

Requires very Careful
handling

Revt. II-27-40,000-27-10-82.

~~Judicial~~ (195) Department.
1884

Press SERIES.

G.O. No. 1141

Dated 8th May 1884.

[Despatch Abstract.]

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

19TH JANUARY 1884, No. 166, JUDICIAL.

GOVERNMENT OF MADRAS. JUDICIAL DEPARTMENT.

READ—the following paper :—
From the District Magistrate, Tanjore, dated 29th November 1883, No. 6951.

ORDER—dated 19th January 1884, No. 166, Judicial.

All District Magistrates will report, with reference to the notification published in the *Fort St. George Gazette*, dated 16th February 1875, page 274a, whether in their opinion it would be advisable to modify the provision which renders it necessary that the salaried magistrates should sit invariably as Presidents of the benches of honorary magistrates. It may be possible in most districts to utilize the services of pensioned magistrates of experience as Presidents of some benches, thus relieving the salaried magistrates of a considerable amount of work. The only cases which would be placed before the benches when presided over by non-salaried magistrates would be those involving offences under the conservancy clauses of the Police Act and the Municipal Act.

(True Extract.)

E. F. WEBSTER,
Chief Secretary.

To all District Magistrates.

Exd. J. Wright.

Gobt. of [1884] Madras.
JUDICIAL.

*And this copy to be
sent to the printer*

Issued

Recd.

Encl.

G.O., 19th January 1884, No. 166.

JANUARY.

Honorary Magistrates.

Requesting all District Magistrates to report, with reference to notification published in the Gazette of 16th February 1875, whether in their opinion it would be advisable to modify the provision which renders it necessary that the salaried magistrates should sit invariably as Presidents of the benches of —.

Camp & work at
26 January 1884

From

The District Magistrate
Kumool

To

The Chief Secretary
to Government
Fort St. George
Madras.

Sir,

With reference to G. O.
no. 166 dated 19th January 1884,
Judicial, I have the honor to say
that as on the only Bench in this
District, we have no pensioned
Magistrate of experience, and as I
do not know of any eligible pensioner,
I think that as far as Kumool
District is concerned, it is desirable
that no change should be made

to be in question.

I have the honor to
Sir,
Your most Obedient Servant

W. M. M. M.
District Magistrate.

G.O.

G.O.

1870

Co. 19-1-84. 166.
CURRENT No. 391

Judicial
(1884) Department.
FROM Dist. Magistrate.
THE COLLECTOR OF
KURNOOL.
TO THE CHIEF SECRETARY
TO GOVERNMENT
FORT SAINT GEORGE.
Dated 26th No. 40
Received January 1884
Enclosure.
Subject.

Stating that there
is no pensioned Magis-
trate on the only bench
in this District and
there is none eligible,
he thinks it desirable
that as far as this Dist
is concerned, no change
should be made in
the rule in question.

Confide

3/1

DISTRICT MAGISTRATE'S OFFICE,

Ootacamund, 29 January 1884

No. 29.

FROM F. Brandt Esquire.
THE DISTRICT MAGISTRATE,

OF NILGIRIS.

To

The Chief Secretary to Government
Judicial Dept.
Madras.

Sir,

In reply to the questions put in by O.
dated 19 January 1884. N^o 166 Judicial
Department I have the honor to say that
if the only cases which it is intended to
put before Magistrates' Benches when presided
over by non-salaried magistrates are to be
those involving offences under the Conservancy
clauses of the Police Act, and under the Municipal
Act I see no reason whatever why such
cases should not be disposed of by a Bench
whether presided over by a salaried magistrate
or not.

2. At the same time the number of occasions
on which such cases only would be for dis-
posal by the Benches in this District would
probably be very few.

At every Bench meeting at Devala and
Kotagiri there are, I think I may say,
cases under Act XIII of 1859 (Criminal
Breach of Contract) for disposal.

But

CURATIVE No 441

Judicial Department

From

The District Magistrate
Nilgiris

To

The Chief Secretary
to Government
Judicial Dept.
Madras

N^o 23.

dated 29 January } 1884.
despd 30
14/5/84

Honorary Magistrates

Reporting on the suggestion
in G.O. dated 19 January
1884, N^o 166 Judicial, as to the
expediency of making the
salaried Magistrates the
presidents of the Benches of

South Arcot.

N^o 10

From,

A. Grinicham, Esq.
District Magistrate
South Arcot.

To

The Hon^{ble} E. F. Webster,
Chief Secretary to Government
Fort St. George

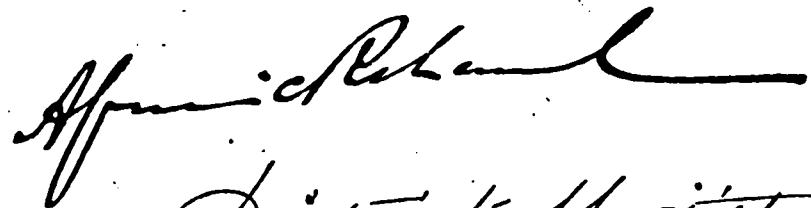
Sir,

With reference to the
Order of Government dated
the 19th instant N^o 166 Judi-
-cial, I have the honor to
state that in my opinion
it would not be advisable
to modify the provision
which renders it necessary
that salaried Magistrates
should sit invariably as
Presidents of the benches of
Honorary Magistrates. The
services of pensioned magis-
-trates of experience might
be

utilized where available for
the purpose but even in the
case of such it would be necessary
to consider whether they possessed
sufficient strength of mind
to do what they thought right
and not to allow themselves to be
carried away by a desire to stand
well with their fellow country-
men.

