

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	1369	Press
		MIS.
22.23		
Dated	2 - 8 -	1864.

Not to be folded or roughly handled

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26.11.35

*Proceedings of the Madras Government, Revenue Department,
2nd August 1864.*

No. 22. Read the following Proceedings of the Board of Revenue, dated 16th June 1864
No. 3,674.

Read again letter from the Acting Collector of Madras, dated 31st March 1864, No. 138,
recorded in the Board's Proceedings, under date 12th April 1864, No. 2,219.

Read again letter from the same Officer, dated 23rd April 1864, No. 178, recorded in the Board's
Proceedings, under date 18th May 1864, No. 3,059.

Read also the following letter from G. BANBURY, Esq., Acting Collector of Madras, to W.
HUDLESTON, Esq., Secretary to the Board of Revenue, dated Saidapet, 21st May
1864, No. 227 :—

SIR,

1. In reply to the Board's Proceedings dated the 18th instant, I have the honor to state
that the license issued to the Madras Abkarry Renter is not precisely in accordance with the
standard form circulated by the Board with their Standing Circular of the 17th May 1861,
No. 2,536.

2. I find that in the margin the stations Saint Thomas' Mount and Pallaveram are alone
entered opposite to the words in the license "excepting the limits of Military Bazaar stations."
This would lead to the inference that Poonamallee was not deemed to come under this denomi-
nation.

3. The Board's form of license contains only fourteen clauses; that issued by Mr. Cunliffe
to the Renter contains an additional clause which, it appears, Mr. Cunliffe thought proper to insert.
This additional provision is to the effect that the Renter shall, within three months from the date
of his license, exchange Puttahs and Muchilikas with his several sub-Renters, and report to the
Collector that he has done so; in default of which the Renter, it is stipulated, is to be amenable to
any penalty the Collector may prescribe.

4. Poonamallee is included in the Government Order dated 12th June 1832, as I have
already mentioned. It appears to me, however, very probable that as the Joint Magistrate was
abolished from this Cantonment, Mr. Cunliffe deemed it no longer to be treated as a "Military
Bazaar Station." He therefore incorporated it amongst other towns under our Sub-Magistrates,
and only retained the distinction with regard to the Mount and Pallaveram, where Military Joint
Magistrates still exercise authority.

1. Resolved that the above recorded papers be submitted for the consideration and orders
of His Excellency the Governor in Council, with reference to the Orders of Government under
date the 1st and 21st March 1864, Nos. 368 and 481.

2. The former of the two Orders just referred to forwarded to the Board, for early report, a
Memorandum from His Excellency the Commander-in-Chief, forwarding to Government a letter
from the General Commanding the Centre Division, relative to the prevalence of drunkenness
among the European soldiery and Pensioners quartered at Poonamallee, and pointing to the
number of shops within the Military Cantonment, or in close proximity thereto. In the above
mentioned Memorandum His Excellency the Commander-in-Chief observes that the shops in
question have been established under the sanction of the Civil authorities without communica-
tion with the Commanding Officer, and requests that Arrack shop No. 2 may be discontinued if
no legal objection exists.

3. The latter Order, in continuation of the former one, forwarded a second Memorandum
from His Excellency the Commander-in-Chief, in continuation of his previous one, laying before
Government a letter from the Officer Commanding the Cantonment in Saint Thomas' Mount, rela-
tive to the baneful effects of the system there in force for regulating the sale of liquor, and
expressing His Excellency's opinion that no Arrack shops ought to be permitted within a circle
of three miles round every Cantonment. His Excellency further remarked that a Law, enacting
that no liquor should be removed from any Arrack Shop without a pass, was desirable.

4. As the Government are aware the Abkarry of the so-called Madras Town limits is retained under Government management, while the Abkarry of the Madras District proper is let to a Contractor for at term of years. The Cantonment of St. Thomas' Mount is within the Town limits, while that of Poonamallee is just beyond those limits, and is therefore included in the farm of the Madras District.

5. The Board at first were under the impression that there would be very little difficulty in complying with His Excellency the Commander-in-Chief's wishes regarding Poonamallee, as their standard form of license under which all Abkarry farms ought to be let, expressly reserves from the farm all Military Cantonments; but it appears from the third letter above recorded that the license now held by the Abkarry Renter of the Madras District makes no reservation as regards Poonamallee, and that under his license the Renter has authority to sell Arrack at the established shops, during the remaining three years of his lease.

6. The Board are constrained to acknowledge that the complaint made by the Military authorities to the effect that they were not consulted previous to the establishment of these shops, is well founded. The proceedings of the District authorities have been, as noticed by the Board, anything but judicious, for it seems that Arrack shops Nos. 2 and 3 were first opened so recently as in 1861, the Collector having allowed these shops to be established by the former Renter as a sort of compensation for shops closed elsewhere. The Collector permitted this arrangement without consulting the Officer Commanding Poonamallee, and the same shops were included in the present farm.

