MD. G. 1—20,000—16-10-20.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 213 Press ~~Mis.~~

91-92

Dated 18. 2. 1861. ~~19~~

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Not to be folded or roughly handled

MS

Proceedings of the Madras Government, Judicial Department, 18th February 1861.

No. 91. Read the following letter from W. ROBINSON, Esq., Inspector General of Madras Police, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 14th February 1861, No. 177.

General Department.

I have the honor to state that some slight misapprehensions still exist as to the precise position of the Police within Military Cantonments.

2. The Order of Government noted in the margin laid down the relation, but it has been misunderstood by some Officers. I venture, therefore, to submit to Government, the manner in which the modification in Police administration within Cantonments has been carried out by me and the local Officers, Military and Commissariat, that it may be corrected, if in error. The change is working harmoniously enough notwithstanding the slight misapprehension existing as to the precise relation of the Superintendent of Police and Constabulary to the local Officers.

Dated 22nd September 1860, *No.* 1,226.

3. In each of the Cantonments named in the margin,* the Constabulary has relieved the Commissariat Police, and such Military Guards as can be dispensed with—and is performing all the duties lawfully required of the Police or directed by the Officer Commanding the Cantonment or the Cantonment Magistrate. Under Section X of Act XXIV of 1859, however, all dispositions, &c., required for the proper performance of those duties are arranged and managed *departmentally*. The Force and its Officers being held generally responsible for the efficient and vigorous performance of all those duties, and for giving satisfaction to those who are charged with the authority in those Cantonments. This is as I take it the proper position and responsibility to be assigned to the Force: and I do not conceive that it is the intention of Government that these Officers should take part in the departmental routine and dispositions by which these results are arrived at.

* *Trichinopoly, Bellary, Cannanore.*

4. My instructions to the Police Officers are concisely enumerated in the 9th proposition of the Police Commission which sat in Calcutta last year as follows:

"The Cantonment Police at Military Stations should form no exception to this broad rule.
"Every duty now performed by the separate establishments maintained, should be undertaken
"by the regular Constabulary, strengthened, if necessary, by a Subordinate European Agency.
"The Police Officers should stand in the same relation to the Officer Commanding the station or
"Cantonment Joint Magistrate (here Senior Commissariat Officer)—as the case may be—as to
"the District Officer (here Magistrate) beyond the Cantonment limits."

I hope I have properly interpreted herein the views of Government.

5. I conceive that this executive charge in no way interferes with the powers of the Officer Commanding the station or of the Senior Commissariat Officer under Regulation VII of 1832. The Police is generally at the disposal of the former in the terms of the Preamble of the Act, for the maintenance of peace, &c., and would be at once temporarily strengthened far beyond the Cantonment complement were this threatened. All the legal warrants and processes of the Cantonment Magistrate are duly executed by the Constabulary, while the Police Act itself confers on the Constabulary every power requisite for bringing offenders, smugglers of liquor, and such like, before this Officer, to be dealt with according to the Law. His position as a Magistrate vests him with general supervision over the working of the Constabulary, as constituted and commanded by its own Officers without however permitting of his interfering with detail.

6. As matter in point, I beg to refer to the accompanying correspondence with Major General FitzGerald of Cannanore.

From Major General JAMES FITZGERALD, Commanding Malabar and Canara, to the Adjutant General of the Army, Fort Saint George, dated 25th January 1861, No. 64.

I have the honor to forward correspondence as per margin* which I have deemed it my duty to address to W. Robinson Esq., Inspector General of Constabulary Police on the subject of the means of preventing smuggling and the illicit sale of liquor to the European Troops in the Cantonment of Cannanore; in submitting the same for the information of His Excellency the Commander-in-Chief, I have to request you will inform His Excellency that I deemed it more becoming the important situation held by Mr. Robinson, to address himself direct on the subject, in preference to laying the matter at once before His Excellency which might bear the appearance of a reference against his acts, which is far from my intention, as I have personal experience of Mr. Robinson's anxious desire to carry on his duties efficiently with all due consideration of my wishes, and I have no doubt what I now bring forward will be immediately provided for on his becoming acquainted with the facts of the case, which I believe he was not at the time he issued the orders altering the system hitherto prevailing, which occurred when I was absent on a tour of Inspection at Mangalore.