I have the honor to be,
Sir,

Your most Obedt^h Servant



District Magistrate

From
The District Magistrate
South Arcot
To The Chief Secretary
to Government
Madras

Dated 30th }
Despd 31st } January 1884.
11/12 No 10
Encl -

Informing that for the
reasons given it would
not be advisable to
modify the provision that
salaried Magistrates should
sit invariably as Presidents
of the benches of honorary
Magistrates.

No 195.

South Canara District Magistrate's
Office, on Circuit, Nagode
30th January 1884.

From, J. Sturrock Esquire,
District Magistrate of
South Canara.

To,
The Honble C. F. Webster,
Chief Secretary to Government,
Judicial Department,
Fort St. George.

Sir,
In reply to G. O. dated 19th January 1884.

N: 166, Judicial, I have the honor to state that
it would in my opinion be advisable to modify
the provision which renders it necessary that
salaried Magistrates should sit invariably as
Presidents of the benches of honorary Magistrates.

I have the honor to be,

Sir,

Your most obedient servant,

J. Sturrock
District Magistrate

467
Judicial.

1884.

From

The Dist. Magistrate of
South Canara,

To

The Chief Secretary to Govt.,
Judicial Department,
Fort St. George.

Dated 30th }
Received 13 } January 1884.

N^o. 195.

Enclosures: None.

Honorary Magistrates -
stating that it would be
advisable to modify the pro-
vision that salaried Ma-
gistrates should sit invari-
ably as Presidents of the
Benches of -

BELLARY MAGISTRATE'S OFFICE.

No. 16

Dated 2nd } February 1884.

From

H. P. H. Goodrich Esquire,
THE MAGISTRATE OF
BELLARY

To,

THE Chief Secretary to Government
Fort Saint George.

Sir,

In reply to G. O. Judicial Department,
N^o. 166 dated 19th ultimo, I have the
honour to report that the services of
pensioned Magistrates would not be
available as Presidents of the benches
of Honorary Magistrates at Adoni.

2. At Bellary the number of Bench
cases amounts to about two thousand
per annum, and the disposal of
the class of cases referred to in the
Government Order cited above might
in my opinion be left to the Bench
under the Presidency of an ex-Magis-
trate of five years standing.

3. Three gentlemen so qualified are
Mr. Firth - available at present
Mr. Blake - but their election if
P. Venkamaiah - it

it depended on the popular vote
would always be uncertain and
only one of the three has now a
seat upon the Municipal Com-
-mission.

4. At Kelowna the file is little in excess
of half that of Bellara and relief to
the Stipendiary Magistrate is
not urgently called for. I should
advocate the appointment to the
Office of President of a Bench of
Honorary Magistrates being limited
to those who are at the time
salaried Magistrates or to those
who may have at some previous
time exercised for five years the
powers of a 2^d class Magistrate.

I have the honour to be

Sir,

Your Most Obedient Servant,

H. Goodrich

District Magistrate,

1881

1881

1881

1881

REVENUE DEPARTMENT.

The Collector of
BELLARY.

The Chief Secretary
to Government
Madras

Dated

23

Despatched

22

Februarz 1884

ENCLOSURES. *hcl*

Subject.

Furnishing Report Called
for Regarding the Advisa-
-bility of modifying the
provision which renders
it necessary that the
Salaried Magistrates
should sit invariably
as Presidents of the benches
of Summary Magistrates.

Tempe District Magistrate Office

Edmund 1884.

Sept.

Mr. J. B. Pennington Esquire
Cty. District Magistrate,
Tampa.

To. The Honble E. F. Webster,
Chief Secretary to Government,
Judicial Department,
Madras.

[Handwritten signature]

In reply to Government Order,
19 January 1884, No. 166, I think
I have the honour to state that I
think it is very advisable to modify
the provision referred to therein. The
arrangement proposed will enable the
salaries Magistrates to devote more
of their time to their other work.

I have the Honour to be
Sir

Yours most Obedt. Servant,

Clay County Vol

Mr. Cg. District Engineer.

No. 466

Judicial Department.

From The D. Magistrate
of
Danjore

To The Chief Secretary
to Government
Madras;

Dated 2 } February 84
Recd 5 }

Sp 190

Encls. nil

Stating that the pro-
vision which renders
it necessary that the
salaried magistrates
should sit as Presidents
of the benches of Hon-
orary magistrates
requires modification

No. 52

Chingleput District,
Magistrate
COLLECTOR'S OFFICE,
Camp Kurnam 20 February 1894.
D. 4

FROM

J. H. Price Esquire,
Magistrate
COLLECTOR OF THE

CHINGLEPUT DISTRICT.

TO

The Honorable E. F. Webster,

Chief SECRETARY TO GOVERNMENT,
Judicial Department, MADRAS.

SIR,

I have the honor to reply to G. O., Judicial
Department No. 166, dated 19 ultimo.

2. As far as this District is concerned, I do not
consider it advisable to give effect to the measure
therein suggested. In the three Benches which
exist within my jurisdiction, there is only one -
which includes a pensioned Magistrate, and that
Bench is so small - though I have tried all that
I can to find means of increasing it - that, if the
salaried Magistrate does not sit, there would be
difficulty in forming a quorum. The President of the
Bench has more than once, complained to me, personally,
of this.

3. I take this opportunity of renewing the suggestion
that Sub Registrars of Assurances, many of whom
are men of some education, should be invested
with some Magistrate's powers, and should try petty
cases. The proposal which I made before on this
subject

subject, was negatived on the ground that these officers, if given magistrate powers, would have two masters, but to this, I would reply, that when my subordinates were Sub Registrars of Assurances, they were in the same position and no harm or difficulty arose from it.