7. As the Renter is entitled under his license to retain the two shops in question, the Board are of opinion that if the Military authorities think it absolutely necessary that one or both of the shops must be discontinued, the only course open is to enter into negotiations with the Renter on the subject of compensation. It will be observed that the Renter now estimates his profits from both shops at Rupees 8,000 per annum. If the shops should be discontinued from the commencement of the coming Fusly, the total amount claimed would be Rupees 24,000 for the remaining three years of the rent, but possibly the Renter would be induced to accept a smaller sum for both, or he might perhaps consent to give up No. 2 shop for the remainder of his lease for a payment of Rupees 10,000. Meantime the Board have ordered that shop No. 25, within the limits of the Madras Town Abkarry, should immediately be removed to its old position, which is about a mile and a quarter more distant from the Cantonment than its present situation. The Collector is able to carry this order out at once, as it appears that the owner of the shop is not, under his license, entitled to sell at any place other than that to which his shop will now be removed, though the Collector's permission was given to the former change in its locality.

8. The second letter recorded at the head of these Proceedings has reference to the Abkarry of St. Thomas' Mount. It will be observed that in this case the subject was very fully discussed in the Orders of Government noted in the margin, wherein it was definitively laid down that the fiscal arrangements should be entirely under the control of the Collector of the District under the provisions of Act XIX of 1852, the control of the Military authorities being restricted to such powers as could be exercised by them under Act XVIII of 1853, the provisions of which enactment were extended to Saint Thomas' Mount. The Collector was, however, directed to issue only as many licenses as might be approved by the Officer Commanding and these instructions have, it would appear, been carefully attended to by the District Officers up to the present date, as but one Arrack shop and one Toddy shop are now licensed within Cantonment limits. These licenses are, it is presumed, granted annually by the Collector, and may therefore be discontinued, if desired, from the 1st of July next.

Ex. Mins. Cons. 19th April 1858, No. 493.
Do. 27th July " " 1,043.
Do. 26th Jan. " " 107.

9. As observed by Mr. Banbury, a legislative enactment would be necessary in order to enforce compliance with the wishes of His Excellency the Commander-in-Chief that all liquor sold at Arrack shops should be drunk on the premises, as in both of the Abkarry Acts* under which this branch of revenue is at present administered, the retail sale of one seer, or a quart bottle and a half, for consumption without the premises is allowed. If, however, Government concur in the views expressed by His Excellency the Commander-in-Chief, the necessary amendments might be made in the Draft Abkarry Bill now before the Legislative Council. The Board are of opinion that an absolute prohibition on the sale of liquor for consumption without the premises would bear hardly on the labouring population, but that only a certain number of shops might be permitted to make such sales.

10. Under Act XVIII of 1853, large powers are given to the Police for the prevention of sales to European Soldiers or to European or Eurasian camp followers in Cantonments. The Board consider that if this Act were extended to Poonamallee, and if the Police authorities freely availed themselves of the powers which they possess under it in that Cantonment, and in that of Saint Thomas' Mount, a considerable check might be given to the spread of drunkenness among the European Soldiery at these stations, and that the state of things which their Officers now deplore might be remedied.

11. The Board will not offer any further remarks or suggestions as to the proper management of the Abkarry within Military Cantonments, as they presume that the subject will be very fully discussed by the Army Sanitary Commission, and that under the powers given in the Military Cantonment Act, such rules having the force of Law will be promulgated, as, after due consideration, may be deemed requisite.

No. 23. ORDER THEREON, 2nd August 1861, No. 1,369.

Separate Revenue, No. 63.
Abkarry.

1. In these papers two questions are submitted for the decision of Government.

- I. The excessive number of Arrack and Toddy shops at Poonamallee.
- II. The expediency of restricting the sale and possession of liquor in Military Cantonments generally and St. Thomas' Mount particularly.

2. As regards the first it appears that there are now two Arrack shops (Nos. 1 and 2 on the plan) within the Cantonment, and three others (Nos. 3, 4 and 25) respectively 1,000 yards, 1½ mile and 300 yards beyond it. There has always been a shop on the site occupied by No. 1. The Acting Collector states that there was a Toddy shop formerly where No. 2 now stands, and that permission to open an Arrack shop there was given by the late Collector in 1861, though the shop was not actually opened until 1863. Shop No. 4 occupies the position it always did, while No. 3 was opened in 1861, and No. 25 moved nearer to the Cantonment by 2,000 yards. In none of these changes were the Military authorities consulted, though this has been repeatedly enjoined by Government.

