M.R. O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 354 Press ~~Mis.~~

9-10

Dated 16 - 3 - ~~19~~ 29

Not to be folded or roughly handled

No. 9. Read the following letter from JAMES OUCHTERLONY, Esq,; to the Secretary to Government, in the Department of Police, dated Ootacamund, 5th March 1859.

SIR,

With reference to the letter I had the honor to address to you on the 4th Ultimo, I beg leave now to request the favour of your submitting to the Right Honorable the Governor in Council, the annexed copy of a letter this day addressed by me to the Acting Magistrate of Malabar. I humbly hope that the facts it pourtrays will satisfy his Lordship in Council that it is not without reason that I complain of the utter defectiveness of the existing Police in Wynaad.

2. I am largely robbed by my own servants, palpably so. The parties who are naturally the most immediately suspected are arrested, preparatory to a full investigation by the Police. This investigation is ordered by the Magistrate; and the Police authorities conduct it at a place between 60 and 70 miles off, by sending for the arrested parties, and examining them, *and them alone!* This is done without the knowledge of or any notice to the prosecutor, and the suspected parties are then discharged! With such unheard of proceedings I cannot but feel that I have no security for property.

3. As some remedy for the existing state of things, I respectfully suggest that there should be stationed as near Goodaloor as a healthy site can be found for it, a Police Thannah of respectable size, under the charge of a European Constable of intelligence and steadiness. Without such a restraining hand over the Police force, I doubt if it would inspire, or, looking at the general character of the Police of Wynaad, deserve to inspire any confidence.

(COPY.)

From JAMES OUCHTERLONY, Esq., Ootacamund; to P. GRANT, Esq., Acting Magistrate of Malabar, dated 5th March 1859.

SIR,

I had the honor to receive, on the 13th Ultimo, your letter of the 8th Idem. It informed me that you had issued instructions to the Head of Police at Manantoddy and to the Peishcar of Wynaad in reference to the robbery of Coffee from my Stores. I concluded that, as a matter of course, these functionaries would come to institute enquiries on the spot; but I waited in vain for their appearance. I was told that the parties, taken into custody in the first instance, had been sent for to Manantoddy—the object of which I could not understand and, just before I left the Estate two days ago, these men, together with others arrested on another charge, appeared at the place (some were said to be behind at Goodaloor,) and stated that they had all been discharged at Manantoddy and were told to return to the Estates for their wages. I have had some difficulty in crediting such a story, even with such apparent corroboration as the men appearing before me. The idea of a *Police* enquiry, at a place between 60 and 70 miles off, into the circumstances of an extensive robbery—a robbery too involving a grave breach of trust!—that must have been committed with the knowledge and connivance of many persons on the spot, and this enquiry conducted in the absence of the prosecutor and without his knowledge, without too any evidence of any kind being sought or obtained, and then, the immediately suspected parties being dismissed on their own explanations, seems really too monstrous for belief.

But, as I must take advantage of this occasion to fortify my request to Government for some efficient Police authority being stationed in my part of Wynaad and as in furtherance of this purpose I design to forward a copy of this letter to his Lordship in Council, I must be allowed here to recapitulate the facts connected with my recent applications to the Police of Wynaud, in order that I may make the case intelligible.

At the latter part of last year, owing to a lax supervision, a bad state of things had grown up amongst the labourers on one of my Estates. In December I took charge of it myself, and placed an East Indian Assistant, Mr. Furburgh, upon it. There was much indolence among the labourers, and a kind of passive resistance to doing a decent day's work for a full day's pay.

