

3. Nearly all the criminal business arises from matters connected with the coffee business. The indigenous population consist of Chetties, who cultivate the rice swamps, and of Kurumbers and Paniars, who are little else than predial slaves. They do not trouble the Police or Magistrates much. For this indigenous population the present state of things is convenient enough. A Chetty can take his complaint to Gudalore and can spend a day or so there and can go backwards and forwards several times without feeling any real inconvenience. He does not of course choose to make his complaint during the few days when he is ploughing or sowing or reaping, and these operations on the scale of Chetty cultivation do not take many days at a time. But it is far otherwise with those who have to do with the coffee gardens. If it be the Superintendent he cannot afford to lose two or three days in making his complaint and perhaps two or three or four more in attending Court for the hearing. He has, except for two or three months of the year, to exercise a constant supervision over his workmen and would bear a considerable loss in money or inconvenience rather than be absent for a few days. So it is with the writers, maistries, and coolies. They cannot afford to be many days absent and so to forfeit their daily wages.

4. As the Magistrate has also revenue duties he is often absent from Gudalore, so that a complainant may easily have one or two fruitless journeys before he can even make his complaint. I do not here refer to complaints direct to the Police. They are useless for other reasons. Experience has shown that it is generally better to suffer than to complain. Nor is it to be expected that the native who serves at Gudalore for Rupees 125 a-month will generally be of a class to command the respect and consideration of the European inhabitants of his jurisdiction. The circumstances of this small division exclude the idea of the appointment of an officer of the superior grade.

5. The course which I now propose is to place the administration of justice as far as possible in the hands of the inhabitants by appointing a sufficient number of residents to be Magistrates and by directing them to sit as a Bench week about at Gudalore and Devala. I am sure that if my proposals be adopted the results will be in every respect satisfactory to the Government. I propose that the Bench sit every week alternately at Gudalore and Devala, because Gudalore would be extremely inconvenient for the Cherambady people and less convenient than Devala for the Nellacottah people, while, on the other hand, though Devala is convenient for those two places, it is very inconvenient for the Ouchterlony Valley people. At the same time when it might be desirable that any complaint should be laid or any case disposed of without delay it could be taken at the place at which the next sitting of the Bench might be. Besides Honorary Magistrates could not generally travel far for the sake of attending the sittings. The Devala, Cherambady, and Nellacottah men would ordinarily attend the Devala sittings, while those of the Ouchterlony Valley would ordinarily attend the Gudalore sittings. The practice would be that which prevails in the Petty Sessions Courts in Ireland, and I believe in England the Justices of the Peace usually attend only the petty sessions of their own neighbourhood, seldom sitting in petty sessions at other places though they may legally sit in every petty sessions in their own country.

6. I have very fully considered the subject, and it is plain that the two requirements of the country are speediness and accessibility of justice. These ends will be obtained by the weekly sittings of the Bench either at Devala or Gudalore and by the presence of Magistrates in all parts of the country. If it be more important that a case be disposed of at once the process can be issued for the first sitting of the Bench whether at Gudalore or Devala, while if accessibility be more important it can be issued for the next sitting at the more convenient place. I do not propose two Benches, but one Bench sitting alternately in order that cases may be adjourned from one sessions to another, and in order that process may be taken out at one place for a trial at the other. Some of the Magistrates will probably attend at both places, and they would do so when they had adjourned any case to the next sessions. I believe that the gentlemen of this country of justice will be truly entrusted to them and they will be responsible for it. The Benches of Ootacamund and Coonoor have failed because they were not responsible, and it was quite immaterial to the public whether they did their duties or not, seeing that there are Joint Magistrates to do the work if they fail. Thus they seemed to be giving themselves trouble for nothing. But the present case is widely different.

7. I propose that the District Magistrate and Sub-Magistrate of Gudalore be members of the Bench. It is certainly desirable that I should attend the first few sittings of the Bench until the Magistrates acquire a slight familiarity with their duties. The distances from Ootacamund are such that I can without difficulty attend without being absent more than a day and a half and when on tour in that country it will be well that I should attend.

8. The Gudalore Sub-Magistrate will also be of use as a member. He can always attend at both places. As he will generally be a native his presence will be advantageous. The only non-official natives of those parts who are fit for office are the Nellalum Raja and the Tirumulpad of Nelambur, but the latter does not ordinarily move in the country though the principal landowner. As only two Magistrates are required to form a *quorum* adjourned cases can be heard

if only one other Magistrate be present who attended the previous sitting. At the first too his greater familiarity with the law will be of considerable service. Of course after the Bench has been a short time in working order this latter consideration will lose weight. This scheme will also relieve the Sub-Magistrate of nearly the whole of his Magisterial work. As District Munsif and Small Cause Court Judge he last year disposed of 188 cases. He will thus have more time for his Civil, Judicial, and Revenue duties. A Clerk to the Bench with a good knowledge of English must be provided to keep the records and prepare the copies of judgments and make the translations which may have to be furnished to parties concerned. I think that the Revenue Inspector of the Division might be used for his office. It would add little to his work, as a good deal of the mere copying work could be done in the office of the Sub-Magistrate of Gudalore who has four clerks. It is only necessary that care be taken that the Revenue Inspector has a good knowledge of English and that at least one clerk be acquainted with English. There will be no difficulty in this.

9. The criminal work will not be increased though there may be an increase at first. There will be only a transfer of it. The surer the operation of the law becomes the less often will the necessity for its motion arise. I propose that a supply of processes be kept at each Police station. On complaint being made to a Magistrate, if he see ground for issuing process, it can be at once issued and signed. The Police Constables can be quickly taught this very simple duty. It will not increase the work of the Police in any degree. All the gentlemen nominated by me except the Nelambur Tirumulpad line within easy reach of a Police station. Mr. Ryan, who is most remote, is only six miles from one, and if one be put at Nellacottah will be only about four miles from it.

10. The Government will observe that I propose that the Magistrates exercise their powers independently in the issue of process; but I propose that, while leaving it to the discretion of the Magistrate to whom a complaint may be made to accept the complaint or desire the complainant to lay his complaint before the Bench, the Magistrates be directed by me as District Magistrate not to proceed further independently than the issue of the processes and such preliminary inquiry as may be necessary or desirable.

11. I propose that the Magistrates be in the first instance appointed to be Magistrates of the third class individually, and that the Bench be invested with second-class power under Section 50, Criminal Procedure Code. The object of investing the Bench with second-class power is to enable it to deal with almost all cases of theft and the like offences. Complaints of second-class cases will then be made to the Bench and not to individuals.

