M.R.O. 1—77,006—8-6-37.

(1) Number of pages 166

(2) Date of repair 8. 3. 40

(3) Initials of the Referencer

14/3/40

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 308 Press

Dated 3. 2. 1886.

Not to be folded or roughly handled

GOVERNME

JUDICIAL

READ—again G.O., dated 23rd September 18

READ—also the following papers :—

Replies from District Magistrates.
Telegram from the Acting Secretary (..a Sabha, Tinnevelly, dated 6th December 1885.
Petition from the Acting Secretary to the ..a Sabha, Tinnevelly, dated 21st December 1885.

ORDER—dated 3rd February 1886, No. 3[illegible]8, J

After considering the foregoing papers, H ..vernor in Council is of opinion that sufficient grounds have no ..escribing a limit of time for the retention of the appointment of ..e.

(True Extra

W. WILSON,
ing Chief Secretary.

To all District Magistrates.
„ the Secretary, Avirothasithantha Saon

Exd. A. Raitt.

Govt. of {188} Madras.

JUDICIAL.

Issued

Recd. Encl.

G.O., 3rd February 1886, No. 308.

FEBRUARY.

Honorary Magistrates.

nforming the Avirothasithantha Sabha, Tinne-
, that sufficient grounds have not been shown
rescribing a limit for the retention of the
atment of Honorary Magistrate.

Malabar Dt Magistrate's Court
Calicut 8th October 1885

To
Mr. Logan Esquire.
District Magistrate

3
Sir
I have the honor/communication relative to
mistake? and to be
at the wording of the
docket.

The G.O. dated March
have been passed
simply on the Police
Court Records
& Trades and the
Other papers relative.

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

Dt Magistrate.

Gof

lodge a written reference
thereto or which can
conveniently be entered in
circulating Roll &
was not intended &
prescribe any limit
but the method adopted
gives more uniformity
& decision

Malabar Dt Magistrate's Court

No 450

Calicut 8th October 1885

Sir,

Mr. Logan Esquire.
District Magistrate
of Malabar

To,

The Hon: E. F. Chesshire
Chief Secretary to
Government
Judicial Department.
Ootacamund

Sir,

Referring to G.O. No 2557 dated 23rd ultimo, I have the honor to state that I concur in the remarks of the District Magistrate of Tinnevelly in regard to the appointment of Bench Magistrates, and would fix the limit at three years.

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

Dt Magistrate.

Wd

Judicial DEPARTMENT.

CURRENT NO. 3772

FROM

THE DISTRICT MAGISTRATE OF

MALABAR.

To

THE CHIEF SECRETARY

TO GOVERNMEMT.

Dated. 8th Oct 85

Despatched.

Received. 11 Oct 85

No.

Exc: - 14/10/85

Submitting opinion that it is advisable to fix a limit for the tenure of establishment as Bench magistrate.

Magistrates

Chingleput District, Collector's Office,

No. 322 Camp Pallaveram, 9th October 1885.

Date Rec'd 9

10 OCT 85

FROM The Honorable A. F. A. Goodrich,

Actg Magistrate

COLLECTOR OF THE

CHINGLEPUT DISTRICT.

To THE Chief Secretary to Government,

Judicial Department,

Madras.

SIR,

Adverting to G.O., No 2577, dated 23rd ultimo, Judicial Department, I have the honor to state that I think the suggestion that a limit of time should be prescribed for the tenure of office of the Bench Magistrates is good. I should however prefer a period of five years to one of three.

I have the honor to be,

Sir,

Your most obedt servant

A. F. Goodrich

Actg: Distt: Magistrate

CURRENT NO. 3771

From the Collector of the
Chingleput District.

To the Chief Secretary to
Government,
Judicial Department,
Madras.

Dated 3rd October 1885.
Despatched 10 do
Received

No. 325

Enclosure "

SUBJECT.

Stating that a limit
of 5 acres should be
prescribed for the tenure
of office of the Bench
Magistrates

Salem Dist. Col.'s Office,

Camp Krishnagiri 10th October 1885.

No. 1609
Magt.

FROM

G. MACWATTERS, Esq.,
Col. & Dist. Magt. of Salem.

To Chief
The Secretary to Government,
Judicial Department.

SIR,

In reply to G.O No. 2,557 dated 23rd September 1885, I have the honor to state that I think that Honorary Magistrates should be appointed during good behaviour and not for a limited term of years. They are not like elected members of District Boards or Municipal Councils, who should only be allowed to serve a specified term unless they continue to possess the confidence of their constituents and get periodically

-periodically re-elected.

It is quite as great a slur to indirectly pass over an Honorary Magistrate at the end of three years and recommend the appointment of a Substitute as to recommend his removal directly except indeed that in the latter case cause would have to be shewn and in the former the whim of a District Magistrate might be served by a Stab in the dark.

The proper course in my opinion is to exercise great care in the selection of Honorary Magistrates and then Continue them in office as long as they behave themselves.

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

Forwarded
Colvd & Dt Magte

Judicial Department No.

From the Collector

and District Magistrate,

Salem.

To The Chief Secretary to Government Judicial dept

Dated 10 October 1885

No. 1609

Subject.

In replying to G.O No. 2,557 dated 23rd September 1885 the District Magistrate is of opinion that the proper Course in the selection of Honorary Magistrates, is to Exercise great care & then Continue them in office as long as they behave themselves.

BELLARY MAGISTRATE'S OFFICE.

No. 993.

Dated 10th October 1885.

From C. A. Galton Esq
To THE MAGISTRATE OF
BELLARY

To,

THE Chief Secretary to Government.
Judicial Dept. Fort Saint George.

Sir,

With reference to Government Order No 2557 dated 23rd September 1885, I have the honor to inform you that the suggestion made by the District Magistrate of Tinnevelly as to prescribing a limit of time for the tenure of appointments as Bench Magistrates is, in my opinion, a good one and should be adopted.

I have the honor to be,
Sir,
your most obedient Servant

[illegible]
For Dt Magistrate

MAGISTERIAL DEPARTMENT.

BELLARY MAGISTRATE'S OFFICE.

Dated No.

To,

The Chief Secretary to Government
Fort Saint George.

Enclosure,

Received.

Subject.

CURRENT NO.

Judicial.

~~REVENUE~~ DEPARTMENT.

—o—

From,

District Magistrate
The ~~Collector~~ of
BELLARY.

To,

The Chief Secretary to
Government
Fort St George.

NO. 993.

Dated 10 Oct. } October 1885.
Despatched 11 Oct. }

Rec'd. 13 —— 10 ——

ENCLOSURES.

Subject.

Informing that no suggestion
made by the District Magistrate
of Cuddapah as to prescribing
a limit of time for the tenure of
appointments of Bench Magis-
trates, is agreed one and should
be adopted

Tirchinopoly Dt Magistrates Office
11th October 1885

21

No. 3873

From. H. R. Farmer Esquire
Dy District Magistrate,
Tirchinopoly.

