

BENGAL--ASSISTANT AND DEPUTY MAGISTRATES.

ACT No. X. OF 1854.

[*Passed on the 24th February, 1854.*]

1. *Empowers Assistants and Deputy Magistrates to receive and try cases without previous sanction of the Magistrate.*

2. *Gives Deputy Magistrates same powers as by Act 27, 1845. Assistants have to try cases under Act 4, 1840.*

3. *Empowers Magistrates to remove cases from Deputies and Assistants.*

An Act for regulating the Powers of Assistants to Magistrates and of Deputy Magistrates appointed under Act XV. of 1843.

Whereas Assistants to Magistrates and also Deputy Magistrates appointed under Act XV. of 1843 to exercise the powers of a Covenanted Assistant, under Regulation XIII. of 1797, IX. of 1807, or III. of 1821, are not competent to decide any cases but such as are referred to them by the Magistrate, and whereas this restriction is attended with practical inconvenience to complainants in petty criminal cases ; It is enacted as follows:

I. It shall be competent to the local Government of each of the divisions of the Bengal Presidency, to empower Assistants to Magistrates and also Deputy Magistrates appointed as aforesaid, to receive and try, without reference by the Magistrate, all or any of such charges as they are now competent to try upon reference

by the Magistrate, subject to appeal from their decisions, according to the provisions of Section II. Act XXXI. of 1841.

II. Deputy Magistrates vested with special powers shall in each of the said divisions of the Bengal presidency have the same powers to decide cases under Act IV. of 1840, as by Act XXVII. of 1845 are vested in Assistant Magistrates with special powers.

III. Magistrates or Joint Magistrates may at any time call from any of their Assistants, or from any Deputy Magistrate subordinate to them, any case pending before any such Assistant or any such Deputy Magistrate under the provisions of this Act which for any reason the Magistrate, or Joint Magistrate may deem it proper to determine himself in the first instance