12. The Bench should I think be invested with power to try summarily the offences specified in Section 223, Criminal Procedure Code. The Magistrates ought also to be directed under Section 223, Code of Criminal Procedure, to take down the evidence of complainants with their own hands in their own vernacular language. The gentlemen now nominated have a sufficient colloquial knowledge of the vernaculars, and one at least is very well acquainted with Tamil, Canarese, and Malayalam. To require them to record a complaint in the vernacular would prevent complaints being made directly, which is one of the main objects of this scheme.

13. I do not now lay before the Government any rules under Section 52. It will be better that such rules should be prepared after consultation with the Magistrates, if the Government think fit to appoint them.

14. I have the honor now to nominate the following gentlemen who have all consented to serve Government and who are all desirous of some scheme of this sort and ready to assist in any way:—

(The Nellalum Rajah and Tirumulpad have not yet replied.—J. H. K., 9th August 1877.)

1. Mr. Charles Dawson of Gudalore and Nellacottah.
2. Mr. Walter Cole of Cherambady.
3. Mr. Charles Macpherson Grant of the Ouchterlony Valley (Manager of the Ouchterlony Estates).
4. Mr. Percy Guard of Cherambady.
5. Mr. Alfred Griffin of Glenvena, Ouchterlony Valley.
6. Mr. Edward Handlin, Devala.
7. Mr. James William Minchin of Peria Shola, Ouchterlony Valley and Devala.
8. The Nellalum Rajah.
9. Mr. R. E. Norman of Guyul, Ouchterlony Valley.
10. Mr. William Cotton Robble of Balmadlies, Ouchterlony Valley.
11. Mr. John Ryan of Rockwood, Nellacottah.
12. Mr. H. G. Sinclair of Amboulamalai.
13. The Tirumulpad of Nelambore.

15. They have to be appointed Magistrates first, and then directed under Section 50 to sit as a Bench with the District Magistrate of the Nilgiris and the Sub-Magistrate of Gudalore for the time being. The Bench might also be empowered under Section 230 to prepare judgments and records in summary cases by means of an officer of the Court.

16. The inefficiency of the Police is due to the weakness of the force arising from constant sickness, and not to misconduct or negligence of the individuals. For instance, on the day of my inspection of the Gudalore Police Station, there were present for duty only the Inspector and one Head Constable and seven Constables, out of a force of one Inspector, three Head Constables, and seventeen men. The day I inspected Cherambady Station only one Constable was present for duty, and from the 1st to the 19th July there was only one day on which a second Constable was available to do a beat. Devala Station was in much the same condition. Nadghany a roadside station of three men was abandoned but for one Constable who was too sick with fever to be good for anything.

17. Of course this is an abnormally unhealthy season, but in July the country was healthy enough. There is at all times a great deal of sickness among the Police.

18. The lines are generally quite unfit for habitation all the year round. They are better than the coffee coolies lines, but then it must be remembered that the coolies are generally in their own country during the greater part of the unhealthy months.

19. The Police huts are only thatch and mud walls and are seldom in very good order, not having been thoroughly well built at the first. I do not think that any improvement can be expected in the health of the men and consequent efficiency of the force until they are housed at least as well as the Nilgiri Police who live in a colder but far healthier climate. The provision of proper huts and stations at Cherambady and Devala and of additional huts at Gudalore to replace the present mud and thatch structure will be somewhat costly. But I believe it would be more economical than having a large number of men in hospital and the work left undone.

20. Recruiting from Coimbatore instead of from Malabar may hereafter when good huts are provided be of advantage as the Tamils and Canarese are generally stronger than the Malayalies. I am addressing the Superintendent of Police on these points and on the provision of a station at Nellacottah. I mention them now because they must be borne in mind in connection with the appointment of a local Magistracy. However efficient the Courts may be the administration of justice will never be quite satisfactory until the Police, who are the eyes and ears and arms of the Magistracy, are placed on an equally efficient footing.

21. A Police Station is very much needed at Nellacottah which is the centre of a considerable and increasing group of coffee gardens on the road between Sultan's Battery and Gudalore and some eight miles from Devala. There are one or two convenient sites about half-way. The planters are most anxious for a station and have offered to provide the site and build a suitable station and police lines if men are available. I think as only a small station is required of about five men it may perhaps be arranged.

No. 138.

No. 139.

No. 140.

ORDER THEREON, 26th April 1878, No. 876.

These papers submit, for consideration, proposals for the extension of the Magistracy in Kotagiri and in South-East Wynaad, Nilgiri District, and for the formation of Benches of Magistrates in the said localities, respectively.

2. The first of the papers is in reply to G.O., 5th July 1877, No. 1588, and submits the nomination by the Acting District Magistrate of seven gentlemen, European residents and planters of Kotagiri, for appointment as Honorary Magistrates and to constitute a Bench with the powers of a Magistrate of the second class to sit once a fortnight under the Presidency of the District Magistrate, or of the Joint Magistrate of Wellington, as it may be convenient for one or the other to attend the sittings.

3. The second paper represents the unsatisfactory condition of Criminal administration in South-East Wynaad, and proposes as a remedy the appointment of eleven European planters and two native gentlemen in South-East Wynaad as Honorary Magistrates, and to sit as a Bench each week, alternately at Gudalore and Devala, with the powers of a Magistrate of the second class. For the Magisterial wants of this tract there is at present a Magistrate of the second class stationed at Gudalore, who is also a Deputy Tahsildar and a District Munsif. The tract is wide and occupied by European coffee planters, who suffer a good deal of loss and inconvenience rather

than waste time by proceeding with their complaints to one overburdened official, who may, at the time, be at a different part of his complex jurisdiction.

4. The Government recognise the advantage of utilizing the services of a body of educated English gentlemen, interested in good administration and possessing the necessary qualifications to promote that administration in a planting country. They are therefore in favor of making a trial of the scheme submitted for their consideration.

5. His Grace the Governor in Council accordingly adopts the proposition made both for Kotagiri and for South-East Wynaad, and directs that the gentlemen named in the notification hereto appended be each appointed to be a "Special Magistrate" with certain powers (presently to be stated) assignable to a Magistrate of the second class; and that they constitute a Bench of Magistrates for Kotagiri and South-East Wynaad, respectively in the terms of the said following notification.

