

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. <i>22</i>	Press ~~Mis.~~
<i>1-3</i>	
Dated <i>3.1.1861</i>	<i>10</i>

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
3rd January 1861.*

Read the following papers :—

No. 1. To THE RIGHT HONORABLE THE GOVERNOR IN COUNCIL, FORT SAINT GEORGE,
MOST HUMBLY SHEWETH,

We the undersigned poor Inhabitants of Nedoomparay or Lord Clive Pettah attached to the Perambore most humbly beg leave to inform your Lordship with many thanks, that, in the said Nedoomparay there are Gun Powder Manufactory, Slaughtering House, Sepoys Barracks, a large burying place and one large tank and garden, called Poolayenthopoo in which several Bullock Carts and Passengers are using to stay and depart every day and night nearly in number 200. It is the short way to the Perambore Railway Station and Toddy bazars. There was a Tannah station in the said Nedoomparay called Crampton's from a long period, but the Tannah station was taken away by our misfortune; we are suffering a great deal of trouble by the Sepoys, arrack drinkards and by the wicked passengers passing after 8 P. M. If we require the peons on any particular affairs we are obliged to go about 2 miles distance and in the mean time the offenders are running away.

We therefore hope your Lordship's generous disposition to order a Tannah station keep in the said place as before.

For which act of charity we shall ever as in duty bound

Shall ever Pray.

(Signed) A. CANAGARAYA MOODELLY, and others.

No. 2,302 of 1860.

Referred to the Commissioner of Police for his consideration.

(By Order.)

(Signed) L. FORBES,
Dy. Secy. to Government.

FORT SAINT GEORGE,
13th October 1860.

No. 153.

No. 2.

MEMORANDUM.

The Commissioner of Police in returning Petition No. 2,302 of 1860, from Kanagaroya Mudali and others of Nadumparai attached to Parambore, has the honor to state that the Tannah station alluded to by complainants was one of those unavoidably reduced under the operations of the Orders of Government under dates 19th April 1860, No. 466, paragraph 13; and 30th June 1860, No. 822, paragraph 4.

(Signed) J. C. BOULDERSON,
Commissioner of Police.

POLICE COMMISSIONER'S OFFICE,
21st December 1860,

To the Chief Secretary to Government, Fort Saint George.

No. 3. ORDER THEREON, 3rd January 1861, No. 2.

The Government were not aware that any of the Tannahs ceased to be occupied by the Police in consequence of the orders referred to. The Commissioner will report whether any others have been similarly abandoned, and if so, what provision has been made for the Police duties in the localities affected. A sketch map should be furnished in illustration of any changes that may have been made.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

2.- Mr. Forbes remarks
that

Memorandum.

from H. Forbes, Esq. Member
of the Legislative Council. } [Dated 17th December 1850

W. The accompanying
letter from Mr. Forbes re-
ports that the bill to
amend Act XIII. 1850 was
read a third time and
passed on the 15th Ul-
timo. At the same time
it comments on Colonel
Boulderson's letter of
the 12th November sent
to the Member for Madras
in the Legislative Coun-
cil with the letter from
this Govt. of the 21st.
idem.

2. Mr. Forbes remarks
that

that Colonel Boulderson does not appear to have sufficiently kept in mind that Act III. of 1856 is an Act affecting all the Presidencies Towns, and that it is not a local Act affecting Madras only. Amendments in the Act required at only one Presidency, would not be made by the Council, if their enactment would act injuriously at both the other Presidencies, and the opinions expressed by the Members of the Select Committee on some of the suggestions originally made at Madras, convinced him that it would be wholly useless to attempt to carry them in Council.

3. As an illustration of this view?

Mr.

Mr. Forbes notes (Para. 5) that as Carts in Calcutta are not required to carry two lights, therefore that this need not be exacted from vehicles at Madras. that as (Para. 8) to prohibit the rolling of Casks or barrels across the quays at Calcutta and Bombay would be highly inconvenient, therefore there should be no prohibition to their being rolled along the streets or thoroughfares of Madras.

