

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	441	<u>Press</u> <u>Mis.</u>
	40.41	
Dated	21-4-	1857.

Not to be folded or roughly handled

441
und

Fort St. George Judicial Consultation, 21st April 1857.

No. 40. Read the following Extract from the Minutes of Consultation in the Revenue Department, dated 7th April 1857, No. 334.

Read the following Extract from the Proceedings of the Board of Revenue, dated 23rd March 1857, No. 896.

Read the following letter from J. W. CHERRY, Esq., Acting Collector of Salem; to J. D. SIM, Esq., Acting Secretary to the Board of Revenue, dated 17th March 1857, No. 48.

SIR,

With reference to Section III, Act III of 1857, relating to the trespasses by cattle, I have the honor to request your Board's instructions as to the particular fund, from which the expenditure is to be met, on account of any pound or pounds that may be found necessary to be established from the 1st of May next, the date on which the Act will come into operation. I have been induced to make this reference both in consideration of the early date on which the Act will be enforced, as well as the necessity which has appeared to me for the establishment of such pounds in several of the principal towns through which I have already passed during the present Jumma-bundy.

(Signed) J. W. CHERRY,
Acting Collector.

Resolved that the above letter be submitted for the consideration and orders of Government.

2. In this communication, the Acting Collector of Salem requests instructions as to the fund from which he is to defray any expenses which may be incurred in the construction of such cattle-pounds as may be found necessary, in order to give effect to Act III of 1857.

3. The Board observe that the fines imposed and the unclaimed proceeds of cattle sold under Section XII. of the enactment referred to, will form a fund for the payment of these and other expenses incurred in carrying out its provisions; but until such a fund is created by the accumulation of these receipts, the necessary means must, they conclude, be supplied by Government.

4. The expense will not, the Board presume, be heavy, as many pounds already exist, but it is necessary to provide some for the due fulfilment of Act III of 1857, which is to take effect from the 1st May.

5. The Board therefore request the instructions of Government on the question raised by the Acting Collector. It seems to them that the best course will be to authorize the Collectors as Magistrates to incur such expenses on this account as may be really necessary on their own responsibility, and to submit a statement of such charges periodically for sanction of Government, a limit, if deemed expedient, being imposed as the maximum cost for each pound. This course will obviate the necessity of keeping a separate special account of all sums realized under the Act.

6. The Board also wish to be informed by what Department Government desire such arrangements to be carried out.

(A true Extract.)

(Signed) J. D. SIM,
Acting Secretary.

Referred to the Judicial Department for consideration.

The Magistrates should address Government direct on the subject of Act III of 1857, and not through the Board of Revenue.

(A true Extract.)

(Signed) H. FORBES,
Acting Secretary to Government.

pounds

Fort St. George, Judicial Consultation, 21st April 1857.

No. 41.

ORDER THEREON, No. 441; dated 18th April 1857.

1. It is observed that in Extract Minutes Consultation, 4th April 1857, No. 399, the Court of Foujdaree Udalut were called upon for certain information required for bringing into practical operation the provisions of Act III of 1857, part of such information being as to the places at which pounds should be established.

2. With regard to the expense of constructing pounds where such are wanted but do not now exist, this must in the first instance be borne by Government, to be recovered subsequently from the fines and from the proceeds of stray cattle.

3. The Court of Foujdaree Udalut will instruct the several Magistrates in reporting the places at which pounds should be established, to state at the same time at which of them pounds will have to be built and approximately what will be the expense of constructing them, when further orders will be passed.

(Signed) T. PYCROFT,

Chief Secretary.

Rsd. F. Cartledge.

Judicial Department

No. 441

Extract from the Minutes of Consultation
Dated 18th April 1857

Read the following

Ext. Minis. Cons. Revenue Department

(Here enter 7th April 1857 No. 334)

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12 Copies
For James Adair
Revenue Depart. } Sep 23^d

Just L. & C. 13. Don't say 185

Par. 45

Just to come No. 35-36
7-4-57

9/4/69

Just L. & C. 21st April
De die in 1857/1858

21st April

Michael Morris of London

9/10/1857
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c 15 Apr.
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