6. For the Bench at Kotagiri, the District Magistrate will arrange that an intelligent clerk be deputed either from his office, or from that of the Joint Magistrate of Wellington, to record the proceedings of the Bench and to assist them in the issue of processes. For South-East Wynaad, the District Magistrate will depute one of the four clerks attached to the office of the Deputy Tahsildar and Magistrate at Gudalore to attend the sittings of the Bench and to record their proceedings, &c. The details connected with the duties and sittings of the Benches in Kotagiri and South-East Wynaad will be regulated by the directions of the District Magistrate under the powers conferred on him in that behalf by Section 52 of the Code of Criminal Procedure.

7. These Special Magistrates are severally empowered to entertain complaints and to receive Police reports in cases in which a Magistrate of the second class has jurisdiction to try:—issuing summons or warrant, as the case may be, for causing the accused person to appear before their respective Benches and for securing the attendance of witnesses before the said Benches, by whom the complaint will be finally disposed of. For this purpose, His Grace the Governor in Council directs them, under the provisions of Section 335 of the Code of Criminal Procedure, to take down the complaints with their own hand in English, or in the Vernacular in the case of the native gentlemen appointed for South-East Wynaad; and they will take care that all complainants are examined upon oath; and that the examination, when reduced into writing is signed by the complainant and also by the Magistrate; except of course when a Police charge sheet in the authorized form is made out and placed before them.

8. The Government understand that a new Police station is required at Nellarottah, but that the planters are prepared to provide the site and build the station and Police lines, if the constables are supplied. The Government approve the proposition on the terms stated, and direct the Acting Inspector-General of Police to consider and give effect to the arrangement. The question of improved accommodation for the Police in South-East Wynaad generally, under the circumstances mentioned by the Acting District Magistrate in paragraphs 16 to 19 of his letter, dated 8th September 1877, No. 97 (forming an enclosure to the second of the papers above recorded), will also be referred to the Acting Inspector-General of Police for immediate attention and early report.

9. Ordered that the following notification be published in the *Fort St. George Gazette*:—

NOTIFICATION.

1. Under the provisions of Section 42 of the Code of Criminal Procedure, His Grace the Governor in Council is pleased to appoint the undermentioned gentlemen to be Special Magistrates for Kotagiri and South-East Wynaad, in the Nilgiri District, respectively, and to confer on them the powers assignable to a Magistrate of the second class, for the purpose of receiving complaints of offences punishable by the Benches of Magistrates constituted, or to be constituted, for the localities aforesaid, and of

issuing process for the hearing and disposal of such cases by the said Benches respectively:—

KOTAGIRI.

Major-General Vine.
Mr. E. J. C. Bruce.
" F. Cockburn.
" M. L. Edmiston of Bygahry.
" G. W. Forbes.
" J. G. Hill of Kodanaad.
Mr. F. Sherman.

SOUTH-EAST WYNAAD.

Mr. Charles Dawson of Gudalore and Nellarottah.
" Walter Gole of Cherambady.
" Charles Macpherson Grant of the Ouchterlony Valley.
" Percy Guard of Cherambady.
" Alfred Griffin of Glenvens, Ouchterlony Valley.
" Edward Hamlin of Devala.
" James William Minchin of Peria Sholah, Ouchterlony Valley and Devala.
The Nelialum Rajah.
Mr. R. E. Norman of Guyud, Ouchterlony Valley.
" William Cotton Rohde of Balmaddies, Ouchterlony Valley.
" John Ryan of Rockwood, Nellarottah.
" H. G. Sinclair of Ambollamallai.
The Tirumulpad of Nelambur.

2. Under the provisions of Section 50 of the Code of Criminal Procedure, and subject to the terms and conditions of notifications, dated 16th February 1875, 4th December 1877, and G.O., No. 871 of the 25th instant, His Grace the Governor in Council is also pleased to direct that the aforesaid Special Magistrates shall sit as Benches of Magistrates, with the powers of a Magistrate of the second class, as they stand appointed for Kotagiri and South-East Wynaad, respectively, as follows:—

In KOTAGIRI, once a fortnight, under the Presidency of the District Magistrate or the Joint Magistrate of Wellington, as it may be convenient for one or the other to attend the sittings.

In SOUTH-EAST WYNAAD, once a week alternately at Gudalore and Devala, under the Presidency of the District Magistrate, or the Stipendiary Magistrate of Gudalore, as it may be convenient for one or the other to attend the sittings.

3. Under the provisions of Section 230 of the Code of Criminal Procedure, His Grace the Governor in Council is further pleased to empower the Benches of Magistrates in Kotagiri and South-East Wynaad to prepare the record of the cases tried summarily by them by means of the officer attached to their Court.

(By Order of His Grace the Governor in Council.)

D. F. CARMICHAEL,
Chief Secretary.

To the Acting Commissioner of the Nilgiris.
" Acting District Magistrate of the Nilgiris.
" Inspector-General of Police.

Ed. J. Wright.

Commissioners office -
Colacammul 22 October 1877.

To go From
The Ag Commissioner
Nilgiris
To The Chief Secretary
to Government
Madras.

Sir
With reference to G. O.
No 1588 of 5th July 1877. Judicial
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2. The District Magistrate proposes
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it seems to me that at first it
will be better to invest it with 3rd
class powers, and to extend the powers
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the

G.O. of (1878) Madras.

JUDICIAL.

To

THE ACTING COMMISSIONER

of the NILGIRIS.

Sec.

Sec.

Sec.

Dated April, 26th.

Issued

Recd.

G.O., 26th April 1878, No. 576.

APRIL

Nos. 136-140.

Honorary Magistrates.—(Certain proposals for
forming benches of Magistrates in South-East
Wynnad and Kotagiri in Nilgiri District,
sanctioned, and the necessary notification issued.)

88

the Bench cognizance in all petty
misdemeanor cases, the primary object
of its formation.

3. I think that for the present
it will be well if Government were
not to exercise the powers conferred
by Section 225. Criminal Procedure Code,
by investing the Bench with power
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I have the honor to be,
Sir,
Your most Obedt Servt

M. M. M. M.
By Commissioner

6/5/6

at 10/11/6
for the
at 10/11/6
for the

[illegible]

With reference to your
Endorsement of the 19th July
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of 5th July 1877, I have the honor
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scheme proposed by Mr. Knox.

The following Gentlemen have
consented to serve on the Bench.