To. The Chief Secretary
to Government
Ootacamund.

Sir,

Referring to G. O. No. 2557 23.9.85
I have the honor to state that I agree
with the Tinnevelly District Magis-
trate for the reasons given by him in
the expediency of prescribing 3 years
as the limit of time for the retention
of appointments of Bench Magistrates.

I have the honor to be,
Sir,
Your Most Obedt Servt

H. R. Farmer.

Dy District Magistrate.

No. 10

Copy to be

Jud. C. 2-9-85. 2587.

CURRENT NO.

1885.

Department

From

The Collector

Trichinopoly.

To

The Chief Secy
to Govt.
Jud. Dept.
Fort St. Geo.

Dated. 11th
Despd. 13th } Oct. 1885.
Recd.

No. 3873

Enclosures. "

I have the
honor to ac-
knowledge the
receipt of Your
Memo. No. 2557
dated 23rd ult.
requesting
information
on the follow-
ing points
connected with
the appointment
of Native
Gentlemen as
Bench Magistrates

Copied by [illegible]
Rd by [illegible]

Judicial Department.
No. 85

Mantta Arcot Magistrate's Office
Chittoor 12th October 1885.

25

From

G. W. Jamett Esquire
Asst Magistrate
in charge
Mantta Arcot.

To

The Chief Secretary to
Government
Fort St. George.

Sir

I have the honor to state, in reply to G.O. No 2557, dated 23rd ultimo, Judicial, that the suggestions, to prescribe a limit for the tenure of appointments as Bench Magistrates, is, in my opinion, a good one; and that three years is a reasonable time.

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

G. W. Jamett
Asst Magistrate
in charge.

Judicial Department

CURRENT NO. 2705

From, Magistrate
THE ~~COLLECTOR~~ OF
North Arcot.

To,
THE Chief Secretary
to Government
Fort Saint George

Dated 12th October 1885.
Received 13th October 1885.
No. 85
ENCLOSURE.
Subject.

Reporting that three years is a reasonable time for the tenure of Appointments as Bench Magistrate

Cuddapah District Magistrate's Office
No. 998 Camp Pakhapet, 12th October 1885

29

From
C. A. Baird Esquire
District Magistrate of
Cuddapah

To
The Honorable E. H. Webster
Chief Secretary to Government
Fort Saint George

Sir,

With reference to Government Order No. 2557 dated 23rd September 1885, I have the honor to state that the proposal therein made as regards the limit of time to be prescribed for the tenure of appointments as Bench Magistrates

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

District Magistrate

Rec'd

CURRENT NO.

CUDDAPAH DISTRICT.

Magistrate 1885.
REVENUE DEPARTMENT.

From

The Dist. Collector of Magistrate

Cuddapah

To Chief

The Secretary to

Government,

Judicial Department,

Fort Saint George

Dated 12th October 1885
Despatched -
Received

No. 9981

ENCLOSURES "

SUBJECT.

Referring to G.O. No. 2557 23-9-85
observations of the proposals
therein made -

No. 2431. South Canara Dt. Magr's Office,
Circuit, Charmadi, 12th October
1885.

Sir,

J. Sturrock Esquire,
Dt. Magistrate of
South Canara,

To

The Chief Secretary
to Government,
Judicial Department,
Fort St. George -

Sir,

With reference to G.O. dated 23rd September 1885, No. 2557, Judicial, I have the honor to state that I agree with the Dt. Magistrate of Tinnevelly in considering that it would be advisable to limit the term of appointment of Bench Magistrates to three years.

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

J. Sturrock
Dt. Magistrate.

CURRENT NO. 3899

Judicial

1885.

From,

The District Magistrate of
South Canara,

To,

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

Dated 12th October
Received 14th — } 1885.

No. 2431.

ENCLOSURES. None.

Subject.

Bench Magistrates — Stating that he agrees with the Dt: Magistrate of Tinnevelly that it would be advisable to limit the term of appointment of — to three years.

DISTRICT MAGISTRATE'S OFFICE,

Ootacamund, 13 October 1885.

No. 899.
FROM

THE DISTRICT MAGISTRATE,

OF NILGIRIS.

To

The Chief Secretary
to Government
Judicial Department.

SIR,

With reference to G. O. dated the 23rd September 1885. etc. 2559. Judicial, referring for remarks a suggestion made by the District Magistrate of Tinnevelly that a limit of time should be prescribed for holding the appointment of Bench Magistrate, I have the honor to state that although in this District, the want of any such limit has not made itself felt the suggestion seems a prudent one and I recommend its

to adoption.

I have the honor to be
Sir,
Your most obt Servant
L. Robinson
Assistant Registrar

CURRENT NO.

Magisterial Department.

FROM

THE DISTRICT MAGISTRATE OF THE NILGIRIS.

No. 899

Dated 13th October 1885.

Despatched [illegible]

To

The Chief Secretary to Govt
Judl Department

Fwd
1885.

Bench Magisthalis:—

Recommending the suggestion of the Dist Magte Tinnevelly that a limit of time should be prescribed for the tenure of appointments as ——

Madura Distt Magistrate's office,
13th October 1885.

No 468

From
C. S. Crole Esquire,
District Magistrate,
Madura

To,
The Honorable W. Wilson Esquire,
Chief Secretary to Government,
With the Governor
Stonehouse Hill.

Sir,

Referring to G. O. dated 23d September 1885, No 2557, Judicial, I have the honor to state that, in view of the difficulties pointed out in the letter of the District Magistrate of Tinnevelly, which have also been experienced in this District, appointments of Bench Magistrates should be made annually.

I have the honorable
Sir
Your most obedt Servt.
C. S. Crole
District Magistrate
13/10

CURRENT NO.

Judicial (1885 DEPARTMENT.

FROM

THE DISTRICT MAGISTRATE,
MADURA.

No. 48

ENCLOSURE.

Dated 13th October 1885
Received

No.

SUBJECT.

Stating that with reference to G.O. No. 2553, 23rd July 85, appointments of Honorary Magistrates should be made annually.

45

Kurnool District Magistrate's Office,
Dated 13th October 1885

No. 281

ENCLOSURE –

FROM

S. C. Johnson Esquire.
District Magistrate of Kurnool,

TO

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

SIR,

With reference to G. O. no: 2553 Judicial dated 23rd September 85, I have the honour to state that I have always considered a term advisable during which appointments as Honorary Magistrates should hold good.

2. The term of 3 years suggested by District Magistrate Tinnevelly, being that for which Municipal Councillors hold their appointments, seems a suitable one.

I have the honor to be
Sir
Your most obt Servant

S. C. Johnson
Acting District Magistrate

3857

Judicial (1885) Department.

FROM Sub-Collector & District Magistrate
THE COLLECTOR OF
KURNOOL.

TO
THE CHIEF SECRETARY
TO GOVERNMENT,
FORT ST. GEORGE.

