

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 1365

Dated 26th June 1895

INDEXED.

[Despatch Abstract.]

CANTONMENT POUNDS.

Passing orders on the procedure adopted by the Cantonment Magistrate, Pallavaram, in regard to the seizure and impounding of cattle in-----.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	3486		95				
1574	95						
ms 2998-99		Rw.	4.12.40				

Station. *Saraput*
30th April 1900

FROM *C. H. Monney Esquire*

By District MAGISTRATE OF
Bhingleput District

To *Chief*
THE SECRETARY TO GOVERNMENT,
JUDICIAL DEPARTMENT,
Madras.

SIR,

I find that at *Bhingleput* of *Ballacuram* where there is a cattle pound said to be in charge of the *Cantonment* *Cantonment* me. fourth of the fees collected on each head of Cattle is being paid to the persons who seize the cattle the remainder to the *Cantonment* Fund. As this practice is not authorized by the *Cattle Trespass Act* (I of 1871) which affects the collections of Village panchayat adjoining the *Cantonment* inasmuch as it acts as an inducement to persons seizing cattle outside the *Cantonment* limits to take them to the *Cantonment* pound instead of the *Village* pound, a reference was made to the *Cantonment* Magistrate pointing out the irregularity. That officer, while

for the practice, informed me that he did not consider it objectionable, in the absence of any order forbidding it, and that the system led to the efficient paddling of stray cattle. I then, asked him, in the exercise of the general control vested in me by Sec 5 of the Cattle Trespass Act to discontinue the illegal practice and bring to account the whole of the fines collected; at the Cantonment Committee to whom the matter was referred by the Cantonment magistrate has declined to interfere stating that the District Magistrate being only a member of the Cantonment Committee under whose charge the cattle pound is, his control over the pounds cannot be recognised. (Vide tract from the minutes of the proceedings of the Cantonment Committee dated 19 February 1895).

2. It does not appear that pounds within Cantonments are exempt from the operation of the Cattle Trespass Act (I of 1871). The Act extends to the whole of British India except such portions as have been excluded from its operation by a special notification (Sec 1 cl 2) and no such notification excluding pounds within Cantonments has ever been issued. Sec 5 of the Act gives all pounds under the control of

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 24-

Course (ii) does not appear to be illegal* though the act contains no provisions for the grant of rewards.

X
11-6-95

* 2a 90. 165 the grant of
24-1-95

Wounds are cauterized in a
similar case. $\frac{2}{11} = 0.55$

The Dy. Magr. is certainly right and
the Can. Committee certainly wrong.

The para of the Army Regulations quoted
by the Envt Committee in support of

the allegation does not apply to the answer.

There does not appear to be any legal

Question to granting rewards but this
should as matter at present stand

be allowed only another arrangement

should under the sanction of the R. S.

Engl. *Orthocentrus viridis* *Engelmann*

Case 100-100000-20

12/6/95

Pounds in Cantonment

FOR ORDERS.

H. M.

C20/6

189 No.

of 1895, dated ~~1895~~ from

ORDER of 26th June 1895, no 1065

The District Master view of the
 Act is unquestionably correct, but
 gives the matter involved is of
 but little importance. One ^{man} of
 settling the difficulty would be to
 transfer issue a certificate and
 § 31(a) of the Cattle Diseases
 Act 1901 as amended by Act 2 of
 transferring to the Cantonment
 the functions of the District
 the control of the problem
 has been ~~imposed~~ not a bit
 the Govt would need no help
 the Govt being handed over to it.
 The payment of reward is not
 specifically mentioned in the Act
 but ^{possibly} be held to fall within
 of section 12(b) of the Act.
 The West End Comd.
 will not be requested ^{the Govt. should} to take

$\frac{C_s}{m/s}$ (from order)

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
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