Major General Vane of Kotagiri -
Messrs E. J. C. Bruce of Kotagiri -
J. Cockburn of Kotagiri. Mr. L. Edmonstone
of Bygahay. G. W. Forbes of Kotagiri
J. G. Hill of Kodanood. F. Sherman
of

Inspector

of Katojiri. Mr. Vermele declines, as he has left that Country side and now lives in Coonoor.

The Magistrates should, I think be appointed 3rd class Magistrates and directed under section 50 to sit together as a Bench of the 2nd class. This will enable it to inflict an adequate punishment in almost all cases which may come before it. Complaints of 2nd class cases will be made to the Bench and not to individual Magistrates.

2. The Magistrates should be directed under section 335 to record the evidence of complainants in English, to enable them to issue process in 3rd class cases between sittings of the Bench and save unnecessary delay. They will be instructed by the District Magistrate not to proceed further individually than the issue of process to bring the case before the

Western
Magistrate

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3. The Bench should have jurisdiction over all 2nd and 3rd class cases and should be invested with power to try summarily all offences under section 225.

4. They will require a good clerk who could also serve as Revenue Inspector or in some like office.

Processes should be kept at the Police Station and the Constables could be taught to fill them up.

5. I think the District Magistrate or Joint Magistrate of Wellington should be on the Bench to help the others at first. But I have

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Inspector

212-5 of the 3rd class
of Criminal Pro. pro.
with in summary
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of 3rd class cases
of 3rd class cases
277. 1st class
278. 1st class
279. 1st class
285. 1st class
286. 1st class
287. 1st class
290. 1st class
292. 1st class
293. 1st class
322. 1st class
334. 1st class
336. 1st class
341. 1st class
352. 1st class
426. 1st class
447. 1st class

"providing not guilty. Judgment
to be written by Presiding
Magistrate or by Officer of Court
at Magistrate's discretion. The
Jury to sit once a fortnight
on a day to be fixed by the
Magistrates from time to time,
and oftener if they find it ne-
cessary."

I have the honor to be
Sir
Your most obedient servant

Lewis M. J. M.
Ap. Dist. Magistrate

Super

Commissioner's office
Patacaumud 8 November 1877.

To the Hon.

The Ag Commissioner
Nilgiris
To
The Chief Secretary
to Government
Madras.

Sir

I have the honor to forward
a letter addressed to Government by
the Acting District Magistrate.
2. The District Magistrate proposes
in order to improve the administration
of Criminal Justice in South East
Kynad, the appointment of a Bench
of Honorary Magistrates, each of whom
individually should be competent to issue
warrants and other process, and who should
sit as a bench for the trial of cases alter-
nately at Gundalur and Dewala
3. He also proposes that the Revenue Super-
visor of the Division should be nominated
Clerk to the Bench. If the Revenue
Inspector

From

The Ag Commissioner
Nilgiris

To
The Ag Commissioner
Nilgiris

No 104

Recd 28 }
29 }
28 }
Recd

Butcher

Willingdun, Honorary Mag

Submitting the same
to the Hon. Secy
by the Hon. Secy

1 Feb 1878

Inspector more capable this would be a good arrangement but I am confident that an efficient man could not be obtained on the salary, and it would seem to me fit to make the Revenue Inspector the Clerk to the Bench (the best plan I think) the pay of the applicant will have to be raised to an amount sufficient to secure a good man. He will have to be acquainted with English, Malayalam and Canarese, and I do not think a man of these attainments can be got much under Rs 6 per mensem.

Mr. Knox also proposes that 1st Magistrates should individually be appointed Magistrates of the 2nd class but should act as a Bench with 2nd class powers. At the Commencement it will I think be better that the Bench should be invested with 3rd class powers only, as it will be far easier and less injurious to extend their powers eventually after experience of the working, than to curtail them.

Mr. Knox nominates certain gentlemen European and Native among whom

is the Jumnulpad of Melumbar. I must doubt that he will ever attend the meetings of the Bench and it will be better perhaps to appoint the Leliah Jumnulpad whose consent to serve can be asked hereafter if Government think fit to appoint him.

Mr. Knox also brings to notice the insufficiency of the Police owing to sickness and the inadequate provision for their accommodation and I beg to support his recommendation that the strength should be kept up to its full complement, and that better hies should be provided.

Mr. Knox's proposal with reference to the appointment of a Bench of Magistrates has my cordial approval as it seems the only present way out of the difficulty and will ensure the speedy issue of warrants for arrest of absconding coolies, the one great defect of the present

system.

I have the honor to be
 Sir
 Your most Obedt Servant

Approved
by Commission

216
District Magistrate's Office
Colacumbul 28 September 1877

4/4/22

The Ag. District Magistrate
Nilgiris

To
 The Chief Secretary
 to Government

Madras

through Commissioners of the Pilgrims

میں نے

In continuation of my letter
No 8 dated 9th July 1877. I have the
honor to state that having given
particular attention to the subject
during my recent tour in South East
Tynwald. I consider the administration
of Criminal Justice in that Country
to be in so unsatisfactory a state that
it might almost be called a denial of
Justice. This may be attributed to two
causes, viz, the application of an orga-
nization suited to a Native Country
to a Country which is now a European
settlement, and the natural unhealthi-
ness of the climate at certain seasons,
which renders the Police quite ineffi-
cient. The former cause may I hope

42.

be removed by the measures now pro-
posed, but of cost or nearly so, but the
latter is only remediable by heavy expen-
diture.

A 2nd class Magistrate, who is also
Deputy Tahsildar and District Munsif
and small cases Court Judge, is
stationed at Goodaloor in the extreme
southern corner of his division as at
present constituted, but a convenient
situation if, as already recommended,
the Ananthaling valley be added to the
division. It is about 17 miles
to Cheladi and about 17 miles
towards Sultan's Battery on the hill road.
There are four groups of coffee estates
at Goodaloor, Devulak, Cherambady and
Jellacattah. Devulak is 10 miles from
Goodaloor and Cherambady is 12 miles
beyond Devulak by the high road.
Jellacattah is 12 miles from Goodaloor
on the Sultan's Battery road.
Nearly all the principal business
arises from matters connected with
the coffee business. The indigenous popu-
lation consist of Chettis, who cultivate
the rice swamps and of Marumbar and
Pinnars, who are better than the former
as they do not trouble the Police
or

or Magistrates much. For this indigenous
population the present state of things
is convenient enough. A Chetty can take
his complaint to Goodaloor and can spend
a day or so there and can go backwards
and forwards several times without feeling
any real inconvenience. He does not
of course choose to make his complaint
during the few days when he is ploughing
or sowing or reaping, and these operations
on the scale of Chetty cultivation do not
take many days at a time. But it is
far otherwise with those who have to
do with the coffee gardens. If it be the
Superintendent, he cannot afford to
lose two or three days in making his
complaint and perhaps two or three or
four more in attending. But for
the hearing. He has except for 2 or 3
months of the year to exercise a constant
supervision over his ^{own} ~~his~~ ^{estate} ~~his~~ and
would bear a considerable loss in money
or inconvenience rather than be absent
for a few days. So it is with the writers,
Inamtees and Coolies. They cannot afford
to be many days absent and so to forfeit
their daily wages.

