

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1992	Press
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Dated	P. 12. 1862-19	

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Abstract Statement

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Madras

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*Proceedings of the Madras Government, Judicial Department,
8th December 1862.*

5. The Magistrates of Coimbatore and Kistna request the sanction of Government to measures which it is observed they are empowered to carry out under their own authority.

No sanction is necessary for adding to the number of pounds or sheds,* nor for the remuneration of the pound-keepers. These matters are left to

the discretion of the Magistrates, the only limit to the expenditure being the amount available in the Cattle Fines Fund of the District. The Magistrate of Kistna will however be directed to bear in mind that the system of paying pound-keepers by a commission on the Collections has been prohibited. As regards the same Magistrate's proposal to entertain a Gumasta in each Taluk and in the Huzúr to check the receipts and keep the accounts, the Government can hardly suppose so large an establishment to be necessary. The experiment should be tried first in two or three of the Taluks where trespasses are most frequent.

6. The Magistrate of Ganjam with only 36 pounds proposes, with the permission of Government, to apply the small balance which he has in hand to local objects of general utility. The transfer of the surplus collections to the Local Funds has been generally authorized wherever a clear surplus is available. This, however, does not appear to be the case in Ganjam, and the Magistrate will recollect that the construction of pounds wherever necessary and their maintenance in an efficient condition should be the first charge on the Fund. When these objects demand no further outlay, whatever surplus exists may be credited to the Local Fund under the general sanction already accorded.

7. In Vizagapatam on the other hand where the original outlay on the existing pounds has not yet been recovered, the Magistrate is taking measures to provide pounds in every considerable village. In 4 out of the 23 pounds in operation during 1861 no collections were made, while 7 others produce less than 3 Rupees and only 4 more than 10 Rupees in the whole year. The Acting Magistrate will be careful to ascertain the cause of this small income before making any extensive advances. No pound has yet been provided at Pultair, but it is not stated whether the Rajah of Bobily is still opposed to its establishment, nor has the pound at Waltair been built, although 130 Rupees were advanced for that purpose in 1859.

8. South Canara is the only other District where the collections fall short of the charges, and it is one of the few Districts where all the pound-keepers are more or less remunerated. Until the original outlay is recovered, it appears to the Government that the majority of the pounds should be kept by the village servants without extra emoluments.

9. The Magistrate of the Kistna District urges that the superior Magistracy should be empowered to dispose of cases under Section XIII and XIV of the Act on the record of the Talook Officers. This would be contrary to the Act, but it is hoped that cases of hardship are very infrequent.

10. It appears to the Governor in Council that the pound system may now be left entirely to the management of the Magistrates, subject, as regards the disposal of any surplus, to the control of the Board of Revenue. Annual Reports are therefore no longer required, but the Accountant General will continue to submit the yearly statement prescribed in para. 10 of the Proceedings of Government, dated 4th June 1860, No. 705. The statement for 1861-62 is long over-due.

11. A copy of the Precis recorded at the head of these proceedings will be furnished to each of the Magistrates, that they may see how the Act is working in other Districts.

(Signed) A. J. ARBUTHNOT,

Chief Secretary.

Ed. T. McMootry.

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Act III of 1857

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PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following precis of reports from the Zillah Magistrates on the practical working of their cattle pounds under Act III of 1857 during the calendar years 1860 & 1861.

(Here enter Precis)

The foregoing Precis contains the substance of the various Magistrates' reports on the operation of Act III of 1857 in their several Districts during the calendar years 1860 and 1861.

2 Cattle pounds are now widely established throughout the Provinces. The Act is well understood and generally appreciated, and very few remarks seem to be called for from Government.

3 In the Districts marginally noted some improper charges are allowed to appear in the accounts. In the one case feeding charges are again exhibited as an item of expenditure. This has already been pointed out to be incorrect. Expenses of feeding impounded cattle need only appear in the accounts in those rare instances, when, as stated by the Magistrate

Madras
Pondicherry
Malabar
Canara
Salem
Tanjore
Trichinopoly

By Order of the Government
2nd Dec 1862

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Magistrate of Madras, they are not covered by the sale proceeds. In the ~~Madras District~~ ^{Madras} District, refunds of surplus sale proceeds are entered among the disbursements under the sale of unclaimed cattle. The surplus proceeds are to be held in deposit for three months before being carried to the credit of the General Fund. If the owner appears within that period, the amount is to be paid him at once, otherwise it is to be credited to the Cattle Fund. ~~After having been carried to account to the Fund, and cannot be refunded on any subsequent claim being brought forward.~~

In Bayam and Malabar certain sums were disbursed as compensation for damages. The Magistrate will be reminded that compensation is only allowable in cases falling under section XVII and XXIII of the Act. Another item which appears in the Bayam accounts is clearly irregular, Rs. 13-6-0 having been paid to the Seizer of Cattle as rewards for which the Act makes no provision.

The Magistrates of Coimbatore and Kistna request the sanction of Government to ~~measures~~ ^{it is proposed} ~~schemes~~ which they are empowered to carry out under their own authority. No sanction is necessary for adding to the number of pounds or sheds, nor for the remuneration of the pound keepers. These matters are left to the discretion of

* And that any sum awarded under those sections is to be recovered from the person causing the trespass, not disbursed from the Fund.

* Bandy-pettahs would also fall under this category

of the Magistrates, the only limit to the expenditure being the amount available in the Cattle Fund of the District. The Magistrate of Kistna will however be directed to bear in mind that the system of paying pound keepers by a commission on the collections has been prohibited. As regards these

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General

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The Magistrate of the Krishna District urges that the Superior Magistrates should be empowered to dispose of cases under Sec. XIII and XIV of the Act on the record of the Taluk officers.

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this would be contrary to law, and can be furnished. With the full complement of Assistant and Deputy Magistrates, it is hoped that cases of hardship are very infrequent. It appears to the Secretary in Council that the Pound system may now be arranged by the Magistrates subject, as respects the disposal of any surplus, to the control of the Board of Revenue. Annual reports are therefore no longer required, but the Accountant General will continue to submit the yearly statement prescribed in para 10 of the Proceedings of Government dated 4th June 1860 No. 25. The statement for 1861-62 is long over due.

A copy of the notes recorded at the head of these Proceedings will be furnished to each of the Magistrates, that they may see how the Act is ~~working~~ ^{working} in other Districts.

W.A.

to the Magistrate. several Districts }
Board of Revenue } depd. 10th
" Accountant General }

W.A.

Feb. 1862. Department.

No. 1992

PROCEEDINGS OF GOVERNMENT.

Dated 8th Dec. 1862.

St. H.
Resident Commissioner
of the U.S. Consulate

Having certain observations
on the basis of reports from
the U.S. Consulate in the
practical working of the
Cattle House under the
of 1862 during the calendar
years 1862 & 1863 and giving
some instructions with
reference thereto.