4. As I have recently seen that, in some other Districts, notably Malabar, Sub Registrars have been invested with magistrate powers, I venture to renew my former suggestion and to beg that the experiment may be tried in this District. I do not ask that all, but only selected officers shall have magisterial powers, such, for the present, to extend only to nuisances and petty assaults.

I have the honor to be,

Sir,

Your most Obedient Servant

Redinckhial

District Magistrate.

Ed

472

FROM
THE COLLECTOR OF THE
CHINGLEPUT DISTRICT,

TO
Chief
THE SECRETARY TO THE
Judicial Department
BOARD OF REVENUE,
MADRAS.

Dated 2nd
Despatched 4th
Received 5th } February 1884.

No. 52

ENCLOSURE

Stating that it is not advisable to give effect to the measure suggested in G.O. No 166 of 19 Jan'y/84 and recommending that some of the Sub Registrars may be invested with 3rd Class Magisterial powers.

Very truly
Yours

Mean put for per-
relating to p. 3 & 4
to be.

No. 10

MADURA DISTRICT MAGISTRATE'S OFFICE,
5th February 1884

FROM

C. S. Carole, Esquire,
District Magistrate of
Madura.

TO

The Honorable E. F. Webster,
Chief Secretary to Government.
Madras.

SIR,

Adverting to G.O. dated 19th
January 1884, No 166, Judicial, I
have the honor to state that, in
Madura Town, the only pensioned
Magistrate of experience is Mr
J. Raim Rao who exercised for
many years 1st Class powers as
Deputy Collector and Magistrate,
Madura. But there is this diffi-
culty with him. He considers that
the position of President of the
Bench would be derogatory to him.

507
Majl
(1884) DEPARTMENT.

FROM
THE DISTRICT MAGISTRATE,
MADURA.

No. 10

ENCLOSURE.

Dated 5th
Received } February 1884

No.

SUBJECT.

Stating that in reference
to G.O. No. 166 dated
19.1.84 that
Mr. J. Ram Rao is the only
pensioned magistrate of long
experience, in Madras Town
his appointment as President
of the Bench would be a
great convenience & his
powers may be
revived as an honorary
distinction.

NO. 7

GODAVARI DISTRICT,
MAGISTRATE'S OFFICE, COCANADA, ^{Camp}

Warasaram, 5th February 1884.

From

W. A. Happell Esq.
Magistrate, Godavari District.

To

The Honorable E. F. Webster
Chief Secretary to Government,
Fort Saint George.

Sir,

With reference to G. O. No. 166 dated
19th Ultimo, I have the honor to inform you
that in this District no change is required
The salaried Presidents of Benches have
sufficient time at their disposal
2. I would suggest that Honorary Ma-
gistrates be appointed like Municipal
Commissioners for three years at a time.
At present Honorary Magistrates who
have shown themselves to be incompetent
or mischiefmakers or who have incurred
the suspicion of corruption cannot be got
rid of quickly.

I have the honor to be

Sir

Your most obedient Servant

W. A. Happell
By District Magistrate

625
Agency {1884} Department.

From

The Government Agent,
Godavari District.

No.

Dated 5th

Despatched 9th February 1884

Received 15

No. 7

SUBJECT.

Reporting with reference
to G.O. no. 166 dated
19th ultimo, that
no change seems
called for in the
system of appointing
salaries Magistrates
as presidents of
Bench Courts.

No. 190

Enclosure.

NELLORE,

District Magistrate's Office.

7th February 1884.

FROM

J. Lee-Warner, Esquire.

AL. DISTRICT MAGISTRATE OF
NELLORE.

TO

The Honorable E. F. Webster,
Chief Secretary to Government,
Judicial Department,
Madras.

SIR,

Adverting to G.O. No. 166
dated 19 January 1884, Judicial
Department, I have the honor to
state that in my opinion no change
is advisable in this district, as at
present no pensioned Magistrates sit
on the Bench and the qualifications
of those who do sit are small and
their attendance is most irregular

2. When any pensioned Magistrate
can be found, opportunity will be
taken to recommend him to Government
to be appointed as an Honorary
Magistrate, so that the system of
trying the petty cases referred to
in the last clause of the G.O., by
a bench presided over by a non-
salaried magistrate, may be in-
troduced.

I have the honour,

Sir,

Your most obedient servant

W. H. Sharkey
for M. District Magistrate.

49

Judicial Department

COLLECTOR No. 559

1884
Nellore ^{Magistrate} Collector's Office

FROM
of District Magistrate
THE COLLECTOR OF NELLORE,

TO
THE CHIEF SECRETARY TO GOVT
J. D. S. to
Madras

Dated } 4 February 1884
Despatched }

Received }
No. 190 Enclosures.

SUBJECT.

With ref. to G.O. No 166, dated
19 January 1884, J.D. reports
that no change is advisable
in this district as regards
Honorary Magistrates.

Malabar District Magistrate's Court
on circuit
Tellicherry. 7th February 1884.

No. 559

From,

C. A. Galton Esquire,
Sd District Magistrate
of Malabar

To,

The Honorable E. F. Webster,
Chief Secretary to Government,
J. D.
Madras.

Sir,

With reference to G.O. dated
19 January 1884, No. 166, I have the
honor to report that in my opinion
there is no reason why pensioned magis-
trates of experience should not preside
at meetings of the Benches. There are,
however, no such Honorary Magistrates
on any of the benches in this District
whom I can recommend with confidence
for the post of President.

I have the honor to be,

Sir,

Your most obedient servant,

C. A. Galton
Sd District Magistrate.

Judicial Department

CURRANT NO 149

From The Dist Magr
Malabar

To
The Chief Secretary to Govt
Madras.