As the Magistrate has also revenue
duties

judicial he is often absent from Goodaher
so that a complainant may easily have
one or two fruitless journeys before he
can even make his complaint. I should
here refer to complaints direct to the P.M.
They are useful for other reasons. Experience
has shown that it is generally better to
suffer than to complain. So is it to be
expected that the native who serves
at Goodaher for £125 a month will
generally be of a class to command
the respect and consideration of the
European inhabitants of his jurisdiction.
The circumstances of this small division
include the idea of the appointment
of an officer of superior grade.

5. The Bureau which I now propose
is to place the administration of justice
as far as possible in the hands of the
inhabitants by appointing a sufficient
number of residents to be magistrates
and by directing them to sit as a Bench
about at Goodaher and Devalah.
I am sure that if my proposals be
adopted the results will be in every
respect satisfactory to the Government.
I propose that the Bench sit every week
alternately at Goodaher and Devalah
because

because Goodaher would be extremely
inconvenient for the Cherambady people
and less convenient than Devalah for
the Nellore people, while on the
other hand, though Devalah is convenient
for those two places, it is very incon-
venient for the Auchterlony Valley
people. At the same time when it
might be desirable that any complaint
should be laid or any case disposed
of without delay it could be taken at
the place at which the next sitting
of the Bench might be. Besides -
Honorary Magistrates could not generally
travel far for the sake of attending
the sittings. The Devalah, Cherambady
and Nellore men would ordinarily
attend the Devalah sittings while those
of the Auchterlony Valley would ordinarily
attend the Goodaher sittings. The practice
would be that which prevails in
the Petty Sessions Courts in Ireland,
and I believe, in England, the justices
of the Peace usually attend only the
Petty Sessions of their own neighbourhood,
seldom sitting in Petty Sessions at other
places though they may legally sit in
every Petty Sessions in their own County.
6. I have very fully considered the
subject.

the subject and it is plain that the
two requirements of the Country are
speediness and accessibility of justice.
These ends will be obtained by the
weekly sittings of the Bench either
at Devalah or Goodalur and by the
presence of Magistrates in all parts
of the Country. If it be more important
that a case be disposed of at once, the
process can be issued for the first
sitting of the Bench whether at
Goodalur or Devalah, while if access-
ibility be more important it can
be issued for the next sitting at the
more convenient place. I do not
propose 2 Benches, but one Bench
sitting alternately in order that cases
may be adjourned from one session
to another, and in order that process
may be taken out at one place for trial
at the other. Some of the Magistrates
will probably attend at both places
and they would do so when they had
adjourned any case to the next session.
I believe that the gentlemen of this
Country will give a large share of
their time and attention to the busi-
ness, because the local administration
of justice will be truly entrusted to

to them and they will be responsible
for it. The Benches of Cotacamund
and Conoor have failed because they
were not responsible and it was quite
immaterial to the public whether they
did their duties or not, seeing that
there are Joint Magistrates to do the work
if they fail. Thus they seemed to be
giving themselves trouble for nothing.
But the present case is widely different.
7. I propose that the District Magi-
strate and Submagistrate of Goodalur
be members of the Bench. It is cer-
tainly desirable that I should attend
the first few sittings of the Bench
until the Magistrates acquire a slight
familiarity with their duties. The
distances from Cotacamund are
such that I can without difficulty
attend without being absent more
than a day and a half and when
on tour in that Country it will be
well that I should attend.

8. The Goodalur Submagistrate will
also be of use as a member, he can
always attend at both places. As he
will generally be a native his presence
will be advantageous. The only difficulty
Natives

natives of those parts who are fit for office and the Nelliakum Nafah and the Tummulpad of Nelliambur, but the latter does not ordinarily move in the country though the principal landowners. As only two Magistrates are required to form a quorum, adjourned cases can be heard if only one other Magistrate be present who attended the previous sitting. At the first too his greater familiarity with the law will be of considerable service. Of course after the Bench has been a short time in working order this latter consideration will lose weight. This scheme will also relieve the Submagistrate of nearly the whole of his Magisterial work. As District Munsiff and small cases Court Judge, he last year disposed of 183 cases. He will thus have more time for his Civil, Judicial and revenue duties. A clerk to the Bench with a good knowledge of English must be provided to keep the records and prepare the copies of judgments and make the translations which may have to be furnished to parties concerned. I think that the Revenue Inspector - now might be used for this office!

It would add little to his work, as a good deal of the mere copying work could be done in the office of the Submagistrate of Goodalur who has 4 clerks. It is only necessary that care be taken that the Revenue Inspector have a good knowledge of English and that at least one clerk be acquainted with English. There will be no difficulty in this.

9. The Criminal work will not be increased though there may be an increase at first - there will be only a transfer of it. The sooner the operation of the law becomes the less often will the necessity for its motion arise. I propose that a supply of processes be kept at each police station. On Complaint being made to a magistrate, if he see ground for issuing process, it can be at once issued and signed. The police Constables can be quickly taught this very simple duty. It will not increase the work of the police in any degree. All the gentlemen nominated by me except the Nelliambur Tummulpad live within easy reach of a police station. Mr Ryan who is most remote is only six miles from one, and if one be put at Nelliacattah will be only about 4 miles from it.

10. The Government will observe that I propose that the Magistrates exercise their powers independently in the issue of process.

process; but I propose that while leaving it to the discretion of the Magistrate to whom a complaint may be made to accept the complaint, or direct the complainant to lay his complaint before the Bench, the Magistrate be directed by me as District Magistrate not to proceed further independently than the issue of processes and such preliminary inquiry as may be necessary or desirable.

11 I propose that the Magistrates be in the first instance appointed to be Magistrates of the 3rd class, individually and that the Bench be invested with 2nd class power under Section 50 Criminal Procedure Code. The object of investing the Bench with 2nd class power is to enable it to deal with almost all cases of theft and the like offences. Complaints of 2nd class cases will then be made to the Bench and not to individuals.

