M.R.O. 1—77,006—8-6-37.

(1) Number of pages ---- 8

(2) Date of repair 24 2 [illegible]

(3) Initials of the Referencer ----------

MADRAS RECORD OFFICE.

Government of Madras.

Public works **DEPARTMENT.**

G.O. No. 564 Press ~~Mis.~~

365-66

Dated 18 2 1870.

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department, 18th February 1870.

No. 365. Read the following Proceedings of the Government of India in the Public Works Department, (Railway,) dated Fort William, 20th January 1870, No. 128-R. :—

From the Deputy Secretary to the Government of India, Public Works Department, to the Secretary to the Government of the Punjab in the Civil Department.

REFERRING to your letter, No. 1,551, dated the 6th November 1869, (transferred from the Home to this Department for orders,) regarding the proposal of the Agent, Punjab and Delhi Railways, that fines levied under Section 21 of the Railway Act XVIII. of 1854, should be appropriated in indemnification for actual damage done to the Railway, I am directed to state that, as under Section 44 of the Code of Criminal Procedure, a Magistrate is empowered, if he shall think fit, to pay part of a fine, or the whole of it, to the person suffering by the offence committed, the Government of India is of opinion that all that is needed is that the Agent should be informed that in any case in which the Railway Company's officers desire so to do, the convicting Magistrate may be moved to proceed under this section, and to award the whole, or part of the fine, to the Railway Company. The Government of India see no reason either for special legislation upon the subject, or for any special interference with the discretion vested in the Magistrate by the section referred to.

No. 129-R.

COPY forwarded to the Governments and Administrations named in the margin, for information.

Madras, Bombay, Bengal, N. W. Provinces, Punjab, Oudh, Central Provinces, Hyderabad

(By Order.)
(Signed) E. C. S. WILLIAMS, Major, R.E.,
Deputy Secretary.

No. 137-R.

COPY also forwarded to the Legislative Department for information, with reference to its No. 3, dated 4th January 1870.

To the Secretary to the Government of Madras, Public Works Department, Railway.

ORDER THEREON, 18th February 1870, No. 564.

No. 366. RAILWAY, No. 39. COMMUNICATED to the Consulting Engineer for Railways.

(True Extract.)
(Signed) CHARLES A. ORR, Colonel, R. E.,
Secretary to Government.

To the Consulting Engineer for Railways.

Ed. E. C. Shunker.

All communications should be addressed to the Secretary.

No. 128 R.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

RAILWAY.

To THE SECY. TO THE GOVT. OF THE PUNJAB,
IN THE CIVIL DEPARTMENT.

FORT WILLIAM, JANUARY 20, 1870.

SIR,

Referring to your letter No. 1551, dated the 6th November 1869, (transferred from the Home to this Department for orders), regarding the proposal of the Agent, Punjab and Delhi Railways, that fines levied under Section 21 of the Railway Act XVIII of 1854, should be appropriated in indemnification for actual damage done to the Railway, I am directed to state that, as under Section 44 of the Code of Criminal Procedure, a Magistrate is empowered, if he shall think fit, to pay part of a fine, or the whole of it, to the person suffering by the offence committed, the Government of India is of opinion that all that is needed is that the Agent should be informed that in any case in which the Railway Company's officers desire so to do, the convicting Magistrate may be moved to proceed under this section, and to award the whole, or part of the fine, to the Railway Company. The Government of India see no reason either for special legislation upon the subject, or for any special interference with the discretion vested in the Magistrate by the section referred to.

I have the honour to be,

SIR,

Your most obedient Servant,

E. C. S. WILLIAMS, *Major, R. E.*,
Deputy Secretary.

No. 129 R.

Copy forwarded to the Governments and Administrations named in the margin, for information.

Madras.
Bombay.
Bengal.
N. W. Provinces.
Punjab.
Oudh.
Central Provinces.
Hyderabad.

(By order)

Major, R. E.,
Deputy Secretary.

No. 137 R.

Copy also forwarded to the Legislative Department for information, with reference to its No. 3, dated 4th January 1870.

The Secy: to the Govt: of Madras
Public Works Department (Railway)

P. W. D. 1870 Dep
(3) Rly 4

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

RAILWAY.

To

THE SECY. TO THE GOVT. OF THE PUNJAB,
IN THE CIVIL DEPT.

Nos. 128—37 R.

Dated January 20, 1870.

Received Feby 2nd

Regarding the appropriation of fines for trespass levied under Section 21 of the Railway Act XVII. of 1854 in indemnification for damage done to Railways.

P. W. D. Press—20-1-70—202

Cue 462

Govt. of India Public Works 3

PUBLIC WORKS.

The Consulting Engr. for Railways

No. 564 dated 18th Feby 1870.

Nos. 365-366

Forwd. for Rly. Dept. copy of the Govt. of India letter regarding the proposal for appropriating the fines for trespass levied under Section 21 of the Railway Act XVII of 1854, in indemnification for damages done to Railways &c. to Local Offrs. concerned.

No. 564 dated 18th Feby 1870.

For Railway Department.

Forwarded to the Consulting Engr. for Railways.

18th Feby 1870.

Dy. Secy.

Ex. to Local Govts. & Offrs. concerned 18/2/70.

Dy. Secy.

Sent to Mr. Fitzgerald 18/2/70.

Dy. Secy.

Sent to Mr. Fitzgerald 18/2/70.

Dy. Secy.

Sent to Mr. Fitzgerald 18/2/70.

Dy. Secy.