* 1 Copy of letter—From Major General FitzGerald, to W. Robinson, Esquire, Inspector General of Constabulary Police, dated 25th January 1861, No. 63.
1 " " From the Joint Magistrate, to Major General Commanding Malabar and Canara, dated 12th January 1861, No 9, marked A.
1 " " From Curray Cooty and Co., Abkarry Contractors, to Sub Assistant Commissary General, dated 7th January 1861, marked B.
1 " " From Brigade Major Malabar and Canara, to Cantonment Joint Magistrate and Superintendent of Police, dated 15th January 1861, No. 36, marked C.
1 " " From Joint Magistrate, to Major General Commanding Malabar and Canara, dated 17th January 1861, marked D.
1 " " From Joint Magistrate "List of Tannahs with No. of Constables and Privates considered necessary for day work" dated 17th January 1861. marked E.

2. Trusting that my proceedings in this matter so intimately connected with the moral and physical welfare of the European Troops will meet with His Excellency the Commander-in-Chief's approval.

(True Copy.)
(Signed) JAMES FITZGERALD, Major General.
Commanding Cannanore.

From Major General JAMES FITZGERALD, Commanding Malabar and Canara, to W. ROBINSON, Esq., Inspector General of Constabulary Police, dated Cannanore, 25th January 1861, No. 63.

A.—No. 9, dated 12th January 1861, *from Joint Magistrate to Major General Commanding.*
B.—Letter dated 7th January 1861, *from Abkarry Contractors to Sub Assistant Commissary General.*

In transmitting copies of the various documents noted in the margin, connected with the duties, requiring to be performed by the Police in the Military Cantonment of Cannanore, I have the honor to state that I have little to add to what Captain Ewart, the Cantonment Joint Magistrate and Superintendent of Police, has stated.

2. I may however mention that when the old Cantonment Police were taken over or transferred as it were, into the present Constabulary Police, I did not contemplate or in conversation with you understand that their numbers were to be so reduced as to interfere with the performance of certain duties intimately connected with the health and welfare of the large and increasing body of European Troops stationed here. It is of course unnecessary for me in this place to expatiate on the paramount importance in a moral, humane, and financial point of view of all and every arrangement, that can lead or tend to the prevention of intemperance among our European Soldiers.

3. I would therefore submit that the first and primary duty of a Police in the Cannanore Cantonment is the prevention of smuggling and the illicit sale of liquor and intoxicating drink to the European Troops; hitherto, by the strict carrying out of the Abkarry Contract by the Government Contractor, and the means adopted by the Superintendent of Police under the Orders of the Commanding Officer, by the posting of Tannahs in commanding situations as regards the means of communication, and ingress to the Cantonment, whereby the said parties are each rendered responsible, when from want of vigilance on their part any smuggling or illicit

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18th February 1861.

sale of liquors takes place, it is a notorious fact that the European Troops have declared they could not procure liquor at all, except from the Regimental Canteen; under these very favorable state of things, I would most strongly deprecate any alteration or any experiment whatever in a system which has hitherto worked so well, besides you are well acquainted with the nature of the Country in and surrounding the Cantonment, high mud-walls intersected by an innumerable labyrinth of pathways rendering it almost impossible to prevent smuggling, if once set on foot.

4. The next duty the Police have to perform is as detectives, and the prevention of robberies and petty thefts, which with the patrolling from the different Tannahs established as above, combined with patrolling through the Bazaars and Cantonment will I consider be very efficiently carried out in purely Civil Towns where the keeping of the peace entirely depends on the Police, it is necessary of course they should be more or less massed, such does not however apply to this purely Military Cantonment where the presence of an armed party of Europeans or Natives could be forthcoming in a few minutes.

5. I shall now proceed as briefly as possible to make a few remarks on the correspondence herewith forwarded connected with the above.