12. The Bench should I think be invested with power to try summarily the offences specified in Section 225 Criminal Procedure Code. The Magistrates ought also to be directed under Section 325 b.6 P. to take down the evidence of complainants with their own hands in their own vernacular language. The gentlemen now nominated have a sufficient colloquial knowledge of the vernaculars and one at least is very well acquainted with Tamil, Canaree and Malayalam. To require them to record a complaint in the vernacular would prevent

(The Melkattam Rajah and
Srinivasulu have not yet
replied 18th 9. 1911.)

present complaints being made directly, which is one of the main objects of this scheme.

13. I do not now lay before the Government any rules under Section 52. It will be better that such rules should be prepared after consultation with the Magistrates, if the Government think fit to appoint them.

14. I have the honor now to nominate the following gentlemen who have all consented to serve Government and who are all desirous of some scheme of this sort and ready to assist in any way.

- 1 Mr Charles Dawson of Goodaloor Siltacottah.
- 2 Mr Walter Gale of Cherumbady.
- 3 Mr Charles Macpherson Grant of the Cuckkerry Valley (Manager of the Cuckkerry Estate.)
- 4 Mr Percy Guard of Cherumbady.
- 5 Mr Alfred Griffin of Lylunnu, Cuckkerry Valley.
- 6 Mr Edward Hamlin, Devalah.
- 7 Mr James William Michie, of Poria Cholah Cuckkerry Valley and Devalah.
- 8 The Melkattam Rajah.
- 9 Mr C. E. Norman of Guyard, Cuckkerry Valley.
- 10 Mr William John Pickett of Palmaradai - Cuckkerry Valley.
- 11 Mr John Pyan of Macward, Siltacottah.
- 12 Mr H. L. Sinclair of Ambala Malley.
- 13 The Srinivasulu of Sclimbar.
- 14 Mr K. K. Rajam of Sclimbar.

15. They have to be appointed magistrates first.

first and then directed under section 50
to sit as a Bench with the District
Magistrate of the Nilgiris and the Sub-
Magistrate of Gudalur for the time being.
The Bench might also be empowered under
section 230 to prepare judgments and
records in summary cases by means of an
officer of the Court.

16. The inefficiency of the Police is due to the
weakness of the force arising from constant
sickness, and not to misconduct or negli-
gence of the individuals. For instance, on
the day of my inspection of the Gudalur
Police Station, there were present for duty,
only the Inspector and one Head Constable
and 7 Constables, out of a force of one Inspector,
three Head Constables and 27 men. The day I inspected
Cherambady station only one Constable was
present for duty, and from the first to the
17th July there was only one day on which
a second Constable was available to do a
beat. Devalah Station was in much
the same condition. Hadghang a road-
side station of 8 men was abandoned,
but for one Constable who was too sick with
fever to be good for any thing.

17. Of course, this is an abnormally
unhealthy season, but in July the Country
was healthy enough. There is at all times
a great deal of sickness among the Police.
18. The lines are generally just unfit
for

for habitation all the year round.
They are better than the Coffee Police lines,
but there it must be remembered that
the Police are generally in their own country
during the greater part of the unhealthy
months.

19. The Police huts are only thatch and
mud walls and are seldom in very good
order, not having been thoroughly well built
at the first. I do not think that any
improvement can be expected in the health
of the men and consequent efficiency of the force
until they are housed at least as well as the
Nilgiri Police who live in a colder but
far healthier climate. The provision of
proper huts and stations at Cherambady
and Devalah and of additional huts
at Gudalur, to replace the present mud
and thatch structures will be somewhat
costly. But I believe it would be more
economical than having a large number
of men in hospital and the work left
undone.

20. Recruiting from Coimbatore instead
of from Malabar may hereafter when good
huts are provided, be of advantage as the
Tamils and Canarese are generally stronger
than the Malayalis. I am addressing the
Superintendent of Police on these points and
on the provision of a station at Bellacottah.
I mention them now, because they must be
borne

borne in mind in connection with the appointment of a local Magistracy. However efficient the Courts may be the administration of Justice will never be quite satisfactory until the Police, who are the eyes and ears and arms of the Magistracy are placed on an equally efficient footing.

34. A Police station is very much needed at Nellore which is the centre of a considerable and increasing group of coffee gardens on the road between Sultan's Battray and Goodeloor and some eight miles from Desulak. There are one or two convenient sites about halfway. The planters are most anxious for a station and have offered to provide the site and build a suitable station and police lines if men are available. I think as only a small station is required of about 5 men it may perhaps be arranged.

I have the honor to be
Your most obed^t Servant

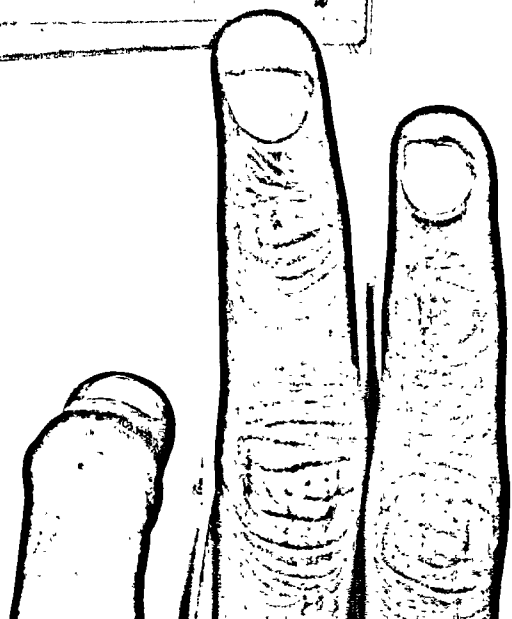
Yours
A. G. D. Magistrate.

$$\begin{array}{r} 1305 \\ 1305 \\ \hline 1305 \\ 1305 \\ \hline 1305 \end{array}$$

Ind. Act 3,487/77
 Minus. July 8 Nov.

20/3

Dr H Robinson h.
 meets her the papers
 which the matter
 was discussed by
 him & W. Kettle-
 stone for different
 points of view - with
 notes on minutes
 decided - may be
 sent them over.



Notes

The Ag. Dept. May 1977

July 1977

2

Mr. Chief Secretary
to Government

Through Commission
of the Higgins

1009

Dated 23
 Sept. 2-83 Sept. 1977

Submitting his report

on the administration

of South East England

and England of Kent

in the of South England

Ind. Act 3,487/77

These papers are in care

Later

174



$$\begin{array}{r} 261 \\ 1305 \\ \hline 1305 \\ \hline 0000 \end{array}$$

These papers concern
Lalor
1874 BB

2601
1326
1305

22
505
Sub. DEPARTMENT.