No. 257

Dated 13th October 1885
Received 15th

Enclosure. "

Subject.

Stating that a term of 3 years considered advisable during which appointment as Honorary Magistrate should hold good and that the term of 3 years for which Municipal Councillors hold their appointments is a suitable one. —

Tanjore District Magistrate's Office.

No. Camp, Valliam, October 1885.

49

From J. B. Pennington Esquire,
District Magistrate,
TANJORE;

To The Honble C. F. Webster
Chief Secretary to Government,
Judicial Department,
MADRAS.

Sir,

In reference to Government Order 23rd September 1885 No. 2557, Judicial, I have the honour to state that it appears to me to be advisable to prescribe a limit of time for the retention of the appointment of Honorary Magistrate; but I think that the term for which the appointment is to be held may be five instead of three years.

I have the honour to be,
Sir,
Your Most Obedient Servant,

J. B. Pennington
District Magistrate

Tanjore District Press. 10-9-85.

No. 681

Kistna District Magistrate's Court.

Masulipatam 15th October 1885.

From.

M. R. Weld Esquire,

Acting District Magistrate.

Kistna.

To.

The Chief Secretary

to Government Judicial Department.

Madras.

Sir,

With reference to G. O. No 2557 dated the 23rd September 1885, I have the honor to inform you that I consider that the proposal of the District Magistrate Tinnevelly should be adopted for the reasons stated by him.

I have the honor to be,

Sir

Your most obedient Servant

Acting District Magistrate

Compd

No. 1877.

From

The District Magte

Kistna

To

The Chief Secretary

to Government

Judicial Dept

Madras.

Dated

Rec'd 17th October 85

No

Encl: as Rd

Stating that the terms for which the Honorary Magistrates may hold their appointments may be 5 years.

W

Jud. C. to C.o. 23-9-85 No. 2557/C

JUDICIAL CURRENT No. 3885.

Judicial

1885 Department

From.

The District Magistrate

Kistna

To

The Chief Secretary

to Govt Judicial Department

Madras

Dated 15th October 1885

Received

No 681

Informing that the proposal of the District Magistrate Divisionally referred to in G.O. No 2557 dated 23rd September 1885 may be adopted for the reasons stated by him

No 748.

Godavari District

Magistrate's Office, Cocanada

23rd October, 1885

From

W. S. Fowler Esqre

Magistrate, Godavari Dt

To

The Honorable E. F. Webster

Chief Secretary to Government

Fort Saint George.

Sir,

In reference to the order of Government No. 2557 Judicial dated 23d September 1885, I have the honor to refer you to paragraph 2 of this office letter No. 7 dated 5th February 1884 in which the following opinion was expressed.

"I would suggest that

Jud. G.O. 23-9-85: 2557
8-5-86: 1141 Rejd

CURRENT NO. 4064

Judicial {1885} Department.

From

The Magistrate,

Godavari District.

Dated 23rd October
Despatched 27th October } 1885.
Received 29/10

ENCLOSURES none

No. 48

SUBJECT.

Informing, ~~that~~ in reference to G.O no 2557, Judicial dated 23rd September 1885, that he suggested in his letter no 7 dated 5th February 1884, the appointment of honorary magistrates for three years at a time like municipal Commissioners.

"Honorary Magistrates be appointed like Municipal Commissioners for three years at a time. At present honorary Magistrates who have shown themselves incompetent or mischief makers or who have incurred the suspicion of corruption cannot be got rid of quickly."

I concur in that opinion.

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

A.D. Scott
Magistrate

No. 91

Assizes Dt. Magistrate's
Office.
2nd December 1885.

From J. Crosse, Esquire,
District Magistrate,
Assizes.

To The Honble. Wilson,
Offg: Chief Secretary to Govt.
Judicial Deptt.
Madras.

Sir,

In reply to G.O. No. 2557 of the 2nd September 1885, Judicial Depart., I have the honor to state that, after consulting the Joint Magistrate at Cuddalore and the Town Sub Magistrate, who are Bench Magistrates where Magisterial Benches are constituted, I think it desirable that the tenure of office of the Bench Magistrates should be limited to 3 years, as suggested by the District Magistrate of Tinnevelly, and for the reasons given by him.

2. The Joint Magistrate suggests that the

the term should be limited to one year
but I think this would be a short a time.

I have the honor to be
Sir
your most obedient Servt

Rivers

District Inspector.

A.S

Judicial Department

CURRENT NO. 41024

1885

Nellore Dist. Magistrate's Office.

FROM THE DISTRICT MAGISTRATE OF NELLORE.

To THE Sy (Chief Secy) to Govt
Judl Department
Madras

Dated 29 November 1885.
Despatched 3 December 1885.
Received

No. 965 Enclosures.

SUBJECT.

Recommending that the Honorary Magistrates of Collectors Beat the Honorary Magistrates of the Beat Chairmen should be limited to 3 years.

Noted in Register

Initials of Clerk

Initials of Head Assistant

65

No. 757

Coimbatore District Magistrate's
Office 6th November 1885.

From G. D. Lyman Esquire,
District Magistrate
Coimbatore.

To W. Wilson Esquire,
Chief Secretary to Govt.
Madras.

Sir,

With reference to G. O. dated 23rd September 1885, No. 2557, I have the honor to reply that my opinion is that it is very desirable that there should be a limit of time in the appointment of an Honorary Magistrate and that such limit should be 3 years.

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

G D Lyman

By

District Magistrate.

CURRENT NO. 4157

(1885) DEPARTMENT.

From,

The Collector of Coimbatore.

To,

The Chief Secretary to Government,

Judl. Department,

Madras.

No. 757

Dated 5 November 1885

Received

No.

Encs.

SUBJECT.

Expressing his opinion that it is very desirable that there should be a limit of time in the appointment of an Hony. Magte. and that such limit should be 3 years —

Magistrate's
Anantapur ~~Collector's~~ Office,

Dated 10th November 1885.

No. 1258.

Enclosure:—

From A. Cruickshank Esquire
~~The Collector of~~ Ag. District Magistrate.

Anantapur.

To

The Chief Secretary

to Government

Fort Saint George.

SIR,

In reply to the order of Govern-
= ment dated the 23d September last,
No. 2557, Judicial, I have the honour
to state that I think that the sug-
gestion of the District Magistrate
Tinnevelly, is a very good one and
that all the Divisional Magistrates
are of the same opinion.

I have the honor to be,

Sir,

Your most obedient servant

A. Cruickshank

Ag. District Magistrate.

CURRENT NO. 44

Medical & ~~Revenue~~ Department.

From

The District Magistrate

of Anantapur.

To

The Chief Secretary to the ~~the~~ Government

~~Board of Revenue~~.

Madras.

No. 1258.

Dated 10th
Despatched 12th } November 1885.
Received

Enclosures No. —

Subject

Stating in reply to G.O. No. 2557 J.D. dated 23.9.85 of the District Magistrate, Tinnevelly that a limit of time should be prescribed for the tenure of appointments to Bench Magistrates is a good one.

