

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	92	Press
		Mis.
115-116		
Dated	22 - 1 -	19/863

3/3

Not to be folded or roughly handled

21.

Proceedings of the Madras Government, Judicial Department,
22nd January 1863.

No. 115. Read the following letter from the Right Honorable Sir CHARLES WOOD, Bart., M. P., Her Majesty's Secretary of State for India; to His Excellency the Right Honorable the Governor General of India in Council, dated India Office, London, the 1st December 1862, Legislative No. 35.

MY LORD,

Your letters Nos. 16, 17 and 18, dated 5th September 1862, having been considered by

By the Council of the Governor of Madras.
1st.—"An Act to make better provision for the management of boats and
"catamarans in the Madras Roads."
2nd.—"To prevent damage to the Pier, to regulate the traffic, and to provide
"for levying of tolls upon the same."
By the Council of the Governor of Bombay.
"An Act for the establishment and regulation of Reformatory Schools for
"Juvenile Offenders."

me in Council, I have to express my approval of your Lordship having withheld, for the reason stated in your Minutes of the 25th July and the 13th August last, your assent to the Acts noted in the margin.

2. Cases no doubt will occasionally occur where special legislation by the local Governments for offences not included in the Penal Code will be required. In these cases the general rule should be to place such offences under penalties already assigned in the Code to acts of a similar character. This mode of legislation though an addition to, cannot be deemed an alteration of, the Penal Code. But if any deviation is considered necessary, then the Law requires that your previous sanction should be obtained.

3. It was the intention of Her Majesty's Government that, except in local and peculiar circumstances, the Code should contain the whole body of Penal Legislation, and that all additions or modifications suggested by experience should, from time to time, be incorporated in it. And the duty of maintaining this uniformity of course devolves upon your Excellency in Council.

4. As a general rule, for the guidance of the Local Councils, it would probably be expedient, and this appears also to be your own view, that all bills, containing Penal clauses, should be submitted for your previous sanction.

No. 150.

MADRAS.
From No. 753, dated 7th May 1862.
To No. 4,188, dated 13th August 1862.
From No. 807, dated 19th May 1862.
To No. 4,187, dated 13th August 1862.

BOMBAY.
From No. —, dated 7th April 1862.
To No. 2,494, dated 17th May 1862.
From No. —, dated 18th June 1862.
To No. 3,749, dated 26th July 1862.

Copy forwarded to the Governments of Madras and Bombay for information with reference to the correspondence noted on the margin.

No.

Copy forwarded to the Government of Bengal for information.

HOME DEPARTMENT,
LEGISLATIVE,
The 8th January 1863.

By Order,
(Signed) A. M. MONTEATH,
Under Secy. to the Govt. of India.

No. 116.

ORDER THEREON, 22nd January 1863, No. 92.

To be recorded.

(Signed) A. J. ARBUTHNOT,

Chief Secretary.

Subject: Council for making laws. — Home Department, approving of the Governor General having withheld his assent to the Boat and Catamaran Act and the

Exd. T. McMootry.

Aug 21 1893
 Grand Canyon

From
The Under Secy. of the
Court of Claims, at Wash.
Sept. 1, signature. 150

Ms. A. 9. 2. 1875

F 4206.

1069

expressing, or informing
them, with reference to certain
correspondence, deposited in
the day of estate directing that
in cases where special direc-
tion by local acts or by
not included in the final list
will be required the General will
be to place such of them only
forward already assigned in
the case to act in America) and
that it will be the duty of the
local authorities to be in the

N^o. 92. 22 January 1863.



Dear Sir,
 I have the honor to acknowledge the receipt of your letter of the 11th inst. in relation to the above named matter. I am sorry to hear that you are not satisfied with the result of the investigation. I am, however, unable to do more than I have already done. I am, Sir, very respectfully,
 Yours,
 J. H. [Signature]

The Assistant Secretary-
Legislative Dept. } 41200th