

(1) Number of pages 1(2) Date of repair 11-11-65

(3) Initials of the Referencer _____

MADRAS RECORD OFFICE.

Government of Madras.

Public works DEPARTMENT.

G.O. No. <u>3446</u>	Press ~~Mis.~~
<u>329-340</u>	
Dated <u>16</u> - <u>11</u> - <u>18 65</u>	

Not to be folded or roughly handled

11

*Proceedings of the Madras Government, Public Works Department,
16th November 1865.*

No. 339. Read the following letter from the Superintending Engineer, 8th Division, to the Secretary to Government, Department Public Works, dated Madura, 1st November 1865, No. 1,510 :—

1. I have the honor to submit the following questions, on which I trust the Government will be pleased to take the opinion of the Law Officers.

2. Is a bandy and bullocks without a driver moving along the high road liable to be impounded? or the owner, when found, subject to prosecution under paragraph 283 of the Penal Code.

3. On a 14 mile stage I came on seven bandies at different places without anybody to take care of them; I placed coolies in charge of them, and carried them to Melūr, the nearest Magistrate's station; the Tahsildar considered them amenable to criminal prosecution under Section 283 of the Penal Code; but as he had not jurisdiction, ordered them into Madura, where they were released.

4. The Superintendent of Police considers that I ought to have impounded them; but the Collector is pleased to style the proceeding "illegal and oppressive."

5. Not only are travellers liable to be inconvenienced and the road slopes to be damaged by these uncontrolled bullocks, but in one case I saw a cart upset by the bullocks straying down the turf slope for grass, by which a woman was killed; it so happened that neither by speech or action of mine were the bullocks induced to leave the road; but I find that the woman's death is generally attributed to me, because I was near the spot, and it was taken for granted that the bullocks were alarmed by my horse.

6. This latter is very likely to occur, as it is impossible to foresee whether the driver is present or not on a cart proceeding in the same direction.

No. 340. ORDER THEREON, 16th November 1865, No. 3,446.

ESTABLISHMENT, No. 30.

As the case referred to by the Superintending Engineer of the 8th Division appears to have been adjudicated by the

Magistrate, the Government decline to proceed further with it.

(True Extract.)

(Signed) CHARLES A. ORR, Colonel, R. E.,

Secretary to Government.

To the Superintending Engineer, 8th Division.

Ed. S. T. Augustin.

*by these uncontrolled bullocks, but in one case I
saw a cart upset by the bullocks straying down the
turf.*

No. 1570

Sup. Engineer's Office 8th Division
Madura 1st November 1865

From

Sent^l Colonel F. J. Moberly R.E.
Superintending Engineer 8th Division
Colonel C. A. Orr R.E.
Secretary to Government D. P. W.

Sir,

I have the honor to submit the following questions on which I trust the Government will be pleased to take the opinion of the Law Officers.

1. Is a bandy and bullocks without a driver moving along the High road liable to be impounded? - or the owner, when found, subject to prosecution under para 283 of the Penal Code. -

2. On a 14 mile stage I came on 7 bandies at different places without any body to take care of them; I placed coolies in charge of them and carried them to Melur, the nearest Magistrate's station. - the Tahsildar considered them amenable to criminal prosecution under Sec. 283 of the Penal Code. - but as he had not jurisdiction, ordered them in to Madura. where they were released.

3. The Superintendent of Police considers that I ought to have impounded them - but the collector is pleased to style the proceeding "illegal & oppressive."

4. Not only are travellers liable to be inconvenienced and the road slopes to be damaged by these uncontrolled bullocks, but in one case I saw a cart upset by the bullocks straying down the turf.

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mine were the bullocks induced to leave the road -
but I find that the woman's death is generally attributed
to me, because I was near the spot, and it was
taken for granted that the bullocks were alarmed
by my horse.

6. — This latter is very likely to occur as
it is impossible to foresee whether the driver is
present or not on a cart proceeding in the same
direction. —

I have &c

Yr. Obedt. Servt. C. C. R.
Superintending Engineer S. & D.

Dr. J. Gordon in person
7/1/77

Isabel de Castro
Borja

8-3445-8 May/85

minutes for orders &c.

were strayed on the road

North Carolina

Michael W. Bond

Beckwith & Co. Frs

[illegible][illegible]