E. No. 617.

From

J. G. Horsfall Esquire
District Magistrate
Ganjam

To

The Chief Secretary to the
Government of Madras.
Judicial Department. &c

Dated Camp Parlakhemedy 23rd November 1885.

Sir,

With reference to the Government Order No. 2557 dated 23rd September 1885 ~~received~~ the Communicating for remarks the suggestion made by the District Magistrate of Tinnevelly regarding Bench Magistrates, I have the honor to state that in my opinion Honorary Magistrates should be appointed for a limited period of three years only.

I believe some such limit would be an incitement to attention and energy in the conduct of their duties. Some such incitement is certainly needed. At present, a man appointed an Honorary Magistrate is too apt to rest satisfied with the —

distinction

distinction conferred upon him ignoring the responsibility and duty attached thereto.

I have the honor to be
Sir,
Your most Obedt Servt

C. Stephenson
District Magistrate.

CURRENT NO. 751

Ganjam District.

(1885) DEPARTMENT.

From
THE District Magistrate

of Ganjam.

To
THE Chief Secretary to the Government of Madras
Judicial Department
Madras

Dated 23 } November 1885.
Received 27 }
& No. 617.

Encls.

Subject.

Stating that Honorary Magistrates should be appointed for a limited period of three years only.

L
27-11-85

Vizagapatam 6th Magistrates Office
Dated 6th December 1885
Camp Sitampeta.

No. 942

From

H. G. Turner Esquire
District Magistrate
Vizagapatam.

To

The Hon. W. Wilson Esquire
ag Chief Secretary to Government
Madras.

Sir

With reference to G. O. dated 23rd Sept. 1885 No. 2557 Judicial, communicating for remarks of the District Magistrates the suggestion of the District Magistrate of Tinnevelly that the term of office of Bench Magistrates should be fixed at 3 years, I have the honor to state that for obvious reasons the suggestion is a good one and worth adoption. In this view all my Divisional Magistrates agree, with the exception of one who would make the term of any appointment even shorter than that suggested by the District Magistrate of Tinnevelly.

I have the honor to be
Sir
Your most Obt Servant
H. G. Turner
Dt Magistrate.

CURRENT No. 4668.

From

The Agent to Governor
Vizagapatam.

To

The Chief Secretary to the
Government of
Madras.

Dated 6th December
Despatched 7th Do
Received 15 DEC 1855 } 1855.

No 942
Enclosures nil

Submitting opinion on the suggestion of the Collr Magistrate of Tinnevelly regarding the term of the office of Bench Magistrates.

South Arcot. District Magistrate's Office
No 75 Cuddalore, 1st December 1855

From

H. P. Gordon, Esquire,
District Magistrate
South Arcot.

To

The Honble W. Wilson,
Acting Chief Secretary to Government
Fort St. George.

Sir,

With reference to G. O
23rd September 1855, No 2357, and
Official Memo No 2065 dated 4th instant
Judicial, I have the honor to
report that I consider that the
suggestion of the District Magis-
trate Tinnevelly is one which
it is very desirable to adopt.

2. The sole objection to its
adoption which occurs to me
arises from the possibility of a
limitation of the term of office
derogating from the dignity

of the appointment. But I do not consider that the limitation proposed would appreciably affect the number of gentlemen willing to render their services in such appointments, since a similar limitation exists with regard to the appointments of District Board Members and Municipal Councillors.

3. If the suggestion be adopted, I presume it would be made applicable to existing incumbents (as well as to new nominees) from the date of the Notification to be issued by Government.

I have the honorable,
Sir,
Your most Obedient Servant
Illegible
District Magistrate

CURRENT NO.

1885.

From Judicial Department.

The District Magte:

South Arcot.

To

The Chief Secretary

to Government

Madras.

Dated 7th
Despatched 7th } December 1885.
Received

No. 75

Enclosure

Subject.

Offering opinion as directed on the Suggestion made by the District Magistrate Tinnevelly regarding the limit of time prescribed for the tenure of appointments as Bench Magistrates.

Class 4 | INDIAN TELEGRAPH | Serial No. 62

From (Station) Mannargudy | To (Station) Trichinopoly

Words.	Pay.	Hour.	Minute.	Office Mark.
37	6	2	5PM	85

From (Person) The Collector of Tanjore | To (Person) The Actg Secretary

The Govt wish for Memorial replies & Letter Situantha Seba

Petition follows Stating Evils of intervening three years term of Honorary magistrates Appointment Subordinate pray the matter be delayed and Considered with the Petition.

So Lodged Tr 6-12-85

RECD. FROM L. N.
AT Hrs. Mts. By

SENT TO L. N.
AT Hrs. Mts. By

Date

MOUNT ROAD 6-12-85

Telegraph Master.

[8] 1895 CURRENT NO. 4575

Telegram

From The Secretary to the
Acting Resident Sandakan

No.

Dated 6th Dec/95.

Received 6 " "

Enclosures

SUBJECT.

Praying that the
subject of appointment
of Native Magistrates be
considered with their
petition.

For

Received 21 DEC 95
Secretary to Government
Straits Settlements

No. 1535 of 1895

To

His Excellency the Governor
in Council
Madras

From

The acting Secretary
Anirothan Sithan tha Sabah
Sinnoolly

May it please your Excellency.

The Sabah most humbly begs your benign Excellency to be excused for taking a few of your Excellency's golden moments for the trouble given to your Excellency in the perusal of the following few lines submitted for your Excellency's favourable and deep Consideration.

What can the Sabah do in return for innumerable advantages which the people enjoy from the reforms hitherto made by Government with due regard to the local information humbly submitted by this Sabah for the good of the public Concerning many things.

The Sabah has only to pray God for the longivity of this Government and your Excellency to continue to Shower your Excellency's blessings on the poor people.

I The Sabah is given to understand that the Government now proposes to carry out a scheme of limiting the term of Honorary Magistrates appointment to 3 years; but it is at a loss to know whether the said ~~Scheme~~ has been concurred by the Government or ~~of the~~ suggested by any of the District Magistrates. So the Sabah has already telegraphed to your Excellency that the Scheme may not be carried out before this humble petition shall reach. In one respect the Scheme may be beneficial, but in all other respects it will be productive of much evil and injury. And your Excellency need not be told that it is illegal and unjust to carry out a scheme which is likely to cause more harm than good.

II It appears to the Sabah that the good
The Scheme will produce is that there will be
a chance for preventing unjust proceedings
which the Honorary Magistrates may take from
haughtiness arising from a consciousness that
their appointment will not be disturbed in
their life time; and also that the other nobles
of each District will have opportunities
to occupy the place. But the Government
has already framed laws and regulations
to discountenance and check any departure
from the path of justice. For example we
have heard and seen what penalty the paid
Magistrates and other Government officers
undergo if they commit any wrong:

III Have the paid Magistrates the limitation
of 3 years? No, and even if there be 3 years
limitation what can be done for any wrong
procedure of the Honorary Magistrates within these
3 years. The Sabah begs your Excellency may
be graciously pleased to consider that the
same punishment which may be inflicted
on any Honorary Magistrate if he commits

wrong within the 3 years may also be inflicted when his term of office is not limited.