3. The Commandant urges that the second shop in the Cantonment (No. 2) should be closed, and certainly a single shop seems quite sufficient for so small a place. Captain Stoddard further urges that the shops outside the Cantonment be removed to a distance of not less than two miles from the Cantonment boundaries. One of these shops, No. 25, has since been removed to its original position, one and a half mile from the Cantonment. Another, No. 4, occupies the position it always has occupied about the same distance from Poonamallee. In regard to these no change seems necessary during the currency of the present leases. When the term expires, the expediency of closing the shops or removing them to a greater distance can be considered with reference to the wants of the villagers, as well as of the Military. The Renter claims Rupees 24,000 as compensation for closing shops Nos. 2 and 3, and the Board think he may be

4 *Proceedings of the Madras Government, Revenue Department,*
2nd August 1864.

induced to take Rupees 10,000 for closing the former alone, his lease having three years to run. The Renter has the privilege of opening a shop at the 14th mile stone, about 800 yards beyond the site of No. 3; he has not yet opened a shop there, but if No. 3 is closed, he probably will do so. The distance between these two places being only 800 yards. The Government do not think that much would be gained by closing No. 3; the Board will take steps to close No. 2 on the terms proposed by them.

4. In the number and position of the Toddy shops there has been no change, and no stress is laid on them.

5. On the general question of restricting the sale of liquor, Captain Stoddard states that the proprietor of shop No. 25, being within the limits of the "Madras Abkarry" under Act XIX of 1852, is not forbidden to sell liquor to Soldiers. It is true that the Act recognizes no such offence, but the Board will report whether a condition to that effect may not be entered in licenses which may hereafter be issued, a breach of which would entail a penalty, besides forfeiture of the license.

6. As regards the Cantonment of Saint Thomas' Mount, Colonel Selby, the Officer Commanding, urges that no liquor should be removed from any shop within three miles of the station.

7. His Excellency the Commander-in-Chief considers it highly desirable that there should be no Arrack shops at all within the limits of any Military Cantonment, or within a circuit of three miles from its Main Guard, that no liquor should be removed from any Arrack shop without a pass, so that as a rule all liquor must be consumed on the premises.

8. The Regulation of the Abkarry at St. Thomas' Mount has been repeatedly under the consideration of Government, and under their Orders only one Arrack and one Toddy shop are allowed within the Cantonment. Moreover Act XVIII of 1853 has been extended to the Cantonment, and by Order of Government no shop can be opened without the consent of the Military authorities. The Government are of opinion that if the shops heretofore sanctioned were closed, smuggling would be rife, and matters worse than at present. Civilians and Camp followers cannot obtain liquor at the Canteen, and their wants must be met. There should be no difficulty in looking after the two existing shops.

9. In regard to restricting the sales to consumption on the premises, the general Abkarry Regulation (I of 1820); the Regulation specially passed for "the more effectual prevention of the undue use of spirituous and fermented liquors and intoxicating drugs by the European Troops" (VII of 1832); the Abkarry Act for the town and suburbs of Madras (XIX of 1852), and the Special Cantonment Abkarry Act (XVIII of 1853), all allow of the removal and possession of spirituous liquor not exceeding a seer or quart. The Abkarry Bill now before the Governor General proceeds on the same principle, and so does the Cantonment Act XXII of 1864. If Military Cantonments were inhabited only by Military persons such a restriction as that proposed might perhaps be justified; but when it is considered that in all such places there is a very large civil population, its adoption seems impracticable.

10. The powers, moreover, which the Military authorities possess are very ample. In Military Bazaar Stations where Regulation VII of 1832 extends, any native smuggling spirituous or fermented liquor into a Cantonment, or illegally selling it to, or for any European, Non-Commissioned Officer, or Soldier, or European woman, or (unless he be a licensed vendor) having more than a bottle of such liquor in his possession without a permit, is liable to imprisonment with hard labour for a month—for a second offence to 50 lashes, and for aggravated offences to both.

11. Under the Cantonment Act (XVIII of 1853) the sale of liquor to, or for any European Soldier or European or Eurasian Camp follower or to a Soldier's wife without a written license from the Commanding Officer, and the removal or possession of any liquor exceeding one quart by any Camp follower or Military Pensioner or the wife or widow of any Soldier, Camp follower or Military Pensioner without a permit from the Officer in command, subject the offenders to a

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fine of 50 Rupees, or at the Magistrate's discretion one month's imprisonment with hard labour for such sales, and to a fine of 50 Rupees for such removal or possession. A second offence of either description is punishable with fine up to 100 Rupees, or imprisonment with hard labour for three months. The Police are further clothed with great powers of search, arrest and seizure. The recent Imperial Act (XXII of 1864) adds whipping to the penalties for sale to the Soldiery. Further restrictive legislation is, the Government consider, unnecessary. The existing laws afford ample means of preventing the undue use of liquor, and it is their enforcement rather than their extension that is requisite.

(True Extract.)

