

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1445	Press
		~~Miss~~
28-29		
Dated	4.9.1962	19

Not to be folded or roughly handled

4/6

From: The Commissioner of Archives and Historical Research,
Tamil Nadu Archives,
Egmore, Madras-600008.

To: The Assistant Secretary to Government,
Fort St. George, Madras-600009.

Archives 5-5,006-12-10-76. (G.P. Ms-I.)

No. dated 197 .

Sir,

Sub: RECORDS—Reminder for G. Os. of the.....
..... Department not returned to Tamil Nadu Archives.

The G. Os. specified in the annexure to this letter were furnished to the.....
.....
Department on requisition during the period from.....
.....
.....to.....They have
not yet been returned. They may kindly be returned to this office forthwith. If any of them are still
required by the Department for reference the fact may be noted against the number concerned in column
(6) of the annexure. If the G.O. has been transferred to any other file due intimation may be sent in the
prescribed form. The annexure to this letter may be returned within a fortnight.

Commissioner.

*Proceedings of the Madras Government, Judicial Department,
4th September 1862.*

No. 28. Read the following Proceedings of Government in the Military Department, dated 28th August 1862, No. 2,956.

Communicating Memo. from the Adjutant General of the Army, submitting explanations from the Brigadier Commanding Malabar and Canara and Major Ewart, Superintendent of Police, &c., Cannanore, regarding the alleged want of co-operation of the Military authorities with the Police at Cannanore.

(Vide Proceedings Military Department, dated 28th August 1862, Nos. 475 and 476.)

No. 29. ORDER THEREON, 4th September 1862, No. 1,445.

Communicated to the Inspector General of Police, in reference to Proceedings, 19th July last, No. 1,144.

(Signed) T. PYCROFT,
Chief Secretary.

O'Connor.

MILITARY DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following papers :—

Memorandum from the Adjutant General of the Army, Ootacamund, 19th August 1862, No. 114.

The Commander-in-Chief has the honor to submit to Government, the within explanation from the Brigadier Commanding Malabar and Canara, and Major Ewart, Superintendent of Police and Joint Magistrate Cannanore, regarding the alleged want of co-operation of the Military Authorities with the Police at Cannanore, as called for in Proceedings of Government, No. 2564, dated 23rd July 1862.

From the Brigadier Commanding Malabar and Canara, Cannanore, 7th August 1862, No. 223 ; to the Adjutant General of the Army.

In compliance with communication to His Excellency the Commander-in-Chief, from Government, No. 2564, dated 23rd July 1862, appended to Order of Government, No. 1144, dated 19th July 1862, in its Proceedings on letter from Inspector General of Police, to Chief Secretary to Government, dated 28th April 1862, No. 1366, I have the honor, in annexing an explanation from Major Ewart, on the subject of his having rejected "Charge Sheets," to state, that I find

little on record before the 28th April 1862, (which was a few weeks after my assuming Command here,) besides* a reference from Major General FitzGerald, then Commanding here,

to the Inspector General of Police, dated 7th July 1860, No. 503, representing some respects wherein the necessities of a Military Cantonment, which the old Police are therein stated to have met more effectually under Regulation VII of 1832, were not provided for by Act XXIV of 1859, and a letter, in consequence of that representation, from the Superintendent of Police, North Malabar, to the Brigade Major Malabar and Canara, No. 150, dated 3rd September 1860, copy herewith—in tenor responding to the predication of that reference from General FitzGerald, viz., with special instructions for the local Constabulary's more direct action under his immediate control.

2. When I took Command, the same unsatisfactory action of the Constabulary was represented to me, as regarded the provisions of Regulation VII of 1832: which is also not only "the Law," equally with Act XXIV of 1859; but is specially provided for "Military Cantonments," and with a "Superintendent of Police" to work it, distinct in that capacity from "Joint Magistrate;" as which latter only could he give any orders to the Constabulary, and who, in the former capacity, had thus no personnel to act through. I, after a little time, sent for the Inspector, with the Superintendent of Police, and read and explained to him and his Constables the above instructions from the Inspector General, and I and the Staff felt satisfied that the Constabulary's action generally, on the terms of those instructions, would enable us, as was our most anxious wish, to give this "Military Cantonment" the same benefit of the new as it had derived from the abolished Force. But the Superintendent of Police North Malabar, took exception to this construction of the Inspector General's said orders, and argued that they had been superseded

by later ones of different tenor. I pointed out, from the very Government Records† to which he appealed, that this was not so, in effect, even if intended; and correspondence official

and in private form ensued with the Inspector General; in the course of which that gentleman, to my urgings of the necessity for modifications or adaptations of the local action of the Constabulary, such as to make it possible for the Military Authorities to maintain the same benefits, to such a social aggregation as that of a Military Cantonment, as had accrued from the Cantonment Police, gave such explanations, and has finally given such orders, as have satisfied both myself and the Superintendent of Police, Cannanore, that we now can efficiently meet the Police requirements of this Station (with the frequently present personal administration of the local Superintendent, and with other instructions he now has from Mr. Robinson) and I was on the point of both officially and privately thanking the Inspector General for his last communications in both forms, dated 14th ultimo—still more fully establishing this better action when I came under the call I am now answering.

