

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1623	Press
75-76	~~Mis~~
Dated 10-12-1860	19

4/5

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,
10th December 1860.*

No. 75. Read the following letter from C. F. CHAMIER, Esq., Registrar of the Sudder Court, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 27th November 1860, No. 103.

With reference to the Proceedings of Government dated the 17th instant, I am directed by the Judges to state that the expressions "animals yoked or harnessed," and "any horse or other animal," contained in Sections X and XI of the Bill, seem to show that the measure is designed to include vehicles drawn by bullocks.

No. 76. To the Member for Madras of the Legislative Council for India, dated Fort Saint George, 10th December 1860, No. 1,623.

I am directed by the Honorable the Governor in Council to forward the accompanying copy of a letter from the Registrar to the Court of Sudder Udalat stating, with reference to the

Letter dated 30th October 1860, No. 93. Bill for licensing and regulating Stage Carriages now before the Legislative Council, that it appears to the Court doubtful whether the Horses and Bullocks of the Transits in this Presidency are maltreated in the manner which seems to prevail in Bengal, but that, if the Government should have reason to believe that such is the case, the Judges would suggest that Stage Carriages be otherwise defined than by the rate of progress, as the Bullock Transits rarely travel at the rate of four miles an hour.

2. This Government you will observe informed the Judges, in reply, that from the statement of objects and reasons, prefixed to the Bill for licensing and regulating Stage Carriages, it appeared that the Bill was intended to apply only to conveyances drawn by horses. The Judges have however pointed out that in Sections X—XI of the Bill occur the expressions "animals yoked or harnessed," and "any horse or other animal" seeming to show that the measure is designed to include vehicles drawn by bullocks.

3. If such be the intended scope of the Bill, this Government think, with the Judges, that, for the reason which they have given, the definition of Stage Carriages is faulty. In respect to the measure generally I am also to remark that the Government doubt, as do the Sudder Judges, whether it be required in this Presidency, and that in the event of the Bill being proceeded with, they would wish a provision introduced leaving it to the discretion of the Madras Government to bring it into operation within their Territories, whenever they may deem it necessary.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

V I That

Judicial Department.

N^o 1623.

The Member for Madras
of the
Legislative Council
for India.

Sir,

I am directed by the
Honourable the Governor in
Council to forward the
accompanying copy of a
letter from the Registrar to
the Court of Sudder Udalat
stating with reference to the
Bill for licensing and re-
gulating Stage Carriages
now before the Legislative
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the Horses and Bullocks
^{of the requisite} in this Presidency are mal-
treated in the manner which
seems to prevail in Bengal,
but that, if the Government
should have reason to be-
lieve that such is the case,
the Judges would suggest
that

630⁴
no 93.

Order of Govt. 17 Nov. 1860.
No. 1506.

Letter 27 Nov. '60 No. 103.
annexed.

that Stage Carriages be otherwise defined than by the rate of progress, as the Bullock Transits rarely travel at the rate of four miles an hour.

2. This Government you will observe informed the Judges in reply, that from the statement of objects and reasons, prefixed to the Bill for licensing and regulating Stage Carriages, ^{it appeared} that the Bill ^{was} intended to apply only to conveyances drawn by horses. The judges have however pointed out that in Secs. X. & XI. of the Bill occur the expressions "Animals yoked, or harnessed," and "any horse, or other animal," seeming to show that the measure is designed to include vehicles drawn by bullocks.

3. If such be the intended scope of the bill, this Govt. think, with the judges, that, for the reason which they have given, the definition of Stage Carriages is faulty.

In

In respect to the measure generally, I am also to remark, that the Government doubt, as to the Sudder Judge, whether it be required, in this Presidency, and that in the event of the bill being proceeded with, they would wish a provision introduced leaving it to the discretion of the Madras Government to bring it into operation within their Territories, whenever they may deem it necessary.

For S. George,
10 December, 1860.

J.P.

Copy
To

The Sudder Adalat - dist. 14.

20/11/60

Thos. J. P.

29-11-20 1871 ✓

Good day
Indiana 1860 Decent.

1871/1872.

To
The President for his
of the
Legislative Council
for India

1710 December 1860.

1871/1872.

1871/1872.