(Signed) J. D. SIM.

Secretary to Government.

To the Board of Revenue.
" the Military Department.

Exd. S. T. Augustin.

No. 2,219.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 12th April 1864.

Read the following letter from the Acting Collector of Madras, dated Saidapet, 31st March 1864, No. 138 :—

• Enclosures herewith returned.

1. • As requested in the Board's Proceedings* dated 3rd instant, I have the honor to forward the Sketch Map therein required; the red line shows the Madras Abkarry limits.

2. As I have already informed Captain Stoddart, the shops are situated as entered in the Puttah granted to the present renter; there are no additional ones. The shops complained against are Nos. 2 and 3 in Abkarry limits of the Chingleput District proper, and No. 25 in those of the Madras Town.

Vide Nos. in the plan.

3. I find that there was formerly a Toddy Shop kept at the Choultry, which is the present site of No. 2 Arrack Shop. The permission to open this shop No. 2 for the sale of Arrack was granted by order of the then Collector dated 30th November 1861. The permission to establish this place of sale was not, however practically carried into effect until July 1863, some months after the commencement of the present renter's lease.

4. Shop No. 3 in old Poonamallee was likewise established by the order above quoted in the days of the former renter. It would seem that shops having been abolished in other parts of the District, these two bazaars, together with some others in various localities were opened in lieu of those discontinued. The renter has by his lease authority to open a shop at the fourteenth mile stone, but he has not availed himself of this privilege.

5. No. 25 is within the Madras limits, and was formerly held at Iyappanthangal on the Madras road. The owner is under the Madras Deputy Collector, and complained that owing to No. 2 being opened at Kumundan Choultry, his sales were unfairly diminished, and that he should lose his usual customers by there being a place of refreshment nearer at hand. The Deputy Collector represented the shopkeeper's grievances to Mr. Ellis, and obtained that gentleman's permission to move up the shop to its present locality about 2,000 yards nearer Poonamallee. This renter's contract expires at the end of the Fasli, and we can then move him back to his original position, or sooner if necessary, as his prayer was granted after his contract had been taken. I have already told Captain Stoddart, I could obviate the difficulty regarding this shop.

6. I am unable to find anything on the records regarding the establishment of the shops with the sanction of the Military authorities. It appears, however, from a letter written by Mr. Maclean to the Madras Collector dated 26th April 1834, that two Arrack Shops and two Toddy Shops existed in the Poonamallee Cantonment. Colonel Impett in the year 1848 complained of the drunkenness arising from the retention of so many shops. Mr. Freese replied that they were not newly established, and were entered in the renter's lease, the Colonel seems to have rested satisfied with this explanation, as no further correspondence followed.

7. The abolition of the shops Nos. 2 and 3 would fairly entitle the present Contractor to indemnification; he undertook the engagement with these shops clearly entered in the Istiar. He asks 8,000 Rupees per annum as compensation for closing these two places of entertainment, and his lease has three years and three months yet to run.

8. Even if the shops were moved to a greater distance from the Fort, I doubt whether any very great benefit to the Soldiery would result therefrom; the farther the bazaars are from the Head Quarters of the Commanding Officer, and of the Police, the less supervision, and consequent greater irregularities are likely to ensue. My experience, as far as it goes, tends to show that distance will not prevent those desirous of obtaining liquor from gratifying their inclinations; the old Pensioners will, I believe, trudge miles to get their Arrack a few pice cheaper than it is at their own place of residence. It is not enjoined by Regulation VII of 1832, that the Collector should consult the Military authorities before establishing the shops, although it would doubtless

be better to do so; and this course might be adopted previous to the Auction Notification containing the sites of the licensed places of sale, being published and proclaimed. Without granting compensation to the Chingleput Arrack Renter, we cannot expect that he will close his shops to suit our convenience. The contract was taken by him at nearly half a lac higher than that of former years.

ENCLOSURES Nos. 1 & 2.—Sketches.

1. The Board await Mr. Banbury's reply to their Proceedings under date 23rd March 1864, No. 1,802. They observe that the proceedings described in paragraphs 3 and 4 of the above letter were anything but judicious, and they request that immediate steps be taken for the removal of shop No. 25 to the spot where it originally was placed; at which place only, it would appear, the owner is at liberty under his license to make sales.

2. Mr. Banbury is requested to report further in paragraph 2 of the Adjutant General's letter. If Poonamallee is a Military Cantonment as defined in Government Order June 1st, 1832, the Renter's license expressly reserves the right of the manufacture and sale of spirituous liquors therein, and the mere fact of the shops having been entered in the list attached to the license would not, necessarily, nullify this express reservation.

3. The Board presume that the Commanding Officer of Poonamallee has been made aware that the sale of liquor to a European Soldier is a breach of the license, and that such breach renders the Renter liable to the forfeiture of his license.