No.

From the Ag. Secy, Nilgiris -

Submitting proposals for the appointment of
a Bench of Honorary Magistrates for Kodagerry.

Dated 22nd October, 1877, No 40.

FOR ORDERS.

Recd from Mr. James Charles
Esq. Secy. He has from
the first given attention to
the formation of benches
of Hon. Mag. Secy.

This is the Ag. Secy's reply
to G.O. 5 July 77, No 1588.

Please see Memo: attached
to the G.O. & the remarks of the
members of Govt.

In para 4 Mr. McJannet men-
tions that the Bench will re-
quire a good clerk, who could also
be employed as a Revenue Insp.
but it is not stated whether this
is to be an add'l expense, or not.
H.H.

26.10.77.

20/10

11/11

C.C.

*Supplies for the
1st of the 1st*

FOR ORDERS.

*60/100 1/2
1000*

FOR ORDERS.

DEPARTMENT.

No. 348/77

Dated

21 Nov 177

FOR ORDERS.

These papers were recd during
my absence on leave at Bombay -
were marked for me - & put aside
till my return - Since wh, I am
sorry to say, I have lost sight of them.

I. Proposals to enlarge the Magistracy
of the Wynad.

Mr. Knox proposes a Bench of
11 Planters and 2 Native gentlemen
to sit week about, at Goodalore
and Sevalah - the D^r Magr & the
Sub Magr of Goodalore to be members
of it, and the Revenue Inspector
to be the Clerk. Powers 2^d clasp.

Between the meetings, each Member
of the Bench may receive complaints
and informations - issuing process
"to appear before the Bench"

The Bench to have the usual jurisdiction
(Sect 225 of the Code) over the offences
here specified, & to record evidence in
English -

Submitted, all this may be done: the Magr
of the D^r has power by Law to settle the

* 6 months.

200 Rs. fine.

Whipping, in hose

cases (Cane cases etc)

where whipping is admissible.

details - times of meeting
 & do on - & also to give the Bench
 a Clerk, provided there is no
 extra cost - & there need be none,
 for the Goodall's may have four
 clerks.

(2) About the inefficiency of the Police
 from the climate, had nothing
 to do on.

Submitted : the building, &c. to be
 attended to : and the new Station
 established at Meller's Bush. It will
 cost us 5 more men, but the Planters
 give the site & build the house.

II. Proposals for a Bench at the

There 7 gentlemen are named : all
 European planters. The 8th name on the
 Wellington map is to preside - meetings
 once a fortnight. 2d. class powers
 as above. with summary in cases under S. 225.

Submitted, his scheme too may
 be sanctioned.

J. L.
 15-5-8

Not printed

Minutes

Have already a
 order that I dissent - a trial of the system
 on principle from plan and I am very sanguine
 the administration of the
 Court put in a plan of it proving a success.
 I am long of
 opinion that we are
 having excellent material
 from forced administration
 in our planting districts
 by having much less
 the services of the body
 of educated English
 gentlemen than - 50
 are in touch in force
 administration. Now we
 are qualified & promote
 it - & so I believe
 the Collector is sure
 - if in all probability, a di. only need to have
 real success of reformation confidence before in
 the hands from which there is power to liberate
 in - not least with both of it. If the
 from the body

Sub. Pres.
 25/5/86
 25/5/86

principles. I apprehend it
is not to be can easily
look out the details & cut
I have no doubt.

Benchers - Inspector
in Mysore & Kotagiri
Asst & Mr. Magr. is preparing
FOR ORDERS. Please

The question of improvement
accounted for the police by deliberate con-
sideration of the termination of the
immediate attention. This is to be
done by report.

Some cases make
judicially
information
in the

Pro: of the Madras Govt.
Ind. Sept. 1878

Read the following papers:
From the Ag Commr, Nilgiris, 22nd Oct/77. No 90.
From — — — — — 8 Nov/77. No 94.
Read also Minute by the Commr of Cochin, 26 April/78.
Hon. Mr. Middleton. 27 March 78.
B. Minute by the Hon. Sir W.
Robinson. 27 April 78.

These papers submit, for
consideration, proposals for the ex-
tension of the Magistracy, without
extra cost to the State, for employ-
ment in Kotagiri, in South East
Mysore, Nilgiri District, and
for the formation of Benches of
Magistrates in the said localities
respectively.

2. The first of the papers is in
reply to G.O. 5 July/77, No 1588, and
submits the nomination by the
Ag District Magistrate of seven
gentlemen, European residents &
planters of Kotagiri, for appoint-
ment as Honorary Magistrates in
possession of a Magistrate individually
of the third class, but to constitute
a Bench with the powers of a Ma-
gistrate of the second class, to sit
once a fortnight under the presi-
dency of the District Magistrate,
or of the Joint Magistrate of Wellington.

as it may be convenient for one
or the other to attend the sittings.

3. The second of the papers represents the unsatisfactory condition of criminal administration in South East Wyoand, owing to a constitution adapted to a native country but unsuited to a European settlement, and proposes as a remedy the appointment of eleven European planters and two Native gentlemen in South East Wyoand as Honorary Magistrates, with the duties of a Magistrate of the third class individually, but to sit as a Bench each week, alternately at Fudalove & Devallah, with the powers of a Magistrate of the second class. In the magisterial wards of the tract there is at present a Magistrate of the second class stationed at Fudalove, who is also a Deputy Tahildar, a District Munsiff, and a small Court judge. The tract is wide and occupied by European ³⁴⁴planters, who suffer a good deal of loss & inconvenience rather than waste time by proceeding with their complaints to

one overwhelmed official who
may, at the time, be at a different
part of his complex jurisdiction.

4. The Govt recognize the advantage of ~~employing the services~~ of a body of educated English gentlemen, interested in good administration and possessing the necessary qualifications to provide that administration in a planning country. They are therefore in favor of making a trial of the scheme submitted for their consideration.

5. His Grace the Governor in Council ^{accordingly} ~~therefore~~ adopts the proposition made both for Kodagiri and for South East Wynnad, and directs that the gentlemen named in the Notification hereto appended be appointed Special Magistrates with the powers of a Magistrate of the third class, and that they constitute a Bench of Magistrates for Kodagiri and South East Wynnad respectively, in the terms of the said following Notification.