In the latter part of December I had occasion to go in to Ootacamund. I was watched till completely away from the Estate, and then a certain gang, (in immediate charge of whom was the Maistry Copany, recently taken into custody,) went up to Mr. Furburgh, and threatened, (warning him at the same time that they were 20 and he was one,) that if he attempted to make them work differently from what they had been accustomed to, they would do for him. He was much alarmed, not at the consequence of a personal assault, but lest they should throw a fire-stick into the thatch of the cottage, where he and his wife lived in a very isolated place. On my return he saw less reason to apprehend this; but, finding the first act attended with impunity, these men (all employed close to and at the store) grew insolent on many occasions to Mr. Furburgh, the Maistry, Copany, even interfering with the orders he gave to other labourers, and in many ways seeking to excite disaffection towards him. I was compelled to temporize; for, finding there were some very bad characters amongst them—one or more had been in Calicut Jail, others dismissed from other Estates for misconduct, &c.,—and as there was a very large quantity of Coffee then in a wooden and thatched store, which might easily have been burned down, I did not consider it safe to take any immediate proceedings. When however the bulk of the Coffee had been sent away, I called in the Police Peon from Goodaloor, gave the Maistry into his charge, and told him what had occurred. Some time after an old man, called the Adighary of Numbulacode, came to the Estate. He seemed half imbecile. He took however a deposition from Mr. Furburgh, (that is, he made some one with him do this, for he could not write, and neither could he read it when it was written) and, upon it, himself arrested all the people who had threatened Mr. Furburgh. Of this case we thenceforward heard nothing more, save casually that all these people had been sent to Manantoddy, and now that all have been dismissed, without, as I must contend under the circumstances, the least investigation of the case.

I forget the exact date when it was discovered that a large robbery had taken place from my Coffee in store, in value several thousand Rupees. I placed the two watchmen who had been specially over the store in custody of the Goodaloor Peon; whom I told also to hold the Maistry, Copany, under suspicion, as he was at the head of the people about the store. I directed the Peon at the same time to report the occurrence to the head of Police at Manantoddy or Sultan's Battery. This however he did not do, and pretended afterwards he thought I would and that it was not his duty. A prejudicial delay thus occurred, but I then wrote officially to the Police officer on the subject. Neither to this, nor to any other letters to the Police authorities of Wynaad, have I had any reply whatever. I however considered that after receipt of the instructions adverted to in your letter of the 8th Ultimo, I should speedily have all my employés subjected to that rigid investigation on the spot, which could alone elicit who had really been concerned in the robbery and how it had been carried on. The arrest of the parties, who, there seems little reason to doubt, must have been the principals in it, seemed to make others disposed to make revelations, and it was ascertained that divers parties, and amongst them Copany, kept cattle and donkeys about the lines, which used to make constant journeys away from the Estate, ostensibly to bring articles to trade in with the coolies. One man ran away from the place directly he heard that the Tahsildar was coming; and previous to the discovery of the robbery, a large number had given notice to leave for their Village (when they are usually at the next pay day paid up, and allowed to go.) But their desire to go at such a time was in itself suspicious, and I detained all until the Police investigation should have taken place. It seemed very certain that this would bring to light many iniquitous proceedings; both the features of this robbery and other instances of fraud. But all has been frustrated by the proceedings of the Police of Manantoddy! The (reasonably) suspected parties have been sent for, and *alone* sent for to that remote spot, and, after I conclude *some* questioning or other, have been dismissed from custody and sent back to the scene of their too probable iniquity in a sort of triumph, to teach my other Coolies, by the example of their presence, that robbery can be perpetrated with impunity and that it is a venial offence to threaten to extinguish an Overseer if he does his duty, or at all events to shew that neither offence is considered worthy of the most ordinary character of Police investigation.

Meanwhile to save the new labourers, I am obliged to get, from contamination, I am obliged to pay up and send off the people, who must have had a more or less guilty knowledge of what was going on and would have thrown light upon this and helped to detect the real offenders;

and thus, as a public, more than a private, injury is done, whenever a crime is committed with impunity, so the public interests as well as my own must suffer in the present case, through the most extraordinary laxness of the Manantoddy Police.

(True Copy.)

(Signed) J. OUCHTERLONY.

No. 10. ORDER THEREON, No. 354; dated 16th March 1859.

Ordered to be communicated to the Magistrate of Malabar, in continuation of Extract Minutes of Consultation No. 262, dated 26th February Ultimo.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

No. 354

Ordered to be communicated to the Magistrates of Malabar in continuation of Exc: Mins: Cons: No. 262 dated 26th Febru- ary Ults:

Fort St George 16th March 1759

The Magistrate of Malabar. Dispd 21st

In Dy to Govt 1st March 59 No 378

2-8-12 BJ

Dy to Govt 22 March

Judicial. 1859. Dept.

From J. Cuchterlony Esq.
Cotacamund.

d/5
r/10 March/59.

No 380.
1 Encl.

With reference to his letter of the 4 ultimo on the defective State of the Police in Wynaad, submits copy of one addressed to the Acting Magte of Malabar on the subject. Submits certain Suggestions as some remedy for the existing state of things.

9710

C.H. Grant
A 15.

With an Order.