(A true Copy and Extract.)

(Signed) R. A. DALYELL,
Sub-Secretary.

To G. Banbury, Esq., Acting Collector of Madras.

Exd. J. Wright.

Awaiting the Collector's reply to Board's Proceedings dated 23rd March 1864, No. 1,802, and requesting that immediate steps may be taken for the removal of Arrack Shop No. 25 to the spot where it originally was placed.

No. 2,219.

21. April. 1864

Received

Despatched

Dated 12th April 1864.

PROCEEDINGS OF THE BOARD OF REVENUE.

No.

1864.

Department.

Rev: 1503/64

Received by the Collector of Madras on 15th April 1864.

No. 3,059.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 18th May 1864.

Read the following letter from the Acting Collector of Madras, dated Saidapet, 23rd April 1864, No. 178 :—

1. With reference to the Board's Proceedings, dated 23rd March 1864, No. 1,802, I have the honor to state the subject of the sale of spirituous liquors at the Mount was discussed in the years 1857 and 1858, and Government passed orders thereon in Minutes of Consultation, No. 1,043, 27th July 1858. It will be seen from paragraph 7 of these Proceedings, that the Brigadier was of opinion that one arrack and one toddy shop would be sufficient to meet all requirements within the Mount Abkarry limits. Mr. Cunliffe acquiesced; and these two shops alone are now maintained within the Cantonment limits. No extra shops have been established within the three miles circuit since 1858, when several were abolished.

2. The same subject was again mooted in 1859 by the Adjutant General, Government however declined re-opening the question, as will be seen from Minutes of Consultation, dated 26th January 1859.

3. In the 2nd paragraph of His Excellency the Commander-in-Chief's Minute, it is proposed that as a rule all liquor sold in Cantonments should be drunk upon the premises. To comply with this requisition, an alteration in the present enactment would be necessary; as under Section 15, Act XIX of 1852, one quart bottle of spirit can be conveyed from the place of sale without a pass. This concession was, I presume, inserted after due consideration concerning the maintenance of the revenue and the public convenience.

4. I imagine this question, affecting as it does the health of our Troops, will come before the Sanitary Commissioner, and it might be as well to await his opinion before altering the present Madras Town Abkarry Act. Mr. Pycroft's proposed amended bill does not have reference to the Presidency limits.

5. With reference to paragraph 2 of the Board's Proceedings, dated 12th instant, I beg to state that Poonamallee is a Military Cantonment. No special reservation regarding sale and manufacture of spirits within those limits is contained in the renter's license. The form of license now granted is mainly drawn up from the Notification framed by the Board, and published with their Circular Order, dated 16th May 1862. As there is no stipulation regarding Cantonments in the license, the renter would, I imagine, have a formidable case against us for compensation; he would naturally urge that he knew nothing about rules laid down by Government which were not duly communicated to him at the time of Auction, or at the drawing up of the contract, and that he was only bound by the terms of this latter document.

6. I find that up to the year 1852, it was customary to enter a Clause in the cove to the effect that not more than two arrack and two toddy shops should be kept within the Poonamallee Cantonment limits, and at a distance of four miles from the main guard; subsequently, for some reason not now ascertainable, this Clause was omitted; the identical sites of these Cantonment shops being mentioned in lieu thereof, which latter practice now obtains.

The Board resolve, before submitting the above letter to Government, to request Mr. Banbury to report at once whether or not the license granted to the Abkarry Renter of the Madras District was in the Standard form circulated with the Board's Circular, dated 17th May 1861; and if not, under what authority the Board's orders have been neglected. The Circular to which Mr. Banbury alludes merely refers to the Abkarry Advertisement and makes no mention of the license. Mr. Banbury will at the same time report whether Poonamallee is a Military bazaar station as defined by Government Order, under date June 1st 1832.

(A true Copy and Extract.)

(Signed) R. A. DALYELL,
Sub-Secretary.

To G. Banbury, Esq., Acting Collector of Madras.

Exd. R. H. Lee.

Revenue Department

Q No 1563.

Memo.

In these papers
two questions are submitted
for the decision of Govt.

I. The excessive number of Arrack and Soda shops at Poonamallee.

II. The expediency of restricting the sale and possession of liquor in Military Cantonments generally. & the Mount Fort.

As regards the first it appears that there are now 2 Arrack shops (Nos 1 & 2 on the plan) within the Cantonment, and 3 others (Nos 3, 4 and 25) respectively

Enrolled the 10. of the 13th
of the 15th of the 13th
12.9.1863 10.11.1864
No. 1563/64
Department.

PROCEEDINGS OF THE BOARD OF REVENUE.

Dated 18th May 1864.

Despatched

Received

No. 3,059.

Requesting to report whether or not the license granted to the Abkary Renter of Madras District was in the Standard form, and whether Poonamallee is a Military bazaar station.