3. The 28th April last, (date of the Inspector General's letter to Government, whereon that call upon me is based) being a date antecedent whereto nothing had passed between me and his Department, of the nature in question—and that functionary having incidentally mentioned that he had not thought it necessary to communicate with Government on my correspond-

* *Clause 2, paragraph 4, Inspector General's letter to Chief Secretary, February 14th, 1861, No. 177.*

† *from the very Government Records to which he appealed, that this was not so, in effect, even if intended; and correspondence official*

ence with him, I have only on this occasion stated what *has* passed since my own taking Command here, from motives of candour; and with the object of affording Government full information of the footing whereon the public point in question now stands at Cannanore, which is one rather indicating mutual co-operation as having conduced to it, than the contrary.

From the Superintendent of Police and Joint Magistrate, Cannanore, 6th August 1862, No. 163 to the Brigadier Commanding Malabar and Canara, Cannanore.

With reference to the Proceedings of the Madras Government and Order thereon, dated 19th July 1862, No. 1144, regarding Police Charge Sheets, I have the honor to offer the following explanation.

2. Some time after the introduction of the new Police, cases were brought before me for adjudication by "Charge Sheets," and I invariably received them. At first they were in English, but afterwards in Malayalam or any language known to the person making the charge. An order was then issued by the Superintendent of Police to his subordinates that these Charge Sheets were to be prepared in duplicate, and as the Superintendent of Police, Captain Blomfield informed me that they were to be filled up in my own hand-writing, (as can be perceived on reference to the Charge Sheets) this also I complied with.

3. As Officer in charge of Military Bazaars at Cannanore, I was in the habit when taking my morning walks, to direct people to be brought up to the Office for committing nuisances, in order that they might be punished. For these people also, Charge Sheets were laid before me by the Police, and I objected to it in the letter dated 17th June 1862, which has already been laid before Government; as the filling up of these Charge Sheets materially increases my work, but as Captain Blomfield some days subsequently in a verbal communication with me informed me that it was only by Charge Sheets that the District Superintendent was enabled to observe the working of the Force, I immediately acceded to his wish and requested that all complaints laid before me by the Police might be done by Charge Sheets, and this has been acted up to ever since.

4. As no mention is made in the Police Act or Criminal Procedure Code of its being necessary that Charge Sheets should be filled up by Judicial Authorities, I was of opinion that they might have been easily filled up by the Inspector of Police, who is always present at the investigation of cases, but on ascertaining from Captain Blomfield that it was Mr. Robinson's wish that they should be filled up in the Office, I at once complied with the request as above stated.

5. On referring to my letter dated 17th June 1862, above referred to, it will be perceived that I never refused to receive Charge Sheets, but merely objected to their being furnished in certain cases.

6. I beg to add that all complaints are now brought to me by the Police by Charge Sheets, and have been so for some time.

From the Superintendent of Police Malabar, Calicut, 3rd September 1860, No. 150; to the Brigade Major Malabar and Canara, Cannanore.

With reference to the questions contained in the Brigadier's letter, No. 503, dated 7th July last, to the address of the Inspector General Madras Police, I have the honor to state, that I have received general instructions from that Officer, to place the Police under the orders of the Brigadier, and to give full effect to his wishes in all matters connected with the efficient carrying out of the Cantonment Regulations as at present in force.

I have the honor therefore to request, that the Brigadier will kindly intimate his wishes either to myself or to the Inspector in charge of the Station, who will be held responsible that they are promptly and efficiently carried out.

ORDER, No. 2956, 28th August 1862.

Communicated to the Judicial Department, with reference to the Order in that Department, No. 1144, dated 19th July 1862.

(True Extract.)

M. Sullivan Esq.
Deputy Secretary to Government.

To the Judicial Department. *With 10 spare Copies*
,, Adjutant General.

Exd. T. Stubbs.

Dec. 19th July 1862 A. 67 v. 108

Indicail 1882 Sept

Wm. A. R. R.

Adm: of Govt in the
Military 8-29-56.

Aug 20 } Aug 20

10th: June,

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Some Success: From the
District Court of the Virgin
ia, in May, & explanation,
from the Virginia Com-
mittee, that the same is the
same, and of which we can
have no report, the alleged
fact of co-operation of
the Society with the
the Society at Annandale.

28529

With an Order.

The Inspector Genl.
of Police. } Books 4, 5

Ms. A. 9. 2. 144. 5 - 4. Feb. 1862

Communicated to the
Inspector Genl. of Police,
in reference to Green:
19. July last E.N. $\bar{\circ}$ 1144.