II The Sabah is quite sure that it cannot be the intention of the Government to give Honorary appointments to all the nobles in a town. It is not possible and desirable to provide each with the post in a town having some 100 noble men. For instance do the Govt. give employments to all the candidates who have passed the necessary examinations for the Deputy Collectors, and Govt. has post at a great expense. The Sabah further begs his excellency may be graciously pleased to consider whether it is possible to oblige all the candidates even if this District which contains 9 Sabugs were devided into 100 Sabugs and the establishment now maintained in each Sabug be allowed for each of those Sabugs.

V The evils that will result from the proposed Scheme are hereunder briefly stated.
The Honorary Magistrates who assemble in

the Bench Court are authorised to inquire only into those petty crimes coming under some Sections of the Police act, Indian Penal code and Municipal act and of course committed only within the Municipal limits. Many of the culprits who come for trial before the Honorary Magistrates are drunkards, gamblers, and rogues of common dancing girls and whores' houses and Scufflers. Most of them reside within the Municipal limit and some in Suburbs two or three miles off. The Honorary Magistrates who punish such notorious also reside in the same town with their family

VII Even now when there is no limitation to the term of their office the culprits of the above discription who are punished by the Honorary Magistrates despise and always try to disgrace and endanger them. And if such a scheme be brought

VII in force or even if they know that such a proposal is going on in the Government, surely they will think more lightly of Honorary Magistrates than at present. She Sahab is of openion that the Scheme may be introduced if the Honorary Magistrates learn to deal only with proper men and not with rogues.

VIII At times charges are brought against proper men also, such as bandy obstructions, encroachments and thatching the houses without permission. When any punishment is inflicted on them, it causes some ill feelings also in their mind. But they will not bear that in mind and do any injury as these rogues. The worst may Keepitin mind as (பொல்லாப்பு) Pillaipoochi but cannot do any injury. Whereas the resentment of the notorious is worse than the sting of a pregnant black Scorpion.

VIII Generally the presiding member of the bench court is the Talug Magistrate

the Sub-Magistrate or the Division Magistrate
At times the Honorary Magistrates differ
from the openions of the presiding Magistrate
for the sake of justice. This wounds their
feelings keenly and produces their anger.
Such being the case Some of the Honorary
Magistrates fearing the presiding Magistrate
follow their openions. But some boldly ex-
ress their openions freely. In this town
presiding Magistrate generally treat the
Honorary Magistrates as mere grass-cutters.
Therefore the Honorary Magistrates Much
regret for having accepted the appointment
obeying the government order, and think
that their hereditary Honor his rather
injured than increased by this. The Honorary
Magistrates fear to reveal it that the
presiding Magistrate will do some injury
in their private and other public matters
for which there are many recorded examples
As the such case being these, if the Scheme
of 3 years term be brought to force the
present Honorary Magistrate will think
why should they undergo so much difficul-
ties

for an appointment of 3 years and others willing
come forward to accept it. The upright nobles of
the town will never consent in future to accept
such an appointment but the commons in the
town. Even now the rumour of 3 years term being
spread over the town, some of the town people and
officers are talking abroad in the presence of Honorary
Magistrates that their appointment is in death bed.
Such talkings give surely an encouragement
and joy to the terrible vagabonds

Regarding the election of municipal councils
the Sabah is of opinion that as they are
merely the representatives of the people,
further as they have no Magisterial
powers but simply have to levy house-tax
&c it is but wise and proper that
they should be elected by the people
Even which tax is levied according to
the value of the houses and the
income shown by the accounts of

P.T.

the traders. There is also some harm to the
Councillors in ~~exercising~~ that power, but
not so very serious as to be discussed here.

X There is not so much harm in introducing
the ~~nomination~~ election of 3 years with regard to
the Assessors of Session's court, because
the criminals who come there for trial
are accused of such high crimes as
murder &. and are also sentenced to undergo
severe punishments for many years if
Convicted. In trying such cases each
Assessor is present in the court only 3
days in a year and in each day one or
two Cases will be tried. And so each
Assessor has to dispose of some 3 or 6
Cases in the whole of his term during
a year. The criminals are for the most
part residing in places far distant
from the town and they may not even
know the whereabouts of the Assessors.
And even if they try to do any enquiry
to the assessors it will be almost
impossible for them to come so far and

seek out proper opportunities. Moreover most of the prisoners having been severely punished and having undergone much trouble in the jail perhaps be almost mended.

XI The Sessions court may be compared to a great ocean and the Bench court to a small pool. As the snakes and frogs and large and small fishes are mingling with one another in the said pool, so the Honorary Magistrates and the notorious live in the eastern and western Streets of the town; some in the northern and southern row in the same street and some within the same Compound They are known to each other from their infancy and are meeting each other every morning and evening and sometimes at midnight so that any injury may be easily done to the Honorary Magistrates, their wives and Children who wear always valuable jewels. The punishment that may be

XII inflicted on drunkards according to the Section

4 & of the police act is only seven days
simple imprisonment or a fine not ex-
ceeding Rs 50; and as for other offences
only a slight punishment can be given.
Some of the drunkards think those 7 days
as merely 7 moments, and when they
come out from the gail rush in to the
toddy Shops and try to find out the
places where the Honorary Magistrates may
go for a walk to injure them. And some
others are minded and have some fear about
the Honorary Magistrates. Such being the
Case if the limitation of 3 years were to come
in force the Honorary Magistrates would
no doubt be exposed to the danger of
being beaten and disgraced. It would not
be difficult for the Government to
Comprehend that appointing honest and
respectable men as Honorary Magistrates
with their Consent and thereby placing
them in a Situation of incurring the
displeasure of those presiding Magistrates

the noble men of the town and the rogues, and then adopting new rules without their knowledge or removing them unreasonably. is neither proper nor necessary.

XIII It is not because the paid Magistrates are incompetent and do not know the law that the Honorary Magistrates have been appointed to decide petty cases. If that be the case the paid Magistrates would not be allowed to try and decide the regular big cases. As the petty cases do not demand much attention and labour, and as it is somewhat difficult for the paid Magistrates to find out the truth, as it is easy for the nobles of the town who often meet and converse with all the people to find out the truth of any occurence and as the nobles who always live in the town are better fitted than the paid Magistrates who are often transferred from place to place to know the good or bad conduct of any man in the town

the nobles have been appointed as Honorary Magistrates

XIV The Honorary Magistrate have been appointed by the Government with an idea that if the petty crimes which do not require much attention be checked by them in summary trial, there will not be frequent occurence of high crimes; for instance if a person who steals a needle be punished severely with proper inquiry, will he dare to steal a (Cow or bullock) would take? When persons of low birth and character are found quarrelling in the streets they may not heed the words of a noble man who chances to go there and ask them to drop their quarrelling.