A.—No. 9, dated 12th January 1861, *from Joint Magistrate, to Major General Commanding.*
B.—Letter dated 7th January 1861, *from Abkarry Contractors, to Sub Assistant Commissary General.*

I. As regards the annexes marked A and B, the case is exactly as stated by Captain Ewart. From my own previous experience in the Commissariat, I know that formerly the Abkarry Contractor was obliged to keep up at his expense a large body of Peons with Non-Commissioned, for the special protection of his own contract, and the prevention of smuggling and the illicit sale of liquor, as the system was found to work badly, as the establishment was paid by the Contractor, looked to him for promotion, and were generally more or less his own connexions or adherents. Government undertook the provision of the requisite establishment, the Contractors of course paying higher for the contract, so that the Government incurred in reality no additional expense, at the same time, ensuring the Commissariat Officer on the spot, under the orders of the Commanding Officer, the entire and undivided control over the working of the system. Under these circumstances (which you could not of course be acquainted with) there can be no doubt the Contractor would be entitled to a remission of his Contract, if any charges are made affecting his interests or the correct working of the Abkarry system. With reference to this, and the absolute certainty of the introduction of smuggling and the illicit sale of liquor to the Troops if the requisite preventive checks were taken off, I at once, on the matter being brought to my notice, requested Captain Ewart in communication with the Superintendent of Police to have the usual number of men set aside for the duties in question. Vide annex marked C.

C.—No. 31, dated 15th January 1861, *from Brigade Major Malabar and Canara, to Cantonment Joint Magistrate, Superintendent of Police, Cannanore.*

D.—No. 15, dated 17th January 1861, *from Joint Magistrate, to Major General Commanding.*
E.—List of Tannahs with the number of Constables and Privates considered necessary for day work.

II. With reference to the annexes marked D and E, I have nothing to add to the detailed description and nature of the duties required from the Police at the several Tannahs, a list of which accompanies, except to express my concurrence as to their necessity, as also that each should be under a Non-Commissioned Officer to be responsible for the duties of the post.

6. I had the less hesitation in at once issuing instructions as per annex C as you were good enough on more than one occasion to reiterate the remark to me personally "that the Police were entirely under my orders," besides as you must be aware, I am immediately responsible to His Excellency the Commander-in-Chief for the well-being of the Troops under my Command, and as such it is my duty to act at once, not to wait in such a matter until the evil has commenced.

7. I have no doubt you will at once concur with me in the great importance of the subject and I trust that you will have the goodness without loss of time to give such orders as you may deem fit for the establishment of the Police in this Cantonment on an efficient scale particularly as regards a due proportion of Non-Commissioned Officers, and that you will have the goodness to direct (as you will doubtless at once see the necessity) that no alteration be made in the

Police Establishment, as far as connected with the prevention and suppression of smuggling and the illicit sale of liquor without previous communication with the Officer Commanding.

I beg to annex for your information copy of a letter I have addressed to the Adjutant General of the Army transmitting copies of the above letter and accompanying correspondence for submission to His Excellency the Commander-in-Chief.

(True Copy.)

(Signed) W. ROBINSON,
Inspector General of Madras Police.

A.

From Captain ARCH. EWART, Joint Magistrate, to the Major General Commanding Malabar and Canara, Cannanore, dated 12th January 1861, No. 9.

I have the honor to forward for your information a Petition presented to me by the Abkarry Contractor and with reference thereto beg to make the following remarks.

Formerly for the prevention of smuggling the Abkarry Contractor was allowed to keep on his pay a large Establishment of Pygusty Peons, this being deemed objectionable by Government and in the hope of obtaining a larger Revenue, the Contractor was directed to discontinue his Establishment and the Military Police were made to render every assistance in the prevention of smuggling, since that time up to the introduction of the new Police a certain number of Peons* were placed at the disposal of the Abkarry Contractor—these by order of Mr. Robinson, Inspector General Madras Police, have been withdrawn, and the Police in general have been ordered to see that no smuggling goes on within the Cantonment. A General Order of this sort I consider perfectly inadequate and would suggest that the old Establishment be again sanctioned as requested by the Contractor.

* 1 *Duffadar.*
6 *Peons.*

B.

