M.R. O. 1—32,650—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1410	Press Mis.
325-325	
Dated 30. 9.	~~19~~ 1881.

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
30th September 1865.

Read the following papers:—

No. 323. Proceedings of Government in the Military Department.

Communicating certain correspondence relating to the precautionary measures, recommended by the Inspector General of Ordnance and Magazines, for the safety of the Magazines near the Mint, containing Merchants' powder. } (Dated 14th September 1865, No. 3425).

No. 324. From Lieutenant Colonel C. V. WILKIESON, R. E., Acting Mint Master, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated 21st September 1865, No. 176.

With reference to the Order of Government, No. 3425, of the 14th September 1865, Military Department, I have the honor to state that the ingredients used for manufacturing Acid are burned in a dome-shaped furnace, and no sparks are emitted from it. The iron tube used as a Chimney for a fire-place for boiling water, not being wanted, will at once be removed.

No. 325. ORDER THEREON, 30th September 1865, No. 1410.

Communicated to the Military Department, for information.

(True Extract).

Acting Secretary to Government.

To the Military Department.

Exd. J. H. Burns.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following letters:—

From the Commissioner of Police, Madras, 7th July 1865, No. 71; to the Chief Secretary to Government, Fort Saint George.

On the afternoon of Friday the 30th ultimo, Police Peon Shaik Hussain, No. 445, was returning from his house in Washerman's Pettah to his Station at the Elephant gate by the new road which runs close to, and parallel with, the line of the old western wall of the town. On one side of this road, and at a short distance to the north of the Trevelyan water works, there is a Magazine, and on the other, a small building for the accommodation of the Native guard detailed for the protection thereof.

2. The Peon abovementioned had passed the guard-room some little distance, where he was stopped and taken back, upon a charge of having smoked a cheroot on the public road while passing the Magazine. He begged the Naigue of the guard to take down his name and number, and then to allow him to go to his Station where he was required for duty, but the Naigue refused and detained him in custody until 7 o'clock P. M., when he sent him to the Native Officer in charge of the guard at the Mint for orders. The Native Officer however declined to interfere and directed that a report of the circumstance should be made to the Officer of the Main Guard in the Fort. The Peon was then taken back to the Magazine Guard where the Naigue ordered a Sepoy to take him to the Main Guard and report the arrest. The Peon and Sepoy set out accordingly, but had not gone above half way, when they were overtaken by another Sepoy from the Magazine Guard who ordered the release of the Peon, upon his giving his name and number. It was past 8 o'clock P. M., by this time.

P. Sawmy Row, 2nd Regiment Native Infantry, General Number 2143.

Jemadar Appadoo, 41st Regiment Native Infantry, No. 811.

3. On enquiry, I ascertained that a report of the arrest was made to the Native Officer at the Mint shortly after 4 o'clock, and that he had then directed the messenger to report the matter to the Officer of the Main Guard, which however he did not do.

4. If the Peon was to blame, it would have been sufficient to take his name and number, and investigation would have followed any complaint which the Military Authorities might have considered it requisite to make; but I submit that the arbitrary arrest and detention of the Police Officer were unnecessary and uncalled for, besides being inconvenient to this Department, and I have therefore the honor to request that such orders may be issued upon the subject, as will prevent a recurrence of such a circumstance.

5. I herewith forward a rough Sketch showing the relative positions of the Magazine, the public road, and the Guard-room, which is sufficiently accurate for the present purpose. It will be observed that the Sentry is posted close in front of the Guard-room, and at a distance of some 97 feet from the Magazine, the road lying between him and it. The Magazine is not surrounded by any wall, fence, or palisade; moreover, being on an open piece of ground, it might be approached from the rear without the knowledge of the Sentry, and as I am informed that it contains a large quantity of Gun Powder, the property of Merchants and Shop-keepers, it appears desirable that some further precautions be taken to guard against accident, in event of its being intended to continue the use of the building as a Magazine.

6. It is only since the demolition of the town wall that the northern part of the road in question, *viz.*, that lying between the north-western corner of the town, and the Magazine, has been made, and the traffic upon it is as yet inconsiderable, because it is divided from the southern portion by the channel connecting the canal, with the tank to the west of the Trevelyan Basin, but as an unbroken communication between the General Hospital Bridge and Washerman's Pettah will be a great improvement and convenience, the Municipal Commissioners will, in all probability, endeavour to have the channel bridged as soon as their funds will permit, and the position of the Magazine will then become more objectionable than it is at present.

Referred to the Military Department.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

25th July 1865.

Referred for remark to His Excellency the Commander-in-Chief, with respect to the detention of the Police Peon, and to the Inspector General of Ordnance and Magazines, as to the questions affecting the Magazine.

26th July 1865.

From the Inspector General of Ordnance and Magazines, Fort Saint George, 16th August 1865, No. 92; to the Secretary to Government, Military Department.

