M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 124 — Press / Mis.

246-247

Dated 18 - 1 - 1861.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 18th January 1861.

No. 246. Read the following letter from CLEMENT DALE, Esq., Government Pleader, Sudder Adálat, to J. D. SIM, Esq., Acting Secretary to Government, dated Madras, 2nd January 1861, No. 2:—

SIR,

1. I have the honor to acknowledge the receipt of the Proceedings of Government of the date and number noted in the margin, and to report for the information of the Honorable the Governor in Council that in my opinion the provisions of Act No. 28 of 1860, extend generally to European British subjects and Natives of this country, who came under the category of "owners" or "occupants" of lands; or "persons "claiming to have any right or interest in lands;" or "any other person whose attendance "may be considered necessary" or "any person who shall wilfully make any false statement "or shall wilfully refuse or neglect when called upon to give any information in his power with "respect to a boundary under enquiry" as used in that Act.

10th December 1860, *No.* 2,359, *Revenue Department.*

2. I am further of opinion that in framing that Act, the Legislature did not contemplate that the Officer exercising the powers to fine which are contained in Section 4 should necessarily be a Justice of the Peace or Magistrate, and that such powers may be exercised in the case of all persons whether European British subjects or Natives coming under the category I have mentioned, by a "Collector of land Revenue or person exercising the powers of Collector" or by "any Revenue Settlement Officer and any other Officer appointed by the Government for "the purpose," and whether such Officer be or be not a Justice of the Peace or a Magistrate.

3. I am however of opinion that the powers to fine contained in Section 9 and 29 can be exercised only by "a Magistrate or person exercising Magisterial powers."

No. 247. ORDER THEREON, 18th January 1861, No. 124.

Ordered to be communicated to the Director of Revenue Settlement with reference to the Order of 10th December, No. 2,359 and to the Board of Revenue.

(Signed) J. D. BOURDILLON,
Secretary to Government.

Dis 10th December 1860 Encl 146 147

(111)

Revenue 1861 Dept.

Dro: of Govt for January.

No 13

From the Govt Pleader

Sadr Adalat.

Dated 2nd } January 1861.
Recd 3rd }

Reports his opinion regarding the amenability of European Owners, occupants or Managers of Coffee Estates in the Wainad to the provisions of Act XXVIII of 1860.

No 124 No 124

Ordered to be communicated to the Director of Revenue Settlement with reference to the order of 10th December, No 2357 and to the Board of Revenue.

J. D. S

Hob Sec Govt
18th January 1861.

13 Copies
To the Dir Rev Settlement. Disp 14
13 do Board of Rev
with Govt proc: 10"
Dup to No 146 & 147
1 to Govt Pleader

No 246 & 247.

C 8 Jany B H

William Order
No 124. 18th Jany.