M.R.O. 14-5,650-22-10-26.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1698 Press Mis.

507, 573

Dated 26-7-1867

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
26th July 1867.

No. 507. Read the following Proceedings of the Madras Government in the Judicial Department:—

On the subject of conferring full Magisterial powers on Covenanted Assistants on the recommendation of the Magistrate of the district as qualified for the discharge of such jurisdiction. } (Here enter 18th July 1867, No. 1,147.)

No. 508. ORDER THEREON, 26th July 1867, No. 1,698.

Miscellaneous.

Communicated to the Revenue Board.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Board of Revenue, with Proceedings Judicial Department, No. 1,147.

Exd. S. T. Augustin.

Proceedings of the Madras Government, Judicial Department,
18th July 1867.

No. 212. Proceedings of Government, dated 18th July 1867, No. 1147.

It has been frequently brought to the notice of Government that the Collectors of Districts are seriously impeded in the discharge of the ordinary miscellaneous duties of their offices by the labor imposed upon them in the exercise of their authority as sole Magistrates having the full powers of a Magistrate within their Divisions.

2. The Government observe that there is no legal impediment to the highest Magisterial powers being conferred on any Covenanted Civil Servant, as Section 23 of the Criminal Procedure Code empowers the local Government to invest "any person" with the powers of a Magistrate. This comprehensive authority has, however, been hitherto restricted in practice by the Order of Government, dated the 8th November 1864, which provides that the full powers of a Magistrate shall be conferred on those Covenanted Assistants only who shall have passed the second standard examination, and shall, previously to passing such examination, have exercised, for a period of six months, the powers of a Subordinate Magistrate of the 1st Class.

3. The Governor in Council is of opinion that it would, in many cases, conduce greatly to the relief of the Chief Magistrates of Districts, and to the more prompt administration of criminal justice, if the rules laid down by Government, in their Order above referred to, were suspended or abrogated.

4. The Governor in Council is, accordingly, prepared to confer full Magisterial powers on Covenanted Assistants who may be recommended by the Magistrate of the District under whom they are placed as qualified for the discharge of such jurisdiction, and who have previously exercised the powers of a Subordinate Magistrate of the 1st Class for not less than six months.

5. In cases in which sufficient grounds may be shown, the Governor in Council is prepared to relax the rule which requires that an Assistant shall have passed the first standard examination before he can be invested with the powers of a Subordinate Magistrate of the 1st Class, provided that the Magistrate shall be of opinion that the Assistant has shown himself to be qualified for increased Magisterial powers.

(True Extract).

Acting Chief Secretary.

To the Magistrate of
" Revenue Department.

Exd. J. H. Burns.

For 1867. Before the Court for July 11th 1867.

Proceedings on the 2nd Report

Dated 18th July
Received 22nd July 1867.

No. 1147.

On the subject of conferring Petty Magisterial powers on Commissioners of Police in the Presidency Towns of the Magistrate of the District as qualified for the discharge of such jurisdiction.

Rec'd 1868 25th July

No. 509. 508

On the letter of

1868.

Communicated to the

Received

26th July 1867.

5 Copies Letter 25th Oct. with Copy of Report 26th