1000, 1 1/4 mile and 300 yards beyond it. There appears always to have been a shop on the site occupied by No. 1. The Acting Collector states that there was a Saddy shop formerly where No. 2 now stands and that permission to open an Arrack shop there was given by the late Collector in 1861, though the shop was not actually opened until 1863. Shop No. 4 occupies the position it always did, while No. 3 was opened in 1861 and No. 25 moved nearer to the Cantonment by 2000 yards. In none of these changes were the military authorities consulted, though this has been repeatedly enjoined by Government. The Commandant suggests that the second shop in the Cantonment (No. 2) should

should be closed, and certainly a single shop seems quite sufficient for so small a place. The Commandant further urges that the shops outside the Cantonment be removed to a distance of not less than two miles from the Cantonment boundaries. One of these shops No. 26 has since been removed to its original position 1 1/2 mile from the Cantonment. Another No. 40 occupies the position it always has occupied about the same distance from Poonaallee. In regard to these nothing further seems necessary during the currency of the present leases. When the leases expire, the expediency of closing them or removing them to a greater distance can be considered with reference to the want.

asants of the villagers, as well as of the military - the Renter claims Rs 24,000 as compensation for closing shops Nos 2 and 3 - and the Board think he may be induced to take 10,000 for closing the former alone, his lease having 3 years to run - The renter has the privilege of opening a shop at the 14th mile stone - or about 800 yards beyond the site of No 3; he has not yet opened a shop there, but if No 3 is closed, he probably will do so - The distance between these 2 places being only 800 yards - I do not see that much would be gained by closing No 3, and the Board's plan seems to me enough for the present -

In the number and position of the Laddy shops there has been no change, and no stress is laid on them -

Captain

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II. Captain Stoddard states that the proprietor of shop No 25, being ^{within} the limits of the "Madras Abkarry" under Act XIX of 1852, is not forbidden to sell liquor to soldiers. It is true that the Act recognises no such offence, but a condition to that effect may be entered in the licenses and a breach of it would entail a penalty of Rs 50 besides forfeiture of the license.

III. As regards the Cantonment of St. Thomas' Mount, the Commandant Col. Selby urges that no liquor should be removed from any shop within 3 miles

miles of the station

This Excellency the Commander-in-Chief considers it highly desirable that there should be ^{no} Arrack shops at all within the limits of any military Cantonment or within a circuit of 3 miles from its main guard - and that no liquor should be removed from any Arrack shop without a pass - so that as a rule all liquor must be consumed on the premises.

2. The regulation of the Abkarry at St. Thomas Mount has been repeatedly under the consideration of Government, and under their orders only one Arrack

and

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I think that between shops could not be allowed - Then it would be no difficulty in looking after these two shops - If they were closed for smuggling would be a worse matter than if they were open. Moreover Act XVIII of 1853 has been extended to the Cantonment, and by order of Government no shop can be opened without the consent of the Military authorities. In fact on this score no objection is now raised - and the object is simply to restrict the sale to consumption on the premises. The general Abkarry Regulation (I of 1820) - the Regulation specially passed for "the more effectual prevention of the undue use of spirituous and Fermented liquors

and

and Intoxicating Drugs
by the European troops" (VII
of 1832) the Abkarry
Act for the Town and
suburbs of Madras (XIX
of 1852) and the Special
Cantonment Abkarry
Act (XVIII of 1853) all
allow of the removal
and possession of
spirituous liquor not
exceeding a seer or
quart. The Bill now
before the Governor Ge.
neral proceeds on the
same principle. If
Military Cantonments
were

so done in the Cantonment Act 1853

were inhabited only
by Military persons
such a restriction as that
proposed might perhaps
be justified - but when
it is considered that in
all such places there is
a very large civil popu-
lation, its adoption seems
impracticable. Trichinopoly
for instance contains a
population of 150,000 while
the European troops pro-
bably do not exceed
500. As the whole of
this civil population
to be debarred the pri-
vilege of a glass
of

of grog at home, be-
cause (say) a hundred
soldiers drink more
than is good for them?

The principle applies
equally to Madras with
its 400,000 inhabitants, and
in a lesser degree to all
other military stations,
for our Cantonments have
all been placed near
existing towns. Of course if the system
is impracticable in
Military stations,
it is still more so

in

in places where no mil-
itary are stationed
and the population is
purely civil.

10. The powers which
the Military authorities
possess are very ample.
In Military Bazaar
stations where Reg VIII of
1852 extends, any man
-tive smuggling spirits
-ous or fermented liquor
into a Cantonment, or
illegally selling it, to, or
for any European, non-
commissioned officer,
or soldier or European
woman, or (unless he
be a licensed vendor)
having more than a
bottle of such liquor
in his possession, or
without

without a permit, is
liable to imprisonment
with hard labor for a
month - for a second
offence to 50 lashes,
and for aggravated
offences to both.

