MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT

G.O. No. 1164 Press Misc.

S. 6

Dated 9-9-1907

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No. 5. Read the following Extract from the Minutes of Consultation in the Public Works Department, dated 3rd September 1857, No. 1676.

Read the following letter from the Magistrate of Cuddapah.

Explaining the statement made in the 6th para. of his letter to the Chief Engineer, with reference to Extract Minutes of Consultation, dated 8th August 1857, No. 1560. (Here enter 15th August 1857, No. 27.)

From the correspondence recorded above, it appears that on the 25th of May last, a Waddar lost his life by the falling in of a large piece of rock beneath which he was at work. Some delay occurred in obtaining the presence of an officer competent to hold an inquest, and as the corpse became offensive, permission was given to the relatives of the deceased, by the Overseer of the works, to inter it at once, the circumstances which had caused death were patent, and no doubt upon the subject could arise.

2. On the arrival of the Sheristadar of the Taluk to hold the inquest, he is reported to have caused the relations of the deceased to be assaulted for having interred the body prior to his arrival, and marks of blows were seen on their persons by the Overseer, to whom they came at once to complain.

3. The charge of ill-treatment has been referred to the Judicial Department, and will be there disposed of.

4. The circumstances were reported to the Magistrate on the 2nd of June 1857, by the District Engineer, and at the same time were laid before the Chief Engineer, who requested the Magistrate, on the 5th idem, to inform him of what took place. Mr. Murray, in a reply, dated the 16th June 1857, expressed his surprise that the District Engineer had not mentioned the fact of ill-treatment to him, when reporting the circumstances attending the Waddar's death, charged Lieutenant Henery with keeping back from the knowledge of the Chief Engineer certain parts of the case "for purposes of his own," and attributed that officer's conduct in the matter, "to personal hostility" and "a desire to make mischief."

5. As the Magistrate's assertion that the District Engineer had not reported to him the ill-treatment met with by the Waddar's relations, was irreconcilable with the correspondence submitted by the Chief Engineer, which included a letter from Lieutenant Henery to Mr. Murray, dated the 2nd June 1857, in which the fact was broadly stated. Mr. Murray was, in Extract Minutes Consultation of the 8th of August, called upon to explain the matter.

6. In his reply quoted at the head of these proceedings, Mr. Murray says, "the first intimation I received of the ill-treatment said to have been received by the Waddars was, from a "letter of Lieutenant Henery, dated 2nd June, wherein he says, in para. 7, that this case has "been reported to the Chief Engineer, for the information of Government, thereby showing "that he had brought the matter to the notice of the Chief Engineer without bringing it to the "notice of the Magistrate in the first instance, which I think, he was bound to do, if not in "duty certainly in courtesy, and this is what I complained of in para. 4 of my letter to the "Chief Engineer, under date the 16th June last, No. 63."

7. This reply is not satisfactory. Mr. Murray, in his letter to the Chief Engineer of the 16th June 1857, did not complain that Lieutenant Henery had reported the facts of the ill-treatment to his superior at the same moment that he reported them to the Magistrate, but that he had reported them to the Chief Engineer without informing the Magistrate at all. This assertion now turns out to have been groundless, and finding it to have been so, Mr. Murray should have at once retracted the charges of "personal hostility, and a desire to make mischief," which he had made against Lieutenant Henery, unless he had other grounds, for making so serious a charge.

8. The Government have already had to express their disapprobation of the hostile animadversions passed by the Collector of Cuddapah towards the Public Works Department, and they cannot but regret to find in the correspondence now before them, much to justify the opinion they had already formed.

(A true Extract.)

(Signed) H. FORBES, *Acting Secretary to Government.*

No. 6. ORDER thereon, No. 1164; dated 9th September 1857.

To be recorded.

(Signed) E. MALTBY,
Acting Chief Secretary.

Ext. P. Cuddapah

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