But if some of the nobles be allowed to have some connection in deciding petty crimes the rogues will have some fear about them and will not commit high crimes and thereby give unnecessary trouble to the paid Magistrate whose attention is highly

required for revenue and other important business
These the Sabah thinks are only the general motives
of selecting the deserving nobles of respectable
families within the town and appointing
them as Honorary Magistrates with necessary
powers

II The public enjoy the benefit of the appoint-
ment of the Honorary Magistrates since some
years. In the places where such Magistrates
live and where they are seen, there are no
quarrels and the rogues are not conspicuous
For which the Sabah is bound to express its
hearty thanks to the Government. If all of
the Honorary Magistrates will take as much
intrest in public welfare as some are
doing now and will frequent the streets
near their residence the No of rogues
will greatly diminish and there will be
no nuisance in the streets and the town
will be very clean and the Municipal
act will be carried out with force.
To ensure that the Bench Magistrates

work properly; it will be better to make proper
inquiries once in 3 years with regard to the
regular attendance of the Honorary Magistrates
in the Bench Court and the interest they take
in public business and remove those that
are found incompetent and substitute
Qualified persons for them.

XVII In some districts the collectors being under
the influence of the division officers
and the division officers being guided
by the Tasildars, if the limitation of 3 years
be introduced the Honorary Magistrates who
have perhaps a wish to be nominated
after the expiration of 3 years will not
freely express their opinions when they
clash with those of the presiding Magistrate
for they will think, rightly or wrongly that
if they do not echo the opinions of the
presiding Magistrate and thereby
please him he will not use his influ-
ence for their re-nomination. If the

Government be entertaining any doubt with regard to the injuries and disgrace which the Honorary Magistrates will have to be subjected to by the rogues as described in paragraph II III + VIII the Government will be fully convinced of the truth when it perusses the accompanying annonymious letter marked A addressed to one of the Honorary Magistrate, with its true translation. It has been sent on the 15th April 1884 i.e. one year & 8 months ago by a criminal who was punished by Honorary Magistrate. At that time 3-years term was not even dreamt of. His Excellency may be graciously pleased to consider the plight that the rogues who did such things when there was no limitation, would do if the 3 years limitation were introduced. The Honorary Magistrate who received the annonymious letter being a respectable and honest man did not divulge it to the public.

XVI The Sabah having received some informations about the letter prevailed upon him to give it to the Sabah and also told him that there would be no harm or disgrace in presenting it to the Government, and he must not lose this present opportunity. The Sabahs begs Your Excellency will be graciously pleased to show this letter privately to the members and Secretary only connected with the council And then return it to the Sabah

XVII When the Honorary Magistrates exercise their power they incur the resentment and animosity of proper men also; For instance one Kanthathi Pandiagi in Amman Sannadi Street and one Davarperan Pillai in South new Street were charged by the Police and fined by Honorary Magistrates. The former for keeping stones in the public Street, the latter for handy obstruction and this procedure has wounded their

feelings and created some misunderstanding between the Honorary Magistrates and those persons. When one of the Honorary Magistrates was taking a walk through the Mainar-Kulam tank on the evening of 2nd December 1885, two drunkards who were punished on the previous day in case No. 377 and 378 followed and troubled him. And had it not been for the chance coming of two or three persons from Sachanallore, we cannot say what annoyance they would have done to him.

XVIII It will be plain to His Excellency that ill feelings often arise between the presiding Magistrates and the Honorary Magistrates, if His Excellency call for and peruses the proceedings of the Bench Court Timevelly in case No. 93

dated 28th March 1884. In that case the Thiruvavaduthurai Authenam was accused of having buried the corpse of one Thumbiram who died of cholera within the Municipal limit. The then Salug Magistrate and the presiding Sub. Magistrate were disciples of that Authenum and so they tried to dismiss the case. The Honorary Magistrate who was present on the occasion differed boldly and freely expressed his opinion in legal way, and so some ill feelings arose between them, for which records marked B, C, D, E, F are herewith submitted. And if those records are perused every thing will be plain to His Excellency. The Sabah prays the return of the records submitted. Any opinion which may be desired regarding these matters must be asked from such Sabahs as this and the Honorary Magt.

of the different districts. There is no use of referring such things to the district Magts. for most of these matters do not come within their notice.

XIX Even if the Honorary Magistrates had been appointed for reasons different from those stated in paragraph 13 and 14. Still the proposed limitation will defeat those objects of the Government. The Sabah is of opinion that if His Excellency's intention be yet to give an opportunity to the other noble[illegible] reasons His Excellency may remove any of the present Honorary Magistrates when they are found irregular in their attendance & disgusted with the appointment, but if all of them behave satisfactorily His Excellency may add 3 new members once in 3 or 5 years.

XX If the proposed scheme of 3 years has been brought in force before now then the

Sahab prays Your Excellency will be pleased
to reconsider the Scheme after the perusal
of this petition and also to refer this
to all the District and Honorary
Magistrates if necessary and get their
opinions thereon and adopt proper
measures for the good of the public

☒ The Sahab was preparing to bring to your
Excellency's kind consideration some measures
for preserving the Honorary Magistrate from
fear and danger above spoken of in detail.
While so engaged it came to understand
to his great surprise that the government
was proposing to create additional trouble
to them by limiting their nomination
to 3 years

☒ Formerly when the Municipal commissioners
were also Honorary Magistrates, they themselves
had to sanction the prosecutions under the
Municipal act and also to decide those
cases in the capacity of Honorary Magistrates.
Then the grievances and inconvenience

of the people were immense and unbearable. The Sabah, in order to protect the people from such grievences and inconvenience got Honorary Magistrate who were not Municipal Commissioners, appointed by the Government. As the Sabahkas for its main object the securing of profound peace and happiness to the distressed people, it is especially entitled to disturb your Excellency thus for.