Under the Canton-
ment Act (XVIII of 1858)
the sale of liquor to, or
for any European sol-
dier or European or
European camp fol-
lower or wife, soldiers
wife, without a written
license from the Com-
manding Officer and
the removal or pos-
session of any liquor
exceeding one quart by
any camp follower
or Military pensioner

12
or the wife or widow of
any soldier, Camp fol-
lower or Military pen-
sioner without a per-
mit from the officer
in command subject
the offenders to a fine
of 50 Rupees, or at the
Magistrate's discretion
one month's imprison-
ment with hard labor
for such sales, and to
a fine of 50 Rupees for
such removal or pos-
session. A second of-
fence of either descrip-
tion, is punishable
with fine up to 100
Rupees, or imprison-
ment with hard labor
for three months. The
Police are further clothed
with great powers of

The provisions of the
Cantonment Act 1858
are enforceable with
reference to the
military police
and the
military police
are to be
maintained
in the
military
police
and the
military
police
are to be
maintained
in the
military
police

search, arrest and sec-
ure. The recent In-
perial Cantonment
act (XXII of 1864) adds
whipping to the penal-
ties for sale to the
soldiers. If soldiers
are not patterns of
sobriety, it surely can-
not be for want of
penal protection. It
is for Government to
consider whether fur-
ther restrictive legis-
lation is necessary
and whether the pro-
viso that all liquor
must be consumed
on the premises is
not really creating
a new class of crimes
for people will drink
when

I think not that it would
do more harm than good
I consider
that it will
be a good thing

when so disposed, in
their own houses. People
whether soldiers or ci-
vilians are not to be
made worse by act
of Parliament, and as
Government said in 182
"a regulated sale, under
careful supervision, is
more effectual in check-
ing drunkenness than
any measures having
for their object a more
or less complete pro-
hibition of the sale of
liquor." The existing
laws seem to afford
ample means of pre-
venting the production
of liquor, and it is their
enforcement rather
than their extension
(that)

Arrack and Toddy
shops at Poonamallee
7th July

15
No. 1369
68.
Revenue Department

Proceedings of the Madras Government
Under date the 2nd July 1864.

Read the following
Proceedings of the Board
Revenue.

Submitting with remarks,
for consideration and orders,
papers relative to the prevalence
of drunkenness among the Euro-
pean soldiery and pensioners at
Poonamallee, to the number of
arrack shops within or near the
Military Cantonment, and to the
baneful effects of the sale of
liquor in St. Thomas' Mount.

(Here enter 16th June 1864
No. 9674)

In these papers two
questions are submitted for
the decision of Government.

I. The excessive number
of Arrack and Toddy shops
at Poonamallee.

The expediency of
restricting

Mr. Master

7. Ch. Secy

sent out tonight

restricting the sale and pos-
session of liquor in military
cantonments generally & St.
Thomas' Mount particularly.

As regards the first
it appears that there are now
Arrack shops (nos 1 & 2 on the
plan) within the Canton-
ment, and 3 others (nos 3, 4
and 25) respectively ⁴⁰⁰1000, $1\frac{1}{4}$
miles and 300 yards beyond it.
There has always been a shop
on the site occupied by no. 1.
The Acting Collector states
that there was a Toddy shop
formerly where no. 2 now stands
and that permission to open
an Arrack shop there was
given by the late Collector
in 1861, though the shop was
not actually opened until
1863. Shop no. 4 occupies
the

The position it always did,
while no. 3 was opened in 1861
and no. 25 moved nearer to the
Cantonment by 2000 yards.
In none of these changes were
the military authorities con-
sulted, though this has been
repeatedly enjoined by Go-
vernment.

3 The Commandant
urges that the second shop
in the Cantonment (no. 2) and
should be closed, and certainly
by a single shop seems quite
sufficient for so small a place.
Captain Stoddard further
urges that the shops outside
the Cantonment be removed
to a distance of not less than
two miles from the Cantonment
boundaries. One of these shops
no. 25 has since been removed
to its original position $1\frac{1}{2}$ miles
from the Cantonment.

from the Cantonment. Another
No. 4, occupies the position it
always has occupied about
the same distance from Poona.
mallee. In regard to these no
change seems necessary during
the currency of the present leases.
When these expire, the expediency
of closing the shops or removing
them to a greater distance can
be considered with reference to
the wants of the villagers, as
well as of the Military. The
arrenter claims Rs. 24,000 as com-
pensation for closing shops No. 2
and 3 and the Board think he
may be induced to take 10,000 for
closing the former alone, his
lease having 3 years to run. The
arrenter has the privilege of opening
a shop at the 14th mile stone, or
about 800 yards beyond the site
of No. 3; he has not yet opened
a shop there, but if No. 3 is
not closed, he probably will do so.
The distance between these 2
places

17
places being only 800 yards.
The Government do not think
that much would be gained
by closing No. 3; the Board
will take steps to close No. 2
on the terms proposed by them.