From CARRAY COOTY & Co., Abkarry Contractors, to Captain A. J. P. EWART, Sub-Assistant Commissary General, Cannanore, dated 7th January 1861.

That in consequence of the entire withdrawal of the Pygust Establishment which had been allowed and sanctioned for the protection of Abkarry interest as per Order dated the 4th March 1843, much inconvenience and difficulty are felt for the want of the necessary aid to check and suppress smuggling, &c., within the Abkarry limits and therefore we feel induced to bring this circumstance prominently to your notice, earnestly soliciting that the Pygust Establishment which had been totally withdrawn to our very great detriment, for the Mufassal Police Corps, may be allowed to us, without demur, or grant as a diminution in the present Abkarry Revenue monthly (the amount, pay of the Pygust Establishment kept for the Abkarry purpose and which gave rise to the Abkarry Revenue) in order to enable us to provide with a Establishment at our own expense to meet the exigency, without which, it would be entirely out of our power to carry on the Contract, as we have hitherto satisfactorily done. By so doing, you will not only confer on us a very great favor, but relieve us from the inconvenience and difficulty which we are now contending within a great measure.

C.

From Captain R. H. BOLTON, Brigade Major of Malabar and Canara, to Captain EWART, Cantonment Joint Magistrate and Superintendent of Police, Cannanore, dated 15th January 1861, No. 31.

I have the honor by order of the Major General Commanding the Provinces to acknowledge the receipt of your letter of the 12th instant, No. and subject with enclosure as indicated in the margin, and in reply to intimate as the prevention of smuggling and the illicit sale of spirituous liquors with reference to and under the provisions of Regulation VII of 1832, and Act XVIII of 1853, as regards the health and well-being of the Cantonment, particularly the large body of European Troops in the Garrison of

No. 6.

Forwards a Petition from the Abkarry Contractor relative to the withdrawal of the Pygusty Peons and suggests that the old establishment be again sanctioned as requested by the Contractor.

Cannanore, is a matter of the very highest importance quite irrespective of any claim the Contractor may have for reimbursement, the Major General much regrets that any change whatever should have been made in the disposition of the Police as connected with Abkarry arrangements in the Military Cantonment, without previous communication with him, he requests therefore that pending further orders you will in communication with Lieutenant Blomfield, Superintendent of Police, request that Officer to detail the number of men as before to be relieved periodically at the disposal of the Abkarry Contractor for the prevention of smuggling and immediate apprehension of any persons reported to be engaged in the illicit sale of spirituous or other liquors.

2. You will be good enough at the same time to mention to Lieutenant Blomfield that the Major General will address the Inspector General of Police, and if necessary, His Excellency the Commander-in-Chief on the above.

D.

From Captain ARCH. EWART, Joint Magistrate, to the Major General, Commanding Malabar and Canara, Cannanore, dated 17th January 1861, No. 15.

In continuation of my letter, No. and date as per margin* I have the honor to bring to your notice that having heard that it is proposed by the Inspector General Madras Police to do away with the present Tannahs and concentrate a Police in one station, I would remark that this system might answer in petty villages but I fear will not do for a large Military Cantonment like this, and would suggest that the present Tannahs for the reasons hereafter given be kept up as heretofore.

**No.* 9, *dated* 12*th January* 1861.

No. 1 Tannah is situated at the entrance to Cannanore Town for the protection of that part of the Cantonment and to prevent liquor being smuggled from the shops in the Town and the Cantonment; to examine all carts entering the Cantonment suspected to contain liquor and to look after the Toddy Shop No. 11 situated close by the Artillery Lines.

No. 2 Tannah is situated on the Tellicherry road where 4 roads meet, one into Cannanore Town, one to Calicut, and one to Tellicherry and Cannanore, and the Toddy shop to which the greater part of the Sepoys resort is a little beyond the Tannah and not only Sepoys but Civilians, and the fights and quarrels there are endless and the presence of a body of Police here is absolutely necessary to keep a check on them, besides this the Police on duty at this Tannah have to see that no liquor is brought into Cantonment or taken out without a Pass by any of the above 3 roads.

