M.R.O. 1—38,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No.	942	Press ~~Mis.~~
126-177		
Dated	27-7-	19 1860.

4/5

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
27th *July* 1860.

Read Proceedings of Government, in the Judicial Department, dated 18th July 1860, Nos. 899 & 900.

No. 176. Read also the following Proceedings of Government, in the Military Department, dated 20th July 1860, No. 2,648.

Under the opinions expressed by the Advocate General and the Commissioner of Police in the foregoing papers, the Governor in Council does not consider it expedient to sanction the proposed arrangements for instructing the men of Her Majesty's 43rd Regiment in Rifle Practice, by locating 2 Companies of the Corps at Landon's Gardens as submitted in the Quarter Master General's letter No. 210, dated 18th June 1860.

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

To the Judicial Department.

No. 177. ORDER THEREON, 27th July 1860, No. 942.

Communicated to the Commissioner of Police.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following letter from JOHN MILLER, Esq., for J. R. BOYSON, Esq., Government Solicitor, to the Chief Secretary to Government, Fort Saint George, dated 10th July 1860, No. 701.

Dated 3rd July 1860, *No.* 828, *Judicial Department.*

1. I have the honor to acknowledge the Proceedings of Government noted in the margin and its accompaniment.

2. I have submitted same for the consideration of the Advocate General and I now send you a copy of his opinion thereon.

COPY—OPINION.

No objections can possibly be offered a priori, or by way of anticipation, by the Supreme Court, to the proposed measure of establishing a ground for Rifle practice at Landon's Gardens, and the grounds adjacent thereto. If, however, accidents should occur from appointing Rifle practice to take place in the very heart of Madras, and close to that crowded thoroughfare, the Ponamallee Road, it will doubtless be competent to any parties who may suffer injury or risk (ex. gr. by the frightening of their horses, &c.,) to present an Indictment for a Nuisance, in addition to the proceedings which would be taken as a matter of course should loss of life ensue.

(Signed) THOS. SYDNEY SMYTH,
Advocate General.

9th July 1860.

(True Copy.)

(Signed) JOHN MILLER,
for J. R. BOYSON,
Government Solicitor.

ORDER THEREON, 18th July 1860, No. 900.

Communicated to the Military Department, in reference to Proceedings in that Department, 26th ultimo, No. 2,337.

(True Extract.)

/Signed/ T. Pycroft.
Chief Secretary.

To the Military Department, with No. 828, 1860.

Exd. F. Cartledge.

JUDICIAL DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following letter from Colonel J. C. BOULDERSON, Commissioner of Police, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 11th July 1860, No. 72.

1. With reference to the Orders of Government of the 3rd instant, No. 828, Judicial Department, and No. 2,337, Military Department, dated 26th June 1860, in which reference is made to the Commissioner of Police to ascertain whether objection will be taken by that Officer to a proposed arrangement of the Quarter Master General of the Army, to afford the Officer Commanding the European Regiment in Fort Saint George, suitable means to enable him to instruct his men in Rifle practice, within the limits of this Presidency Town ; I have the honor to state that the Ball practice of the Military, has hitherto been allowed to take place in two localities only, namely, on the Sea Beach, and at the Infantry Butts at Vasarpady, and in my opinion, this restriction was a wise and a necessary one, *even* when the old common Infantry musket, the range of which is very short, was the only weapon of the kind in general use. Now, however, that a far superior musket or Rifle has been introduced into the Army, the range of which is very long, I think it highly expedient that the Ball practice of all Arms of the Service, within this densely populated Presidency Town, should be confined to the Sea Beach, across the surf, and I particularly mention from the Sea Beach, because the Ball practice of the 44th Regiment Foot from the Island last year, was attended with danger, and it was also so great a public inconvenience that it would have been brought publicly to the notice of Government, had it lasted much longer than it did.

2. Landon's Garden is situated close to two high roads, and several country roads and by-paths, by which the villagers, and others from an early hour in the morning bring articles for sale into the Markets of this Town ; and therefore considering the great number of persons constantly moving in that neighbourhood and the vicinity of several hamlets, Ball practice there must be attended with danger ; I shall therefore feel it my duty to withhold my sanction, should application be made to me by the Military, or any other classes of the population, for permission to fire Ball within the limits fixed by Government, under the provisions of Article 81* of Act XIII of 1856, and I trust the Honorable the Governor in Council will approve of my so doing.

**Notification, dated 13th published in the Official Gazette of the 17th February 1857, page 271.*

ORDER THEREON, 18th July 1860, No. 899.

Communicated to the Military Department.

(True Extract.)

(Signed) T. Pycroft

Chief Secretary.

To the Military Department.

Exd. F. Cartledge.

Military Department.

No. 2648.

Under the opinions expressed by the Advocate General and the Commissioner of Police in the foregoing papers, the Governor in Council does not consider it expedient to sanction the proposed arrangements for instructing the men of Her Majesty's 43rd Regiment in Rifle Practice by locating 2 Companies of the Corps at Landon's Gardens as submitted in the Quarter Master General's letter No. 210, dated 18th June 1860.

Fort St. George
20th July 1860.

A. Marshall
Secretary to Government

Rec'd 24th July

To
The Judicial Department &c.

to Davis.

With an Order.

Judicial 1860 Dept.
Pro. 25 July.
Pro: Govt in the Milty
Dept No. 2648.

Jud. 20th
Mil. 25th July 1860.

No. 1200.

Copy the order passed in the Milty Dept relative to the proposed measure of establishing a ground for Rifle Practice at Landon's Gardens &c.

1764177.

Pro: 20th July 1860. No. 1074 1654 1106 1107 1108.

Civil

No. 948 — 23rd July 1860 —

Communicated to the Commissioner of Police.

Sd/ [illegible]
Secy to Govt.

The Commissr. of Police. Dispd. 30th