4. It seems to me that the principle here enunciated — that provisions for the due safety, comfort and convenience of the inhabitants of the Town of Madras are not to be allowed. them, because such provisions are not wanted

wanted and possibly
would be objectionable
at Calcutta or Bombay
will hardly find favor
at this Presidency. That
what is applicable to
one of these places is
not applicable to the
others, may form a
good reason for having
a separate act for each
locality - If however
it be resolved to have
but one Police Regula-
tion for places differ-
ing so much, as to
local peculiarities as
Calcutta, Madras, or
Bombay and the Straits
Settlements, one of
two courses seems
called for - viz. either
to introduce special
clauses to provide for
what is only required
at one or more places
out of the whole - or
as proposed by us in
our letter of 24 June
1859 to empower the
Local

"In Calcutta, where the days
are shorter than at the other
Presidencies, Carts are much
used after it is dark, and the
light required by the Law is
exhibited by the driver, hold-
ing a small torch in his hand.
The opinion expressed by the
Select Committee that it would
be a great hardship to in-
sist on the exhibition of
two lights on all carts pass-
ing through this city after
dark was so strong, that
I did not consider it expe-
dient to bring the question
forward in Council."

Local governments to
frame bye laws for
providing for such
matters of local detail
as do not admit of
being embraced in a
general enactment.

5. - How would the
inhabitants of Dublin
or Edinburgh endure to
be told that they could
not have what they
found necessary for their
safety or comfort in
either of those cities,
because it was not
also required in the
other or in London?

6. - To take Mr. Forbes
illustration about the
two lights - At Madras
Carts - i.e. simple bul-
lock handies - are
not required to carry
a light at all. It
is not necessary. Ve-
hicles intended for
carrying passengers
drawn by horses, or
travelling at a rate
faster

faster than that of a
mere goods bullock
bandy, are alone sub-
jected to the obligation.
But, further — without
stopping to ask whe-
ther it be advisable
that the drivers of
vehicles, Carts or others,
should traverse the
streets, and pass them
may be, thro' lines
of thatched houses
and pandals with
naked lights or torches
in their hands — the
custom, be it good
or bad, safe or unsafe,
does not obtain and
never has obtained
at Madras. Here
we have no lights
but such as are en-
closed in fixed lamps
of some sort, and it
certainly does not
seem unreasonable
that we should re-
quire two lights, one
on each side of the
vehicle

Vehicle, instead of one
light which may be
on the off or near
side at pleasure, and
which is quite as
likely to mislead as
not. Let the Calcutta
folks have their single
naked lights borne in
the hand if they are
satisfied with them.
Let us at Madras
have our fixed lights
carried in the way
that we find safest
and best.

7. — As with the roll-
ing of Casks, it never
was meant to inter-
fere with the trade
of the place by pro-
hibiting Casks being
rolled across the beach
to the Custom House
or Merchants godowns
but to prevent their
being rolled down the
street on the crown
of the causeway. The
distinction is one
which

which might have been taken without much difficulty. —

8. — Again as to native music, provision might it would seem be made for preventing such a nuisance as that which took place in the Begum's house near the Club and has lately been repeated, without involving the consequences indicated by Mr. Forbes in para. 6 of his letter. ~~That~~ ~~as~~ in other matters something much be trusted to the discretion and common sense of the Police officers and Magistrates. It is not easy to devise any restrictive Regulation which may not be abused, if those who administer it are to look not to the spirit — but

Here as

See letter from Senior Magistrate, Bombay, 3rd Oct. 1859, P. 68. his draft Act Sec. XIX in letter from Bombay Govt. 15th October 1859. — Also letter from Bombay Govt. 13 May 1860. Page 8.

but the letter. Thus the would be no fear of a gentleman being p^{ro}-voked for having a concert in his house ~~but~~ of a Cooly (Para: being fined Rupees 50 for sitting down for a few minutes on his toes in the street. It may be observed that the nuisance of native music ^{is as} much complained of in Bombay as here and the same means proposed for abating it. I imagine too, that if a native established himself in Chowringhee, and tom tommed for 90 days and nights continuously, the thing would not be taken very quickly. The restriction might have been confined to native music, drums, tom tom, horns &c. played within such limits as

not

as might be indicated
by the Local Govern-
ment which of
course would be those
parts of the town
which are inhabited
by Europeans. There
would have been no
hardship in this,
in Madras at least.
If Natives think
proper to settle in
the European quarters
of the town, they
must deport them-
selves in such a
manner as not to
annoy Europeans re-
sident there. —

8. — I have made
Lajie with the remarks the above remarks
made in his name as they occurred to
me. But as the bill is know that the mat-
ter need go any fur-
ther. The bill has
passed and cannot
now be altered. — and
I have no doubt that
Mr. Forbes has got
for

for us as much as
he could. — and that
if he had tried for
the further provisions
above noted, he
would not have suc-
ceeded in carrying
them. —

JF.

Recd Petition (H. E. 2^d Aug 1860)
From Com. of Police - " 21st Dec. 1860 No 153)
Order thereon. 3 January 1861 No. 2.

W. M.

Re
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To the Commr of Police. Supd 8th

1863 Jan 1/18
Subd 1/18