

(1) Num' pages _____

(2) Repair _____

Initials of the Referencer _____

MADRAS RECORD OFFICE

Government of Madras

Public Works

DEPARTMENT

G.O. No.	443	Press
B.P. No.		Mis.
Dated	16-2	1825
		195

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
16th February 1875.*

389. Read the following letter from Lieutenant-Colonel J. H. M. SHAW-
STEWART, R.E., Consulting Engineer for Railways, to Colonel G. W.
WALKER, R.E., Secretary to Government, Public Works Department,
dated Madras, 25th January 1875, No. 63 :—

WITH reference to the Proceedings of Government, No. 82, dated 12th January
1875, requesting a report on the result of the reference made by this office in
regard to the apparently insufficient punishment awarded in cases of cattle trespass
in the Salem District, I have the honor to submit the following particulars.

2. On the 27th November 1874, the Chief Engineer of the Madras Railway
wrote as follows to the Agent :—

" From the Conviction Report, 1st Division, South-West Line, for week ending
21st instant, I find that a man named Lutchan was prosecuted for allowing
cattle to trespass on the line at 123rd mile 2nd telegraph post.

" The case was tried on the 16th instant by the Sub-Magistrate of Vaniem-
bady, who fined the man 3 Rupees.

" As the punishment awarded appears to me to be quite inadequate to the
offence, I shall be glad if you will bring the matter to the notice of Government."

3. On receiving the above I addressed the Magistrate of Salem, requesting
that he would favor me with any remarks he might wish to make in respect to
the comparatively light penalty inflicted by the Sub-Magistrate of Vaniembady.

4. Mr. Longley's reply was to the effect that the Sub-Magistrate of Vaniem-
bady explained that the accused is the servant of a merchant from whom he
receives Rupees 3 as monthly wages; that this is his only means of livelihood;
that he is possessed of no property whatever; and that it would be useless to
impose a heavier fine as there was no likelihood of its being recovered.

Mr. Longley added—

" Sections 19 and 20 of Act XXV. of 1871 do not authorize the award of
imprisonment in the first instance for the offences referred to therein.

" Under these circumstances, I consider that the Sub-Magistrate was justified
in inflicting the fine he did, which, although it may appear light, amounted to one
month's pay of the accused's."

5. The above was communicated to the Agent.

No. 390.

ORDER THEREON, 16th February 1875, No. 449.

RAILWAY, No. 56.

ORDERED to be recorded.

(True Extract.)

To the Consulting Engineer for Railways.

Colonel, R.E.,
Secretary to Government.

Exd. S. T Austin.

Spare Copies

Railway Department.

CONSULTING ENGINEER'S OFFICE.

No. 63

From

LIEUT.-COLONEL J. H. M. SHAW STEWART, R.E.,

Consulting Engineer for Railways,

To

COLONEL G. W. WALKER, R.E.,

Secretary to Government,

Public Works Department.

Fort Saint George.

SIR,

With reference to the Proceedings of Government No. 82 dated 12th January 1875, requesting a report on the result of the reference made by this Office in regard to the apparently insufficient punishment awarded in cases of cattle trespasses in the Salem district, I have the honour to submit the following particulars.

2. On the 27th November 1874, the Chief Engineer of the Madras Railway directs as follows to the Agent:-

"From the conviction report 1st Division South West line for week ending 21st instant, I find that a man named Dutken was prosecuted for allowing cattle to trespass on the line at 123 miles 2 Telegraph post.

The case was tried on the 16th instant by the Sub Magistrate of Vaniambaady who fined the man 3 rupees.

As the punishment awarded appears to me to guide inadequate to the offence, I shall be glad if you will bring the matter to the notice of Government.

3. On receiving the above I advised the Magistrate of Salem, requesting that he would favour me with any remarks he might wish to make in respect to the comparatively light penalty inflicted by the Sub Magistrate of Vaniambaady.

4. Mr. Dangle's reply was to the effect that the Sub Magistrate of Vaniambaady explained that the accused is the servant of a merchant from whom he receives Rs. 3 as monthly wages, that this is his only means of livelihood, that he is possessed of no property whatever, and that it would be useless to impose a heavier fine, as there was no likelihood of its being recovered.

Mr. Dangle added,

Section 19 and 20 of Act 25 of 1871 do not authorise the award of imprisonment in the first instance for the offences referred to therein.

Under these circumstances, I consider that the Sub Magistrate was justified in inflicting the fine he did which although it may appear light, accounted to one month's pay of the accused's.

5. The above was communicated to the Agent.

I have the honour to be
Sir

Your most obedient servant

Machas
25th January
1875

Munthoot Lieut. Col. R. S.

Consulting Engineer for Railways

[Faint, mostly illegible text in the upper left section of the document.]

Conductors' Reports
Mr. Mansfield
Dec 17-1875

449
Recorded and Communicated to the
Justice of the Peace
1/2

Submitted by
particulars in regard
to the apparent &c
sufficient punishment
awarded in cases
years & hereafter
in the State of

1875
Dec 17
Recd. 28

No. 63.

To
The Secretary to Government,
P. W. Department,
Fort Saint George.

From
The Consulting Engineer
for Railways
No 506

P. M. 1875
Prograder Office
RAILWAY DEPARTMENT

506

Colt. of 1875: 1875

PUBLIC WORKS.

The Coughnoughy

Del'd

Rec'd

Encl.

G. O. 16 Feb. 1875, No 449

Nos. 189.39A

Cattle trespass

Letter from the Comd
Eng. for Pzo. submitted
particulars in regard to
the apparently inefficient
punishment awarded in
cases of Cattle trespass
in the Valley & recorded