No 4 Tannah is situated in the Baliapatam road and on the highway to Icode from whence most part of the Toddy is brought into the Cantonment for the use of the Abkarry Farm by the knife holders, and the men in this Tannah are to watch that this liquor is brought in solely for the above purpose. Many of the Sepoys and Soldiers go out by this road to the Toddy shop beyond Military limits.

No. 3 Tannah is situated on the Mangalore road, which road also leads to Icode and Baliapatam and is necessary for the reasons assigned to No. 4 Tannah.

No. 5 Tannah is situated in Barnacherry where all the married Soldiers reside; this part of the Cantonment is the resort of some of the worst characters, and I consider the presence of an European Constable here indispensable. I mentioned the subject to the Inspector General when on his visit here and gave him all the reasons, and he fully agreed in what I said and sanctioned the appointment of an European.

No. 6 Tannah is what is generally called the Choultry is in the Military Bazaar and although there are seldom any disturbances here, still I consider the force should be strong, as there are 6 Toddy Shops to look after and the General Bazaar is the resort in the evenings of hundreds.

Although there is no Tannah in the Abkarry Farm, one Deputy Constable and six Privates have always been placed at the disposal of the Contractor for the reasons given in my former letter.

I enclose a List of the Tannahs and which I think ought to be the minimum strength of the party appointed to each; the principal duty of the Police in a Military Cantonment is I consider the prevention of illicit sale of liquors, the inordinate use of which is so detrimental to the health of the European Soldiers and for this purpose a less number of men than that I have given to each Tannah will not suffice.

P. S.—On the introduction of the new Police, twelve Deputy Constables were entertained—of these five have been sent to Cottayum Talook, leaving seven here for duty—of these 7 one is in the Cannanore Town, two in charge of Convicts, one sick, one executing Civil and Criminal Warrants, one for Office, and leaving one to look after all the Tannahs in the Cantonment; it is needless for me to remark that with so small a number of Non-Commissioned Officers it is ridiculous to suppose that the Privates will do their duty. Formerly in the old Police each Tannah had a Duffadar who was responsible to the Superintendent of Police. I think it absolutely necessary that with the new Police each Tannah should have 1 Deputy Constable at the least.

(True Copies.)

(Signed) JAMES FITZGERALD, Major General,
Commanding Malabar and Canara.

(True Copies.)

(Signed) W. ROBINSON,
Inspector General of Madras Police.

E.

List of Tannahs with the number of Constables and Privates I consider necessary for day work.

No. of Tannahs.	Where situated.	Head Constables.	Deputy Constables.	Privates. Day.	Privates. Night.	Remarks.
1	Cannanore Town road	...	1	4	6	
2	Tellicherry and Bangalore road.....	...	1	4	6	
3	Mangalore road	...	1	4	6	
4	Icote and Balliapatam roads near Dr. Stevens' house	...	1	3	3	
5	Barnacherry	1	1	6	9	European Head Constable.
6	General Military Bazaars and Cutwall's Choultry	1	2	10	16	*
7	Abkarri Farm	...	1	6	6	

* As specified by Captain Ewart, but as far as my own suggestions go I restrict myself entirely, to what I consider necessary for the prevention of smuggling and the illicit sale of liquor to the Troops.

CANNANORE,
17*th January* 1861.

(Signed) ARCH. EWART, Captain,
Joint Magistrate.

(Signed) JAS. FITZGERALD, Major Genl.,
Commanding Cannanore.

From W. ROBINSON, Esq., Inspector General of Madras Police, to Lieutenant Colonel W. G. WOODS, Adjutant General of the Army, dated Ootacamund, 31st January 1861.

In forwarding a copy of a letter addressed to Major General FitzGerald on the subject of his letter to me (with enclosures) already before His Excellency the Commander-in-Chief.

I trust that His Excellency the Commander-in-Chief will believe that every exertion is being made by the Police of all Cantonments to prevent illicit supply of spirits to the Troops.

The best departmental arrangements are being put in force with this view.

Proceedings of the Madras Government, Judicial Department,
18th February 1861.