4 In the number and
position of the Tolly shops there
has been no change, and no stress
is laid on them.

5 On the general question
of restricting the sale of li-
quor Captain Stoddard states
that the proprietor of shop No. 2,
being within the limits of the
"Madras Abkarry" under Act
XIX of 1852, is not forbidden
to sell liquor to soldiers. It
is true that the Act recognises
no such offence, but the Board
will report whether a condition
to that effect may not be entered
in licenses which may hereafter
be issued, a breach of which
would entail a penalty, besides
forfeiture

forfeiture of the license.

6. As regards the Cantonment of St. Thomas' Mount Col. Selby, the officer commanding urges that no liquor should be removed from any shop within 3 miles of the station.

7. His Excellency the Commander-in-Chief considers it highly desirable that there should be no arrack shops at all within the limits of any military Cantonment, or within a circuit of 3 miles from its main guard - and that no liquor should be removed from any arrack shop without a pass so that as a rule all liquor must be consumed on the premises.

8. The regulation of the Abkarry at St. Thomas' Mount has been repeatedly under the consideration of Government, and under their orders only one arrack and

one toddy shop are allowed within the Cantonment. Moreover, Act XVI of 1853 has been extended to the Cantonment, and by order of Government no shop can be opened without the consent of the military authorities. The Government are of opinion that if the shops heretofore mentioned were closed, smuggling would be rife and matters worse than at present. Civilians and camp followers cannot obtain liquor at the canteen and their wants must be met. There should be no difficulty in looking after these two ^{existing} shops.

9. In regard to restricting the sales to consumption on the premises - the general Abkarry Regulation (I of 1820) - the Regulation specially passed for

or European woman - or
(unless he be a licensed
vintner) having more than
a bottle of such liquor
in his possession without
a permit, is liable to
imprisonment with hard
labor for a month - for
a second offence, to 50 lashes,
and for aggravated offences
to both.

Under the Functio-
ment Act (XVIII of 1853)
the sale of liquor to, or
for any European soldier
or European or Euro-
pean camp follower
or to a soldier's wife
without a written license
from the Commanding
officer and the removal
or possession of any liquor
exceeding one quart by any

any camp follower or
Military pensioner or
the wife or widow of any
soldier, camp follower
or Military pensioner
without a permit from
the Officer in command
subject the offenders to a
fine of 50 Rupees, or at
the Magistrate's discre-
tion one month's imprison-
ment with hard labor
for such sales, and to a
fine of 50 Rupees for
such removal or pos-
session. A second offence
of either description
is punishable with fine
up to 100 Rupees, or im-
prisonment with hard
labor for three months.
The Police are further
clothed with great
powers

powers of search, arrest
and seizure. The recent
Imperial ~~fundamental~~
Act (XXII of 1864) adds
whipping to the penalties
for sale to the soldiery.
Further restrictive leg-
islation, is the Gov-
ernment consider, im-
necessary - and a provision
that all liquor must be
consumed on the premises
would, in point of fact
be simply creating a
new class of crimes.

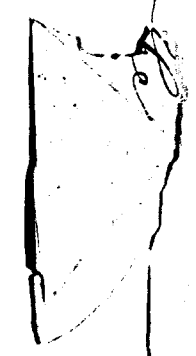
The existing laws seem
to afford ample means
of preventing the undue
use of liquor, and it
is their enforcement
rather than their
extension that is re-
quisite.

Thy
any

omit this -
Col. Henshall
will deal
with it

14. Copy to the P. & R. with sketch. O. Sept 3. Augt.
17. The Military Dept with 5 Sept 17

40
5



21
11 The Gov-
ernment observe that Panama
is a Military
Bazaar station, and
under Reg. VII of 1852
but as the authorities
have been reduced to one
commandant the Reg.
cannot be enforced. It
will be for considera-
tion in the Military
Dept. whether this
should not be altered
by applying Act XVIII
of 1853, as at the present

gll
Secretary

Revenue 1864 Depto.
Pro: of Govt. for Cuesnot

N. 1369.

Pro: of the Madras Govt.
D. of 2^d August 1864.

Pro Secretary Department
30 March / 65 C. N. 898 in

Let it be decided
in the regard to
issuing orders on the
expediency of restricting
the sale and possession
of liquor within the Poona
Municipal and Thomas'
Mount Cantonnments.

no. 26 June / 57 no. 13-14
" 27 July / 58 73-75
" 19 April " 31-35
" 21 March / 64 237-238
" 1 - do - 60-61

no 22 + 23.