In returning, herewith, the papers received under Order of Government, dated 26th July 1865, I have the honor to submit, for the information of Government, that the statement in the letter under reply, that the Magazine in question which contains Merchants' Powder, in deposit only, is unprotected by any wall, fence or palisade, is erroneous, as it is surrounded by a masonry wall nine (9) feet high, but at the same time there is no doubt that the demolition of the town wall, and the opening out of a public thoroughfare have rendered the Magazine less secure than it was originally.

From Commissioner of Police, No. 71 of 7th July 1865, to Chief Secretary to Government, "the Magazine is not surrounded by any wall, fence or palisade."

2. The chief risk at present in my opinion is, that arising from a building connected with the Mint, an acid manufactory, with a furnace Chimney placed at about fifty paces from the Magazine, the traffic on the Roadway has, as stated, also increased, but not yet to any extent to cause danger.

3. On the completion of the sanctioned Reserve Magazine at Saint Thomas' Mount, the Merchants' Powder may be removed from the present building to the Presidency Reserve Magazine at Vysurpaudy. In the mean time, I beg to recommend, for the consideration of Government, some precautionary measures for the better protection of the Magazine in question.

1st. That the Mint Master be instructed to place a screen, or "spark catcher," over the top of the acid Manufactory furnace Chimney, as used over the furnace Chimneys in the Gun Powder Manufactory.

2nd. That the wall round the Magazine be raised three feet (total 12 feet) and the top covered with broken glass.

4. That the Guard be sufficiently strong to post two Sentries over the Magazine from sun-set to sun-rise.

5. I have instructed the Ordnance Officer in charge of the Grand Arsenal, to adopt measures for the daily inspection of the Magazine.

From the Adjutant General, Head Quarters, Ootacamund, 30th August 1865, No. 307; to the Secretary to Government, Military Department, Fort St. George.

With reference to letter, No. 71 of 7th July, from the Commissioner of Police, sent for remark to the Commander-in-Chief, under date 26th idem, I have the honor, by order, to forward letter No. 532 of 18th instant, from the Major General Commanding the Centre Division, and to state that the Commander-in-Chief is of opinion that the Sentry and the Naigue of the Guard only did their duty in making a prisoner of the Police Peon, when he continued to disregard the order, which it was their duty to enforce.

2. His Excellency considers that the present case is one, which the Commissioner of Police might have referred to the Major General Commanding the Division on the spot, who could, in all probability, have settled it to his satisfaction, and it would have prevented this correspondence with Government and the Commander-in-Chief.

From the Officer Commanding Centre Division, Fort Saint George, 18th August 1865, No. 532; to the Adjutant General, Head Quarters Ootacamund.

I have the honor to return the documents received with your memorandum, No. 276, dated 5th instant, and to report that on the evening of the 30th June last, about 4 or 5 o'clock, a Police Peon was passing the Magazine on the new road which runs parallel with the old wall on the west of Black town smoking a cheroot; as the Sentry's order was not to allow any one to smoke when passing the Magazine, the Peon was told by the Sentry not to smoke, he took no notice of the order which he heard distinctly, but continued to walk on smoking. The Sentry then called out to the Naigue of the Guard, who called to the Peon to return to him, and as he did not return he sent two Privates to bring him, this they did after some reluctance on the part of the Peon.

The Naigue who was on Guard is now absent on furlough, but all the men who were on the Guard, state that they did not hear the Peon ask to have his name and number taken down. The Peon was taken to the Non-Commissioned Officer Commanding the Mint Guard, who ordered him to be taken to the Main Guard, this was however not done, as sometime afterwards he was given over to a Duffadar of Police who came for him.

No report of the circumstance was made to me or to the Brigade Major, and I think it is to be regretted that the Commissioner of Police did not at once bring it to my notice. I have issued orders, which I trust will prevent any similar occurrence taking place in future.

ORDER, No. 3425, 14th September 1865.

Ordered that the foregoing letters from the Inspector General of Ordnance and Magazines and the Adjutant General, be communicated to the Judicial Department, where the precautionary measures recommended by Colonel Simpson will be considered.

2. The Major General Commanding the Centre Division, having reported that he has issued orders which will prevent a recurrence of the proceeding complained of by the Commissioner of Police, no further orders appear to be called for in the Military Department.

(True Extract.)

Secretary to Government.

To the Judicial Department.
" Inspector General of Ordnance.
" Adjutant General.

Exd. J. E. Cashart.

Referred to the Mint Master for report
(Signed) C. P. Walker
Undersecy to Govt
Fort St George
20 Septr 1865.

Read Pay: Mil: Dept.— 14 Sept 65 — No 3425
" Letter from the Paid
Master — 21 — do — 176 —

30 " September 1865 — No 1410.

Comm.d to the Mil.y Dept for
information

In the Mil.y Dept despatches