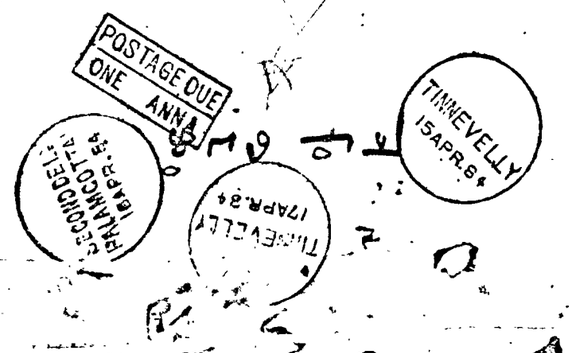
XXIII The Sabah therefore humbly begs, if the matter be yet under consideration your Excellency will be graciously pleased to peruse this memorial from top to bottom, and think over it deeply, not to introduce any limitation with regard to the term of the Honorary Magistrates appointment and thus oblige the Sabah. Shall ever pray

By [illegible]

Sd. Secretary

A. Secretary
to the
Swiathasethanlha
Subbah
Tumindly
Sick

21st December
1885


POSTAGE DUE
ONE ANNA
TINNEVELLY
15APR.84
TINNEVELLY
17APR.84
PALAMCOTTAI
16APR.84

O. Man: if you are wise keep aloof from this time. Do not attend the Bench court. What necessity had you to say that a certain man was guilty. When in the openion of the Presiding Magistrate he was not guilty? What am I to do? In a certain case the presiding Magistrate had publicly declared that he is punishing a person only because the Honorary Magistrates thinks him guilty. Why should you think so? Have you no sense? You must be either assenting with the presiding Magistrate or sit silent like an ass. Hence forward you must be very careful when you come out and when you are within the house. Did you think that it would take much time for us to concoct such cases as would ruin your honor & respect. Do you think that your Magistrate power is greater than ours? We are waiting for opportunities. It is not difficult for us to put you to such disgraces as you may be ashamed to appear in the town. Take care in feature. I have truely foretold what would occur.

(Signed) The brother of one fearing nothing

From A. V. Seroomalaiappa Pillai
Honorary Magistrate
Tinnevelly.

To The Hon'ble

Brosthia Pillai avergal
Presiding Magistrate
and the Sub-Magistrate
Palamcottah

Most Respected Sir

I beg to inform you that I have taken simply a short note of the proceedings passed on the 10th instant regarding the Bench Case No 93 in which the Seroovaduthura Authinum is much concerned and who is of kin to you Salary Magistrate and some of the Honorary Magistrates

Owing to certain occasional circumstances my opinion considering the nature of the case was that the matter should be referred to the Division Magistrate. But your opinion was not so. Now I consider it is essential that the nature of the Case as (Regina) and our opinion should be referred to the District and Division Magistrate

I therefore request you will be pleased to lend me a public copy for the Diary containing both of our opinions in full. If you be pleased to let me have the copy to-morrow it would be much convenient to enclose in the letter I have already prepared for the high authorities

I beg to remain Sir
Your honors most
obedient servant

Signed A. V. Seroomalaiappa
Honorary Magistrate
Tinnevelly Town.

True Copy

22 March 1884
5, P.Rs
Vide III
Fehlau

From G. V. Chinnatamby Pillai
Salary Magistrate
2nd Class
Tinnevelly

To M.R.R.
A. V. Sriramalingappa Pillai Avergal.
Honorary Magistrate
Tinnevelly.

Sir. Your letter bearing No 27 dated 21st Instant
If you want copies, your application
should be consistent with the law of
the land. You don't fall, I think, —
under any of the "exceptions" in Section 19
Imperial Act XLII of 1870. If you are
interested in any case, better don't attend
during the trial of it. It is desirable that
you move within your landmarks. —
Every act of a Magistrate is based on
some law or other. You have not quoted
authority for your procedure.

I have the honor to be,
Sir,
Your obedient Servant
G. V. Chinnatamby
Salary Magistrate
2nd Class

22nd March 1884
Tinnevelly Salary.

From A. V. Sivanalaiappa Pillai

Honorary Magistrate Jaffna Town

To the Second Class Magistrate

Kinnevelly Valley

Dear Howard Sir

With reference to your letter No. 23 in reply to mine No. 27. I beg to inform you that you instead of complying with my request you have used some unnecessary words with the evil intention of disregarding me. Your own letter clearly shows that you are interested in the Authorities as you yourselves once expressed to me at the beginning of the trial of the Case and that you unnecessarily interfere in this Case which is being tried by us with and Magistrate presiding. I wish you to know me what harm is there in bringing the nature and circumstances of the Case No. 93 under trial before us (Honorary Magistrate) in the Bench Court Kinnevelly. If you be still angry with me, I beg to apologise myself. I wish to tell you that we would be much obliged to you if you do not interfere in Cases tried before us presided by another Magistrate. I shall refer to higher authorities and clear my doubt about the application of Section 19 of Act II of 1876 which is very vague to the matters of Correspondence

Esq to Memorialist

Your Most obedient Servant

A. V. Sivamalaiappa

Honorary Magistrate

Tinnevelly Zamin

[9]

CURRENT NO. 4812

Judicial DEPARTMENT.

From the Acting Sabah Tinnevelly

No.

Dated 21st Dec/85

Rec'd after 24th Dec/85

Enclosures Nil

SUBJECT.

Praying that the limitation as to term of honorary Magistrates may not be introduced

For

Jud. G.O. No. 308 8/3/86.

The ~~Collectors of~~ The District Magistrates of ~~The Presidents, Municipal Commissioners,~~ ~~The Presidents, Local Fund Boards,~~

Despd 12/2/86.

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Anantapur.	6
North Arcot, Chittoor.	6
South Arcot, Cuddalore.	6
Bellary.	6
South Canara, Mangalore.	6
Chingleput, Saidápet.	10
Coimbatore.	6
Cuddapah.	8
Ganjam, Chatrapur.	6
Godávari, Cocanada.	6
Kistna, Masulipatam.	6
Kurnool.	6
Madura.	6
Malabar, Calicut	11
Nílgiris, Ootacamund.	16
Nellore.	6
Salem.	7
Tanjore.	7
Tinnevelly.	6
Trichinopoly.	6
Vizagapatam.	7

[General-Subject Office-Paper.]

Papers to be read in Proceedings:—

Date of Receipt and Registrar's Initial.

Again G.O., dated 188 , No.

Again G.O., dated 188 , No.

Again G.O., dated 188 , No.

Current No.		of 1885	from	~~Accountant General~~.
Do.		do.	„	~~Advocate General~~.
3 years Do.	4243	do.	„	Anantapur.
3 years Do.	3786	do.	„	Arcot, North.
Do.	4580	do.	„	Arcot, South.
3 years Do.	3790	do.	„	Bellary.
3 years Do.	3899	do.	„	Canara, South.
3 years Do.	3771	do.	„	Chingleput.
3 years Do.	4151	do.	„	Coimbatore.
3 years Do.	3824	do.	„	Cuddapah.
Do.		do.	„	~~Director of Public Instrn.~~
Do.		do.	„	Ganjam.
3 years Do.	4064	do.	„	Godávari.
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~~.
3 years Do.	3855	do.	„	Kistna.
3 years Do.	3857	do.	„	Kurnool.
Do		do.	„	~~Madras~~.
Vacancy Do.	3827	do.	„	Madura.
3 years Do.	3772	do.	„	Malabar, ~~North~~.
Do.		do.	„	~~Malabar, South~~.
Do.		do.	„	~~Master Attendant~~.
Do.		do.	„	~~Military Department~~.
3 years Do.	4104	do.	„	Nellore.
3 years Do.	3808	do.	„	Nilgiris.
Do.		do.	„	~~Public Works Department~~.