From W. ROBINSON, Esq., Inspector General of Madras Police, to Major General J. FITZGERALD, Commanding Malabar and Canara, Cannanore, dated Ootacamund, 31st January 1861.

With reference to your letter No. 63 dated 25th January 1861 and its enclosures, I have the honor to state that I have in compliance with your wishes directed Lieutenant Blomfield to place at the disposal of the Abkarry Contractor the same number of Policemen as has hitherto been supplied by the Commissariat Officer.

2. At the same time, I trust that after the 30th of April this arrangement will cease. It is I think a mistake in principle and must lead to irregularity to place Government Police in the above relation to a Department which requires so much watching as the Abkari within Cantonment limits. It will I believe prove unnecessary. The Police not only within Cantonment limits, but that of the town and adjacent country are in correspondence, and every exertion is made to prevent the illicit supply of spirits to the Troops as well within the Cantonment limits or beyond them. The Police will always support the Contractor without being placed at his disposal and Lieutenant Blomfield is fully impressed with the importance of this part of his duty.

3. With reference to your further wishes to maintain the Tannah system in disposing the Force, I do not gather that any increase of either smuggling or crime has occurred; nor should I, knowing Cannanore so well as I do, anticipate any from our working the Police Force, departmentally, on a system which is generally now admitted to be a sound system of Police administration, that of keeping men together in as large bodies as possible under efficient supervision and marching them to their regular duty on a well defined beat instead of distributing them in threes and fours in detached Tannahs. The latter system is expensive in Men and Petty Officers, it is very prejudicial to discipline and difficult to supervise efficiently.

4. In a place like Cannanore however departmental convenience will require that more than one Station House be established, and I had directed that 3 or 4 Station Houses were to be established. I write from memory, my papers not being with me to be arranged. The Station House at Barnacherry is to be under a steady European Constable: I should certainly hope this will suffice. I have however directed Lieutenant Blomfield to wait on you again, explain the proposed disposition and to make such departmental arrangement as will I trust give you confidence.

5. I have to thank you for the exceedingly courteous terms of your correspondence. I forward a copy of the communication to the Adjutant General of the Army.

(True Copies.)

(Signed) W. ROBINSON,
Inspector General of Madras Police.

No. 92. ORDER THEREON, 18th February 1861, No. 213.

His Excellency the Governor in Council considers that in the above letter the Inspector General of Police has correctly described the position which the new Madras Police are to occupy in Military Cantonments. He resolves to communicate this letter through the Military Department to all Officers in Command of Cantonments within the frontier.

2. As stated by Mr. Robinson, the Police and their Superintendents stand in the same relation to Officers Commanding Cantonments and to the Senior Commissariat Officers under them, as they do to the Civil Magistrate beyond the Cantonment limits. The Police force is to be held generally at the disposal of such Officers for the maintenance of order, suppression of smuggling and for other duties properly devolving on Police—but the Officers are not to interfere with the Departmental routine and dispositions of the force.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

15/2 10/2000

Dear Dr. Pyatt

All that is required
is the words "in
immediate charge of
the Police" the use of
this word in the Act
under which you are
all the misunderstanding
and will be quite in
order. The simple
fact is that they are not in
immediate charge of
the Police - but I think the

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Judicial Department.

Proceedings of the Madras Government.

Read the following letter from the Inspector General, Madras Police.

(Here enter 14th Feby. 1861, No. 177.)

Order thereon 18th February 1861, No. 213.

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Department to all Officers in command of Cantonments within the frontier.—

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Force.—

To the Inspector Genl " Madras Police. " Military departt

Desp 19-2-61.
Desp 19-2-61.

Encl

Prov. Sp. Feby.

Judicial
Department 1861.

No. 213.

Proceedings of the Madras

Government.

Jud. 1269/62.

Dated. 18 February 1861.

State that Govt. consider that the Inspector General of Police has correctly described in his letter of the 14 Instant the position which the new Madras Police are to occupy in Military Cantonments and communicate the letter thro' the Military Departt to all Officers in Command of Cantonments within the frontier

914 92

2501] Madras—Printed at the Government Press.