M.R.O. 1—50,000—16-10-49.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	/226	Press Mis-
153-54		
Dated	22-9-	1860.

13/14

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 22nd September 1860.

No. 153. Read the following letter from Lieutenant Colonel W. G. WOODS, Adjutant General of the Army, to the Secretary to Government, Military Department, Fort Saint George, dated 4th September 1860, No. 821.

As neither Police authority nor Civil jurisdiction under Regulation VII of 1832, are any longer vested in the Commissariat Officer at Bellary, I have the honor by order of the Commander-in-Chief, and at the suggestion of the Commissary General, to recommend that the provisions of Act* XVIII of 1853 and Act† III of 1859 may be made applicable to the above Station and the Town of Bellary, where Captain Robson Benson was appointed a Joint Magistrate, with the full powers of a Magistrate, under date 21st July 1860, No. 915.

* *For regulating the sale of Spirituous Liquors, &c., in Cantonments.*

† *For conferring Civil jurisdiction in certain cases upon Cantonment Joint Magistrates and for constituting those Officers Registers of Deeds.*

Referred to the Judicial Department.

(Signed) H. MARSHALL, Colonel,
Secretary to Government.

FORT SAINT GEORGE,
5th September 1860.

No. 154. ORDER THEREON, 22nd September 1860, No. 1,226.

In the letter (4th September 1860) referred with the above Order, it is recommended that the provisions of Acts XVIII of 1853 and III of 1859, be made applicable to the Station and Town of Bellary.

2. This application is made on the grounds that neither Police authority nor Civil jurisdiction under Regulation VII, 1832, are any longer vested in the Commissariat Officer in Bellary, now that the new Police under Act XXIV, 1859, have been substituted for the old Cantonment Police. The Honorable the Governor in Council considers that this view of the relation between the new Police and the Military authorities of those Military Bazar Stations into which they have been introduced, is incorrect.

3. Regulation VII of 1832 has not been rescinded, nor in any way affected by the introduction of the new Police.

4. In regard to the discharge of any duty that under Regulation VII, 1832, they can be called upon to perform, the new Police in all Military Bazar Stations where they have been introduced are still under the immediate control of the Commanding Officer and of the Senior Commissariat Officer or other Officer specially appointed by the Government as laid down in Sections III and IV of Regulation VII, 1832.

5. The only change that has taken place is, that the *men* who perform Police duties within such Military Bazar Stations are now furnished from a body, who, as regards discipline and the internal economy of the corps to which they belong, are placed under distinct Officers for that special purpose.

6. But when any portion of the new Police is detached for duty in a Military Bazar Station, the men are, as heretofore, under "the immediate charge" of the Officer vested by the Regulation in question with the powers of that Regulation. Regulation VII, 1832, it is to be remarked, says nothing as to whence the *Police men* are to be procured. As Police duties could not be performed or carried out without Police men, the Government have hitherto placed at the disposal of Commanding Officers, a certain number of men appointed under certain rules. These *rules* have *now* been *set aside*, and the Police men are now provided by the Government under the provisions of the new Police Act.

7. Under the considerations above explained, the Government deem the introduction of Acts XVIII, 1853 and III, 1859, into the Station of Bellary to be uncalled for. The Civil powers exercised by the Officer acting under Regulation VII, 1832, are ample for all Military purposes, and the Local Civil Courts suffice for other cases. The Machinery now in operation for the registry of Deeds is also enough for the wants of the town of Bellary.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. S. T, Augustin.

Notification.

September 1860.

It is hereby publicly
tified that from and
ter the first day of
ovember next Act XVIII,
3- or an Act for regu-
ting the sale of Espiri-
ous liquors &c. in Can
nments will have effect
hin the Cantonment
Bellary and within
e limits around that
ntonment at present
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ection XLIII, Regulation
I, 1832.—

Reg VII of 1832 - Has not
been Rescinded - The
introduction of the
New Police in this case
affects it -
The Police Cately
introduced - To pay
as the discharge of
any duty that under
Reg VII of 1832 - Has not
been called upon to
pay

Judicial Department.

Proceedings of the Madras Government.

Read the following Proceedings of Government in the Military Department.—

(Here enter 5th September 1860)

Order thereon 22d September 1860, No. 1226.

In the letter (4th Sept. 1860) referred with the above Order, it is recommended that the provisions of Acts XVIII of 1853, and III of 1859 be made applicable to the Station and Town of Bellary.

2.— This application is made on the grounds that neither Police authority nor Civil Jurisdiction under Regulation VII, 1832 are any longer vested in the Commissariat officer in Bellary, now that the new Police under Act XXIV, 1859 have been substituted

substituted for the old Gov-
-ernment Police - The Hono-
-rable the Governor in Coun-
-cil considers that this
view of the relation be-
-tween the new Police and
the Military Authorities
of those Military Bazar
Stations into which they
have been introduced, is
incorrect.-

3.- Regulation VII of 1832
has not been rescinded
nor in any way affected
by the introduction of
the New Police.-

4.- In regard to the
discharge of any duty
that under Regulation
VII, 1832, they can be
called upon to perform,
the new police in all
Military Bazar Stations
where they have been
introduced are still
under the immediate
control of the Commanding
Officer and of the Senior
Commissariat

Commissariat officer or
other officer specially ap-
-pointed by the Governme
as laid down in Sections
III and IV of Regulation VII,
1832.-

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in question with the
powers of that Regula
-tion. Regulation VII, 1832

it is to be remarked- says nothing as to whence the Police men are to be procured- As Police duties could not be performed or carried out without Police men, the Govt. have hitherto placed at the disposal of Commanding officers a certain number of men appointed under certain rules- These rules have now been set aside- and the Police men are now provided by the Govt. under the provisions of the new Police Act.—

7.— The Govt. see no objections to declare the provisions of Act XVIII, 1853 applicable to the Cantonment of Bellary- It should also be extended to the limits within which the present Abkarri Regulations under Sec. XLIII of XIII of 1852 apply- The Act this observed has been made applicable to the Mount Cantonment and has been found to work beneficially.—

8. Under the considerations above explained, the Govt. deem the introduction of Act XIV-1853 & Act XIII, 1859 into the Station of Bellary to be uncalled for. The civil powers exercised by the officer acting under Regulation VIII, 1832, are ample for all Military purposes- and the Local Civil Courts suffice for other cases.

The Machinery now in operation for the registry of deeds is also enough for the wants of the town of Bellary.—

This follows the Hon. the Governor's Minute- but I would beg leave to refer to the Order of Govt. (just up) showing why the Act XVIII, 1853 was not extended to the Mount- and that it was in consequence of a misapprehension of authority obtained by a Municipal officer and the Collector of Bellary that Act XX, 1852- was not applied- This of course does not apply to Bellary- but the application that Act XVIII, 1853 be extended to that Station, proceeded on the mistaken idea that Reg: VIII, 1832 no longer applies- but as it does apply, and has hitherto been found sufficient, there appears no reason for

To the Military Department
" Adjutant General
" Collector of Bellary
" Inspector General of Police
" Public Engineer
" Secretary Chartmaster

Disp. 25

Judicial

Department 1860.

No. 1226.

Proceedings of the Madras

Government.

Dated 22d September/60

For reasons stated the Govt. deem the introduction of Act XVIII 1853 and III 1859 into the stations of Bellary to be uncalled for. and observe that the Civil Powers exercised by the Officer acting under Regulation VII 1832 are ample for all Military purposes and the local Civil Courts sufficient for other cases

1853 & 54

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