D 7 Feb 82

Recd 8.

Acc

uo

Ex.

Reporting that there are no Hon.
Magrs in the District who can
be recommended for the post of
Presidents of the Benches.

No 94.

Buddapah District Magistrate
Office 16 February 1882.

From,

C. A. Bird Esquire

Ag. Dist. Magistrate
Buddapah.

To.

The Hon. E. F. Webster

Chief Secretary to Government
Judicial Department
Fort Saint George

Sir,

In reply to Government Order
Judicial Department No 166 of the 19th
Ultimo, I have the honor to state that
as I see no reason why salaried Magistrates
should invariably sit as Presidents
of the benches of Honorary Magistrates,
when there is a pensioned magistrate of
experience who is unobjectionable on the
score of character and capacity.

2. There is no such pensioned magis-
trate in this District among the bench
magistrates.

I have

I have the honor to be

Sir,

Your most obedient Servant.

W. H. A.

By Court Magistrate.

1884.
REVENUE DEPARTMENT.

From *District Magistrate*
The Collector of
Cuddapah.

To *Chief*
The Secretary to
Government
Judicial Department.
Fort St. George.

Dated 14
Despatched 16
Received } February 1884.
No. 96

ENCLOSURES

SUBJECT.

Referring to G.O. No. 166 of 19.1.84
Submits his opinion on the proposal
of making pensioned Magistrates
of objectionable character
& Competency presidents of
the Bench of Honorary Magis-
trates.

No. 449

Chigirakurimath

From

The District Magistrate
of Gajam

To

The Chief Secretary to Government
Judicial Department
Fort Saint George.

Chattrapuz
Dated ~~Camp~~ *Chattrapuz* 14 February 1884

Sir

Referring to the Government Order dated January
19th 1884 No. 166, Judicial Department, inquiring
whether it would be advisable to modify the
provision which renders it necessary that
the Salaried Magistrates should sit invariably
as Presidents of the Benches of Honorary Magis-
trates, I have the honor to report that utilizing
the services of pensioned Magistrates of experience
as Presidents of some benches would afford
considerable relief to Salaried Magistrates, and
would, in my opinion, be a step in the right direction.

I have the honor to be

Sir

Your most obedient servant

J. G. Horsfall
District Magistrate

781
Judicial (1884) Department
GANJAM DISTRICT.

From
The District Magistrate
of Ganjam

To
The Chief Secretary
to Government
Fort St. George

Dated 14th } February 1884.
Received 21 }
No. 449

Encl.

Subject.

Honorary Magistrates —
Submitting his views
on the question of Modi-
fication of the provision
which requires that a
Salaried Magistrate
should sit as President
of the benches of —

Judicial Department

No. 15

North Arcot Magistrate's Office
Chittoor 16th February 1884

From

The District Magistrate
North Arcot

To

The Chief Secretary
to Government
Fort Saint George

Sir,

With reference to G. O. No 166 Judi-
- cial dated 19th Oct 1883, I have the
honor to state that I think it would
be advisable to modify the provision
in the Notification referred to regarding
Salaried Magistrates presiding over
the benches of Honorary Magistrates,
so as to allow of the Services of Expe-
- rience & pensioned Magistrates, when
available, being utilized to sit as
Presidents of some benches.

I have the honor to be,

Sir,

Your most obedient servant,

[Signature]

Magistrate

[Signature]

Judicial Department

From, *Magistrate*
THE COLLECTOR of
North Arcot.

To,
THE Chief Secretary
to Government
Fort St George

Dated 16 } February 1884
Received }

17 No. 15
Enclosure.
Subject.

Shewing that it would be advisable to modify the provision in the notification referred to regarding salaries of Magistrates presiding over the benches of Honorary Magistrates.

ANANTAPUR DISTRICT MAGISTRATE'S OFFICE,

Dated 16 February 1884.

No. 226

Enclosure *one*

From *N. A. Russell Esquire*
The District Magistrate of
Anantapur.

To
The Chief Secretary
to Government,
Fort Saint George,
Madras.

SIR,

In reply to G. O. No. 166 dated 19 January 1884, I have the honor to state that I am in favor of the proposed modification of the provision therein alluded to and of utilizing the services of pensioned Magistrates of experience as Presidents of Bench Courts. But considering the present constitution of the Bench Court, Anantapur, the only Court of the kind in the District, I do not think it advisable that any of the Honorary Magistrates composing the said Bench should be empowered to sit as President. There is only one pensioned Magistrate among them, and he is not acquainted with English.

I have the honor to be,
Sir,
Yours most Obedient Servant
William Allen
For District Magistrate.

Copies by Law
E. J. M.

Respectfully

Very respectfully
transmitted

Yours truly

Respectfully
in favor of the
protection of the
which renders it
that interest
best interest
of the
protection

Judicial DEPARTMENT.

From
The District Magistrate
of Anantapur.

To
The Chief Secretary
to Government Madras.

No. 226

Dated
Despatched
Received } February 1884.

Enclosures No. 2

Subject.

Reporting that he is
in favor of the proposed
modification of the provision
which renders it ~~unnecessary~~
that salaried magistrates
^{shall} sit invariably as Presidents
of the Benches of Honorary
Magistrates.

Trichinopoly, Collector's Office,

29 February 1884

No. 645

From
Henry Sewell Esquire,
The Collector & District Magistrate.

Trichinopoly.

To
The Chief Secretary
to Government,
Madras.

Sir,
With reference to the Proceedings
of Government No. 166
19-1-84, I have the
honor to state that I should be
very glad to relieve the Town Sub
Magistrate, who is the President of
the Bench of Magistrates here, of the
petty work of disposing of cases
coming under the Police and Muni-
cipal Acts; and this might be done
by utilizing the services of a pension-
ed Sub Magistrate as President
of the Bench, if such an officer
were available which is not the case
at present. The Honorary Magis-
trates being also Municipal Com-
missioners, it would be, I think,
anomalous to empower them to dispose

of offences against the Municipal Law
by themselves, though there would be
no objection to their disposing of
Police cases of which there are com-
paratively few.

I have the honor to be,
Sir,
Your most obedt. Servt.

A. Richards.
For Collector.
& Dist. Magistrate

867

1384.
Jud^g Department
From
The Collector + Sub Magistrate
Trichinopoly.

To
The Chief Secretary
to Govt.
Jud^g Deptt.
Madras.

Date-d 29th
Despd. Feb 1884
Recd. 2
No. 645

Enclosures.

Reporting that
no pensioned
Sub Magistrate is
available at
present in this D^o.

Supri Joint Magistrate Office
No. 163. Trichinopoly 26th February 1884.

Mr F. H. Herbert Esq
Joint Magistrate
of Tanjore;
To The District Magistrate
of Tanjore;

Sir,
In reference to Government
Order No. 166 dated 19th January 1884,
I think it necessary to remind
you that if an independent
Bench is sanctioned, a separate
Establishment of 1 Clerk will be
necessary. The Police will supply
an orderly and two Scheildar apiece.
2. The Court might well fall
on the Municipalities as the cases
will be entirely Municipal cases.
The Charge is a local one

in England.

I have &c

1 Signed J. H. Herbert

H. J. Magistrate

1134

1 Free Copy 1

Submitted for the orders of
Government in continuation of
two Office Letters No. 498 dated 2nd
February 1884 with reference
to then order No. 166 dated 19
January last. Judicial.

Very respectfully

Yours

J. H. Herbert

ES

To the Chief Secretary

to Government

James O'Brien Esq. Judicial Department.

Dated 3rd March 1884

920
Judicial Department

From The St. Magistrate
of Tanjore

To The Chief Secretary
to Government
Judicial Department
Madras

Dated 3rd }
Recd 5 } March 1884
No. 1134
En. "

Submitting for the orders of
Government Copy of Joint
Magistrates' letter No. 163
26.2.84
informing that if an
independent Bench,
is sanctioned a separate
Establishment of 1st Clerk
will be necessary.

No 195. Kistna District Magistrate's Court
Maulipattam, 7th March 1884

From,
The Acting District Magistrate,
Kistna.

To,
The Chief Secretary to Government
Judicial Department,
Fort Saint George.

Sir,
With reference to G. O. No. 166 of
the 19th January last, Judicial Depart-
ment, I have the honor to report
that, in my opinion, it is very desirable
that a salaries Magistrate should preside
over the Bench Magistrates. Under such
a Magistrate, cases have a better chance
of being disposed of without unnecessary
delay and his experience is very

beneficial in guiding the Bench to a
right determination in the disposal of
cases.

2. The Joint and Deputy Magistrates
whom I consulted concur in my
opinion.

I have the honor to be
Sir,

Yours Most Obedient Servant

Wm. H. W. W.

Acting District Magistrate

Compd
W. H. W.

1003

Judicial
Department.
From, The District Magistrate,
Trichinopoly.

To, The Chief Secretary
to Government,
Judicial Department,
Fort Saint George.

Dated 7th March 1884
Received //

N^o. 195

Enclosure (none)

Reporting on G.O. No. 166
dated 19th January 1884
Judicial Department, regard-
ing the desirability of
salaries. Magistrates presiding
over the Bench Magistrates.

Trichinopoly Dist Magistrate's office
8th March 1884

No. 801

From, Henry Sewell Esq
Dist Magistrate of
Trichinopoly
To, The Chief Secretary
to Government
Judicial Dept
Fort St George

Sir,

With reference to Post Card
No: 477 dated the 1st Instant from the
Acting Assistant Secretary, I have the
honor to inform you that I have already
submitted my reply to Government Order
No: 166 dated the 19th January last in this
office letter No: 645 dated the 29th ultimo.

I have the honor to be

Sir,

Your most obedient servant

Henry Sewell
Dist Magistrate

Compd
HB

982

1384

Judl Department

From

The Collector *St. M. A. G. I.*
Trichinopoly.

To

The Chief Secretary
Oront.
Judl Dept.
Madras

Date-d 8th

Despd.

Recd.

} March 1884

No. 801

En closures.

Stating that
repl. D. G. R. No 106
D/19-1-84 has already
been submitted
in letter No 645 D/25-2-84

Salem District Magistrate's Office

10th March 1884.

No 588

From

C. W. R. Martin Esquire

Acting District Magistrate

Salem.

To

The Chief Secretary to Government
Judicial Department
Madras.

Sir,

With reference to G. O dated
19th January 1884 No 166 Judicial I have
the honor to state that I see no objection
to modifying the provision rendering it
necessary that salaried magistrates
should sit invariably as Presidents of
the benches of honorary Magistrates
for the trial of offences of the classes
specified.

2. I have also the honor to state that
so far as Salem Town is concerned, there
is no difficulty in modifying the existing

rule which requires a salaried
Officer to be the President of Bench
of magistrates.

Pensioned magistrate Srinivasa Iyengar
late Tahsildar of Trichangode who has
been serving on the Bench is willing to
undertake the Office of vice President
and does not look upon the work as
too great a tax on his time.

I have the honor to be,
Sir,
Your most obedient servant

C. Srinivasulu
Ag District Magistrate

x² coll

copy
Srinivasulu

1000
1000
From the Collector

and District Magistrate,

Salem.

To The Chief Secretary
to Government
Judicial Dept.

Dated 11th Dec 1884.

No. 588.

SUBJECT:

Stating that there is no objection to modifying the provision rendering it necessary that Colonial Magistrates should invariably sit as the President of the Bench of the Honorary Magistrates.

No 114 Madras District Magis-
trate's office
14 March 1884

From

C. S. Crole Esquire,
District Magistrate
Madras.

To

The Honorable E. F. Webster,
Chief Secretary,
to Government,
Madras.

Sir,

In continuation of my letter, No 10, dated 5th February 1884, I have the honor to state that it is now reported that Bhima Row pensioned Taluk Sheristadar mentioned in para 2 thereof, has declined to be President of the Bench, on the ground of old age and defective sight and hearing, and that there is therefore no other pensioned Magistrate of experience available to fill the post in Dindigul.

I have the honor to be
Sir,
Your most Obedient Servant

C. L. W.
District Magistrate
13/3

Copied by C. L. W.

CURRENT No. 11/15

(188) DEPARTMENT.

FROM

THE DISTRICT MAGISTRATE,
MADURA.

No. 14

ENCLOSURE.

Dated

Received

14 } March 1884

No. 14

SUBJECT.

Stating that Bhima Rao mentioned in para 2 of his letter of 10th Feb 1884, has declined to be President of the Bench on the ground of old age &c and that there is therefore no other pensioned Magistrate available to fill up the vacancy at Judicial.

District Magistrate's Office
Vizagapatam
14 March 1884
Recd 15 March 1884.

No. 203.

From

E. C. Johnson Esqre
ag. District Magistrate
Vizagapatam

To

The Honorable E. J. Webster
Chief Secretary to the
Government of
Madras

Sir,
With reference to Government Order no 166 dated January 19th 1884 Judicial, I have the honor to state that of the 3 Benches in this District, that of Vizagapatam only has on it a pensioned Magistrate. He moreover was a submagistrate in the Agency tracts who has passed no examinations, and is but little better as to his knowledge of law than his fellow Honorary Magistrates.

I do not therefore recommend so
far as this District is concerned any
modification in the existing provision
under which it is necessary that a
salaried Magistrate should sit as
their President.

I have the honor to be

Sir

Your most obedient servant.

H. Plumer
as District Magistrate

CURRENT NO. 1182
188-4

Judicial Department

From

The District Magistrate
Vimercabain

To The Chief Secretary
to Government
Madras

No 203

Dated 1st March

Per W do } 1884

Enclosures nil

No

Subject

Recommendations

that no alterations
are to be made in
the Bench magistracy
of this District -

No. 237

Finnerelly District Magistrate
Office 2nd April 1885

From, A. J. B. Atkinson Esq.
J. J. District Magistrate
Finnerelly

To The Honorable C. F. Webb
Chief Secretary to Government
Fort Saint George.

Sir,

I have the honor to reply to
G. O. J. D. dated 19th January 1884,
No. 165, enquiring whether, in the case of
offences under the Conceroany clauses of
the Police Act and the Municipal Act alone being placed
before Benches of Magistrates, salaried
Magistrates might not be relieved
of the duty of sitting invariably as
Presidents of such benches

2 The Joint Magistrate as regards
Tuticorin thinks that honorary Magistrates

cannot be left alone. They have their own work to attend to, and look upon the office as a distinction, a title, and a degree; but they have no desire to inconvenience themselves by doing work without remuneration.

I agree in this opinion as I am aware that the Salaries Magistrate at Tuticorin has more than once had to send a peon round to call the honorary Magistrates to come and sit.

2. As regards the Benches at Tinnevely and Palamcottah the Divisional Officer thinks that the Honorary Magistrates can sit alone. I am unable to agree, because the attendance of honorary Magistrates in these towns is bad, as I will now show from a statement which I have had prepared for the purpose.

4. In Tinnevely there were tried in 1883, 299 cases by the Bench which

sat 45 times during the year. Of the 11 Honorary Magistrates, four never attended at all, one Magistrate attended once, another twice, a third five times, leaving three who attended 13, 19 and 26 times respectively. I am about to propose a reconstitution of this bench.

5. In Palamcottah there were tried 232 cases in 1883 at 29 sittings. One Commissioner never attended at all, a second sat 8 times, a third 11 times, a fourth 12 times, and the fifth 24 times. The last gentleman is the only person who showed any interest. I have proposals to make regarding this bench also.

6. At Tuticorin there were 611 cases tried in 1883 at 79 sittings. The highest attendance was 67 attendances by a gentleman who takes much interest in the north of the town. The other attendances were 59, 28, 21, 18, & 9 sittings.

7. I regret that there is no pensioned
Magistrate of experience available
in any of these towns whose services
could be utilized as President. And
I am of opinion that it is still
necessary to allow a salaries Magis-
trate to preside

I have the honor to be
Sir
Your most obedt Servant.

G. A. Thackeray.
J. District Magistrate

Copy. P. Balamahalingam
H. K.

Comp. P. B.
H. K.

Judicial Department
1884 No. 1405

TINNEVELLY

From

The

District Magistrate
Tinnevely.

To

The Chief Secretary to

Government

Fort St. George.

Dated

~~Received~~

Received

2nd April 1884

No.

237

ENCLOSURE

Subject

Reporting that Salaried
Magistrates should not be
relieved of the duty
of sitting as Presidents
of the Benches of
Magistrates & that
no experienced Magistrate
of experience is available
in any of the towns
in the District

Coinbatone District Magistrate
No. 233 Office, Coinbatone, 5th April 1884.

From

G. D. Lemaire, Esquire,
District Magistrate of
Coinbatone

To

The Chief Secretary to
Government
Madras.

Sir,
I have the honor to reply
to G. D. dated 19th January last,
p. 166, Judicial.

2. The only reason why
the Salaried Magistrates are
necessary as the presiding officers
of a Bench in this District is
that without them, the attendance
of the Honorary Magistrates is
not to be depended on. Even now,
there is often a good deal of pressure
necessary to secure a quorum. Without
a Salaried Officer to apply it,
I doubt if Bench Cases would

would not often have to be re-
manded to the great annoyance
of all parties.

3: The Cases are always
quite easy and well within the
power of non-salaried Magistrates
to decide.

I have the honor to be,
Sir

Your most obedient servant


District Magistrate

By

1881 (1000) [unclear]

[unclear] [unclear] [unclear]

[unclear] [unclear] [unclear]

1881

[unclear] [unclear] [unclear]

[unclear] [unclear] [unclear]

[unclear] [unclear] [unclear]

[unclear] [unclear] [unclear]

[unclear] [unclear] [unclear]

[unclear] [unclear] [unclear]

CORRESPONDENCE NO. 1419.

Judicial (1884) Dept
From the District Magistrate
to the Secretary
to Govt
Madras

no 233

Dated 5th } April 1884
Recd }
no 233

Replying to G.O
dated 19 January
1884 no 166 on the
subject of dispensing
with the salaried magistrates
service as President
of Bench in minor
cases - 45

July 1884 No 1111.
2/8th May/84.

The Collectors of
The District Magistrates of
The Presidents, Municipal
Commissions,
The Presidents, Local Fund
Boards,

Anantapur.
North Arcot, Chittoor.
South Arcot, Cuddalore.
Bellary.
South Canara, Mangalore.
Chingleput, Saidápet.
Coimbatore.
Cuddapah.
Ganjam, Chatrapur.
Godávári, Cocanada.
Kistna, Masulipatam.
Kurnool.
Madura.
Malabar, Calicut.
Nilgiris, Ootacamund.
Nellore.
Salem.
Tanjore.
Tinnevely.
Trichinopoly.
Vizagapatam.

[General-Subject Office-Paper.]

Papers to be read in Proceedings:—

Date of Receipt
and Registrar's
Initial.

Again G.O., dated
Again G.O., dated
Again G.O., dated

188 , No.
188 , No. 274 a
188 4 , No. 186

16 Feb 1875
19 Jan 1875

Current No.

of 188

from Accountant-General

Do.

do.

" Advocate-General.

Do.

do.

" Anantapur.

Do.

do.

" Arcot, North.

Do.

do.

" Arcot, South.

Do.

do.

" Bellary.

Do.

do.

" Canara, South.

Do.

do.

" Chingleput.

Do.

do.

" Coimbatore.

Do.

do.

" Cuddapah.

Do.

do.

" Director of Public Instrn.

Do.

do.

" Ganjam.

Do.

do.

" Godavari.

Do.

do.

" Judges of the High Court.

Do.

do.

" Inspector-General of Jails.

Do.

do.

" Inspector-General of Police.

Do.

do.

" Insp. Genl. of Registration.

Do.

do.

" Kistna.

Do.

do.

" Kurnool.

Do.

do.

" Madras.

Do.

do.

" Madura.

Do.

do.

" Malabar, North.

Do.

do.

" Malabar, South.

Do.

do.

" Master-Attendant.

Do.

do.

" Military Department.

Do.

do.

" Nellore.

Do.

do.

" Nilgiris.

Do.

do.

" Public Works Department.

Do.

do.

" Public Works Department.

From All District Magistrates

Date of Receipt
and Registrar's
Initial.

Current No.

of 188

from Revenue Board.

Do.	1000	do.	" Revenue Department.
Do.		do.	" Salem.
Do.		do.	" Sea Customs, Madras.
Do.		do.	" Settlement Department.
Do.	466092	do.	" Tanjore, North.
Do.		do.	" Tanjore, South.
Do.	1405	do.	" Tinnevely.
Do.	8670982	do.	" Trichinopoly.
Do.	182 x	do.	" Vizagapatam.

in favor of Do.
in favor of Do.
in favor of Do.

900
445
1417

Notification Feb 16. 1875. Cancelled
page 2/4. a.

FOR ORDERS.

The notification under which Honorary
Magistrates sit makes it necessary
that a Salaried Magistrate should sit
as president of such Bench. Thus no
saving of time is effected, the salaried
Magistrate probably in most cases being
able to conduct the work quicker by
himself. This gave rise to
G. O. 19th Jan 84. No 166. Just. and
under reply -

The answers are as follows.

Trichinopoly. favorable to the proposal
but no permanent Magistrate
available just now.

Tanjore. Favorable. but says a
clerk would be necessary
(a Taluk clerk could easily be
made available on bench duty).

Salem. favorable

Nilgiris favorable, but does not think
Munroe would be used in
that District.

Recd. R. C. K. M. S. 1875.

8/3/75.

1875.

Ind. J. O. 8 May 1875.
No 1141

Malabar. Favorable as magistrates available

Madura. Favorable. would with a pensioned Deputy Col. make a 1st class magistrate and head out of Bench. This pensioned officer would take the appointments unless made a first class magistrate - for the sake of the honor.

Gangam. Favorable.

Cuddapa. Favorable

S. Canara. Favorable

Ballary. Favorable

N. Nicot. Favorable

Ananapur. Favorable.

Chingleput. Not favorable.

Vijayapattinam. No pensioned magistrates available.

Tamilvelly. Not favorable.

Kishna. Not favorable

Malore. No change favorable

Kurnool. do do

The concession there is no harm in being practically in this: as only two sets of officers could be given any title then. Don't think there is a disposal of this is by the Bench - desirable (Municipal Officers. The Currency clauses of Police Act) E. H. W.

I think Mr. Price must be told with reference to paras 3 & 4 that Govt are not prepared to extend the experiment now undertaken in the West Coast. Until the result of that experiment has been ascertained. F. W. certainly

Madurai. Not favorable. Mr. Connelley - he takes the objection that perhaps pensioned S. Hest might be wanting in strength of mind & liable to be led astray by vanity. The Comptroller's answer is that the selection is left to the Magt. of District E. H. W.

There is no necessity whatever for making the change compulsory but if submitted there is no reason why the Dist. Magt. should not in all cases be empowered to appoint a Pensioned other than a salaried magistrate, when he thinks fit to do so. This was done recently in the case of Tanjore. The following order is suggested -

The Resolution was made a Magt. to proceed when the Tahsildar was on Circuit.

Read. all the replies. In modification of the notification published His Excellency the Governor in Council directs that subject to the approval of the Magistrate of the District, any two or more Honorary Magistrates (provided one be a pensioned magistrate of experience) may, in their respective Towns, sit together as a Bench for the disposal of offences under the Municipal Act or under the Currency clauses of the Police Act. This will enable the Dist. Magt. to have entire control of the matter. This course is followed in other presidencies and in one case quoted in Princip. p. 53. the Honorary Magistrates may elect their own Chairman.

Act, without the assistance of a
 Salaries Magistrate, and
 such Bench shall exercise
 this class powers in respect
 of all such cases.

M
 30. 4. 1884

I notice that in several
 districts the complaint is
 that there is such delay
 in the disposal of business
 & the difficulty of forming
 a quorum is also adverted
 to. Under the original
 notification D. Magistrates
 have made Rules for the
 guidance of Benches.
 Cannot these rules be
 amended so as to pro-
 vide a remedy? I suppose
 they provide for a return
 to the D. Magistrate of work
 done weekly? It seems
 necessary that the Benches
 should be kept up to the
 mark.

districts

Honorary Magistrates

FOR ORDERS.

2. With reference to the proposal of the
 District Magistrate of Chingleput to
 appoint Sub Registrars as ~~Sub~~ Magistrates
 this Excellency in Council will await
 the reports upon the result of the experiments
 now being made on the West coast before
 moving further in the matter. The proposal
 of the District Magistrate of Madurai to ^{confer upon} the
 of the Honorary Magistrates their
 1st class powers does not commend
 itself to the Government.

3. With reference to the complaints made
 of the delay which occurs in the
 execution of the work entrusted to the
 benches of Honorary Magistrates in the
 various towns, the District Magistrates should
 take care that they are informed weekly
 of the work done by the benches within

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following

from all district Magistrates to the Government
 No. 165 regarding their reports on the

[in abstract]

Order 8 May 1884 No. 1141.

In modification of the Notification
 published in Fort St. George Gazette d. 16 Feb. 1884
 page 274. a. His Excellency in Council
 directs that with the approval of the
 Magistrate of the District, any two or
 more Honorary Magistrates [provided
 one be a pensioned Magistrate of
 experience] may, in their respective
 towns, sit together as a Bench for the
 disposal of offences under the Municipal
 Act or under the Conservancy clauses
 of the Police Act, without the assistance
 of a Salaries Magistrate, and such
 Bench shall exercise this class
 powers in respect of all such cases.

2. With reference to the proposal

of the District Magistrate of Chingleput
to appoint Sub Registrars. Magistrates,
His Excellency the Governor in Council
will await the report upon the result
of the experiment now being made on
the West Coast, before moving further
into the matter. The proposal of the
District Magistrate of Madras to
appoint one gentleman an honorary
Magistrate with first class powers
does not commend itself to the
Government.

3. With reference to the complaints
made of the delay, which occurs
in the disposal of the work entrusted
to the ^{several} benches of Honorary
Magistrates, the District Magistrate
concerned, ^{with care for} should take care that
they are ^{returned} informed weekly of the
work disposed of by the benches
in their Districts,

To all Dist Magts 138 D. 10/8/20/5.
Gazette - para 1 - 20/5

b/s-

M/A

1/5

12.4-54 DS

Amir, Magistrate

*71
Orders*

P.S.

8TH MAY 1884, No.

GOVERNMENT

JUDICIAL D.

READ—the following—

File of replies from District Magistrate 1884, requesting them to report the Gazette of 16th February 1884, advisable to modify the provision Magistrates should sit invariably Magistrates.

ORDER—dated 8th May 1884, No. 1141;

In modification of the notification published 16th February 1875, page 274, His Majesty that, with the approval of the Magistrate Magistrates (provided one be a pensioned Magistrate, sit together as a bench for the or under the conservancy clauses of the District Magistrate, and such bench shall exercise the

2. With reference to the proposal of appoint sub-registrars magistrates. His Majesty the reports upon the result of the experiment moving further in the matter. The proposal appoint one gentleman an Honorary Magistrate, recommend itself to the Government.

3. With reference to the complete work by the several benches of Honorary Magistrates concerned will call for weekly returns of districts.

(Tru)

To all District Magistrates.

Exd. J. Wright.

origl
Govt. of Madras.

JUDICIAL.

Issued.

cd.

Encl.

G.O., 8th May 1884, No. 1141.

(P)

MAY.

Honorary Magistrates.

Passing orders on reports from District Magistrates in regard to the discharge by Honorary Magistrates of magisterial duties without the assistance of salaried Magistrates.

88. ✓

20/8

5