Date of Receipt and Registrar's Initial.	Current No.		of 188	
	Do.		do.	„ ~~from Revenue Board.~~
	Do.		do.	„ ~~Revenue Department.~~
X Secretary and Land Revenue	Do.	3770	do.	„ Salem.
	Do.		do.	„ ~~Sea Customs, Madras.~~
	Do.		do.	„ ~~Settlement Department.~~
X 5 years	Do.	3897	do.	„ Tanjore, ~~North.~~
	Do.		do.	„ ~~Tanjore, South.~~
2 years	Do.		do.	„ Tinnevelly.
3 years	Do.	3823	do.	„ Trichinopoly.
	Do.	[illegible]	do.	„ Vizagapatam.

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Revl. Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following

File of reports & C. 23?
Lr. 1881. Ar. 2557.

Orders.

The Government having perused the foregoing reports, are of opinion that the term of office of a Stip. Magistrate should be limited to 3 years, and in case of such functionaries now holding office as such, they should then relinquish, or be specified, on the expiration of which such sanctions should be obtained by the Magistrate of District concerned.

The Dist. Magistrate of S. Arcot, Jany 1882

and Vizagapatam with explanations to reply to the orders.

All Dist. Magts.

NB. 20 of the Magistrates should be replied to the orders.
16 Base in favour of the employ. system. The Dist. Magts. of Tanjore and Chingleput recommend 5, instead of 3 years; the Dist. Magts. of Madura suggest that the appointments should be annual, and the Dist. Magts. of Salem & Coimbatore oppose the proposal, being of opinion that all that is necessary is to exercise great care when selecting the individuals and when once appointed they should be allowed to continue in office so long as they behave themselves. It seems unnecessary to keep this question open any longer pending replies from 3 Dist. Magts

27/XI

Judicial Department.

p.o. 159

From

Repl s from District Magistrates
to reference in G.O. no. 2557
dated 23rd Sept 1885.

FOR ORDERS.

In a letter, dated 9th Sept. 85 no 725,
(put up in M.S.), the District Magis-
trate of Tinnevelly suggested the
advisability of prescribing a limit
of time for the retention of the ap-
pointment of Honorary Magistrate.
He stated that difficulty is often felt
in advising the removal of a Magis-
trate or in re-constituting a Bench, &
suggested that it would be less offensive
to omit to re-appoint any gentleman
who did not come up to the expectation
formed of him, than it now is to
remove him by name from the list. The
suggestion that the tenure of the
post of honorary magistrate
would be limited was referred in
G.O. 23rd Sept 1885, no. 2557, to all
District Magistrates for opinion of
the 20 District Magistrates, all but
one are in favour of the suggestion.
Sixteen would limit the tenure of the
post of the honorary magistrate (subject
to re-appointment) to three years,
as proposed by the District Magistrate
of Tinnevelly: two would make

Nothing but very
serious & glaring
inconvenience could
justify any such change
as Mr Le Froy has
suggested. It might
have been better to
have begun by making
him office tenable
for only three years
but to make the
suggested change
now with
heaven & earth about
us cases — & all
for what it
seems worth

the term 5 years, and ~~I~~ would reduce it to 1 year. The District Magistrate of Salem alone objects to the proposal altogether, and thinks that honorary magistrates should hold their appointments during good behaviour.

A lengthy petition, opposing the proposed limitation has been received from a body styled the Anirotha-villhanitha Sabah of Tinnevelly. Unfortunately it is so diffuse, so badly expressed, and so much of it seems to be due to petty local feeling, that not much importance can be attributed to it.

It is however submitted that the question is one of some importance and deserves careful consideration. The proposal of the District Magistrate of Tinnevelly possesses one obvious recommendation, that it will render more easy the removal of a lazy or incapable honorary magistrate. But this very fact involves ~~[illegible]~~ a further consequence that the position of every honorary magistrate, good or bad, will be rendered less secure. As Mr. Mc Walters - to whose letter attention is solicited - observes,

Generally Subject to disagreeable duty of telling [illegible] is useless to [illegible] I am most strongly opposed to this proposal.

- for Mr. Spencer

whereas at present a district magistrate - who wishes to get an honorary magistrate removed - has to give specific reasons, in future, if the proposed change is made, he will merely have to say that "the gentleman has not answered his expectations" - & that he does not propose to nominate him for re-appointment. It is not difficult to predict the result of this: the value attached to the office of honorary magistrate by the public will be lowered: the honorary magistrate will be less respected, less trusted, & less independent: he will hold his office at the will of the higher district officials.

[illegible]

It is submitted therefore that the proposal is retrograde in tendency cannot fail to be unpopular, & to excite the unfavourable comment of the press, & it bears the appearance, at least, of implying distrust of the honorary magistrates. Unless therefore the present system has proved wholly unsatisfactory, it is submitted that the change proposed should not be adopted

I agree with

AGP 8.1.86.

* This is not alleged. See e.g. the Nilgiri Dt. Magt's letter. Few of the Dt. Magts say that any difficulty has been felt over the present system.

Proposal to limit the
duration of the privilege
to 3 years

FOR ORDERS.

Hon. Lee Warner and the great majority of District Engrs. & Hon. Members of Council think that the Special Right to Honorary Rights is appd. for 5 years only & should be taken up, less than a half & less than a quarter. Hon. Member of Council & the Dist. Board Secy. appear to be the only officers consulted

Circ 14/1

Submitted that this paper should be re-circulated to Hon. Members.

27/1

Judl Department. 163

PROCEEDINGS OF THE BOMBAY GOVERNMENT.

Rec'd 30 Sept/85 No 2557.

READ the following

from the Secretary - also
Rec'd 4545 & 4812.

Order 2 Oct 85 No 308

After ~~a careful~~ considering ~~two~~ of the foregoing papers, the Governor in Council is of opinion that sufficient grounds have not been shown for prescribing a limit of time for the retention of appointment of honorary Magistrate

to all the Magistrates

[1] 3 B/7 16/4/15

165

PRESS.

Judl. DEPARTMENT.

G.O. DATED 22 July 86

No. 308

First copy sent to Press.

Returned for signature.

Despatched in print. 9/2

[Despatch Abstract.]

Supposing opinion
Anglicable ~~Englishmen Canadian~~
~~Sir~~ ~~the Sub, Vicars~~, that
all grounds have not been shown for
exercising a limit to the retention
in dispatch of Comp Cuzzle

[*Despatch.*]

READ AGAIN Order of Government, dated
188 , No. Miscellaneous.

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER, &c. OF GOVERNMENT—A

PAPERS KEPT OUT OF FILE FOR DESPATCH IN ORIGINAL.
(not paged.)

N.B.—
A = Print in full.
B = Not to be printed.
P = Print abstract only.
Q = Print heading only.
R = Print, but not for monthly volume.