6. For the Bench at Kozagiri, the District Magistrate will arrange that an intelligent clerk be deputed either from his Office, or from that

the Joint Magistrate of Melling-
ton, to record the proceedings
of the Bench, and to assist them
in the issue of processes. For
South East Wymond, the District
Magistrate will ~~arrange~~ to depu-
te one of the four clerks attached to
the office of the Deputy Tahiti-
and Magistrate at Fudaloro, to
attend the sittings of the Bench
& record their proceedings &c.
The details connected with the
sittings of the Bench
in Tahiti and South East Wy-
mond, will be regulated by the
directions of the District Magistrate
under the powers conferred on
him, in that behalf, by section
52 of the Code of Criminal Pro-
cedure.

7. Under the powers conferred
on these Magistrates, as Special
Magistrates, they will, in addition
only, between each sitting of
the Bench, receive complaints
and informations, receive pro-
cesses to appear before them ^{respectively} Bench,
for trial & disposal of the cases
preferred. For this purpose, His
Grace the Gov. in Council directs
them, under the provisions of section

335 of the Code of Criminal Procedure,
to take down complaints with
their own hand in English, or in
the Vernacular in the case of the
Native gentlemen appointed for
South East Wymond; and they
will take care that all complaints
are sworn to, or reduced to writing
or examination ^{of persons presenting} ~~in~~ petitions,
except of course, when a Police Charge
sheet is ^{made out} ~~made out~~ & placed before
them.

8. The Govt understand
that a new police station is re-
quired at Mellaottah, but that
the planters are prepared to provide
the site and build the station &
police lines, if the Constables are
supplied. The Govt approve the
proposition on the terms stated,
and direct the ^{2d} Insp. Genl of Police
to consider & give effect to the arrange-
ment. The question of improved
accommodation for the police
in South East Wymond generally,
under the circumstances mentioned
by the Ag District Magistrate in
paras 16 to 17 of his letter dated
8 Sept 77, No 97 (forming an enclosure
to the second of the papers above
recorded) will also be referred to the
Ag Insp. Genl of Police for immediate

attention and early report.
9. Ordered that the follow-
ing Notification be published in
the Fort St. George Gazette.

Notification.

Under the provisions of Section
42 of the Code of Criminal Proce-
dure, His Grace the Gov. in Coun-
cil is pleased to appoint the un-
dermentioned gentlemen to be
Special Magistrates for Kottagiri
and South East Wynnad, in
the Nilgiri District, respectively,
and to confer on them the powers
of Magistrates of the third class,
for the purpose of receiving com-
plaints of offences punishable
by the Benchers of Magistrates
constituted or to be constituted,
in the localities aforesaid, and
of issuing process & the hearing &
disposal of such cases by the said
Benchers respectively.

Kottagiri

Major General Vane
Mr. E. J. L. Bruce.
Mr. F. Colclough
Mr. M. A. Edmonson of Bangalore.
Mr. G. W. Foster.
Mr. J. G. Hill of Madras.
Mr. J. H. Norman.

South East Wynnad.

Mr. Charles Dawson of Jeddah & Kilnash.
Mr. Walter Gole of Cherambady.
Mr. Charles Macpherson Grant of the
Buckingham Valley.
Mr. Percy Grant of Cherambady.
Mr. Alfred Griffin of Gannans, Buck-
ingham Valley.
Mr. Edward Hamilton of Devallah.
Mr. James William Minchin of
Pinn Molah, Buckingham Valley.
The Nilgiri Rajahs.
Mr. R. E. Norman of Gungud, Buck-
ingham Valley.
Mr. William Cotton Rhodes of
Balmaddies, Buckingham Valley.
Mr. John Ryan of Rockwood, Nilgiri District.
Mr. W. G. Sinclair of Amballamalai.
The Tirumulpad of Melambur.

2. Under the provisions of
Section 50 of the Code of Criminal
Procedure, and subject to the terms
and conditions of Notifications
dated 16 Feb 75, 4 Dec 1877, and
G.O. 2871 of the 25 Dec 1877, His Grace the
Gov. in Council is also pleased
to direct that the aforesaid Special
Magistrates shall sit as Benchers
of Magistrates, with the powers of
a Magistrate of the second class,
as they stand appointed for Kottagiri
and South East Wynnad respectively.

as follows.

In Kolasiri, ^{once a fortnight,} ~~fortnightly~~, under the presidency of the District Magistrate or the Joint Magistrate of Wellington, as it may be convenient for one or the other to attend the sittings.

In South East Wymond, ^{once a week} ~~by week~~ alternately at Girdalvi & Devallah, under the presidency of the District Magistrate, or the stipendiary Magistrate of Girdalvi, as it may be convenient for one or the other to attend the sittings.

Under the provisions of Section 230 of the Code of Criminal Procedure, His Grace the Govt. in Council is further pleased to direct empower the Benchers of Magistrates in Kolasiri and South East Wymond to preserve the record of the cases tried summarily between by means of the Officer attached to their Court.
(By Order of His Grace the Govt.)
H.S.

The Ag. Comr. Nilgiris }
Ag. Dist. Commr. Nilgiris } Secy.
Major Genl. of Police }
Goretti. }
15-78

Medical Department
Branches for K. H. J. J.
W. H. H. H. H.

31
476

Feb 31/17/18



18-26/18

Cont. of 118781 *Althorn*

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11/1/1878

13-6-13

7-2-17 31

29-10-21 31

18-5-1878

11/1/1878 No. 8715

1878-79

of large: carbon: hydrogen & nitrogen: water: alcohol: ether: oil: wax: resin: sugar: starch: gum: glue: oil: fat: acid: alkali: salt: mineral: vegetable: animal: human: artificial: natural: pure: impure: simple: compound: elementary: derived: organic: inorganic: crystalline: amorphous: solid: liquid: gas: vapor: smoke: dust: dirt: mud: sand: gravel: stone: brick: wood: metal: glass: paper: cloth: leather: silk: wool: hair: bone: shell: horn: ivory: pearl: diamond: gemstone: mineral: vegetable: animal: human: artificial: natural: pure: impure: simple: compound: elementary: derived: organic: inorganic: crystalline: amorphous: solid: liquid: gas: vapor: smoke: dust: dirt: mud: sand: gravel: stone: brick: wood: metal: glass: paper: cloth: leather: silk: wool: hair: bone: shell: horn: ivory: pearl: diamond: gemstone:

