

MADRAS RECORD OFFICE.

Government of Madras.

Provincial DEPARTMENT.

G.O. No. 703

Press
~~Mis.~~

27.28

Dated 23-6-1857.

Not to be folded or roughly handled

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[Signature]

Fort St. George, Judicial Consultation, 23rd June 1857.

No. 27. Read the following letter from W. ROBINSON, Esq., Acting Magistrate of Malabar; to E. MALTBY, Esq., Acting Chief Secretary to Government, Judicial Department, Fort St. George, dated Calicut, 6th June 1857, No. 97.

SIR,

1. With reference to para. 4 of Extract Minutes of Consultation, No. 588, dated 19th May 1857, reviewing the correspondence on the subject of the torture case, in which were implicated the Subadar Ahmod Koorikul and Havildar Mootha of the Malabar Police Corps, I have the honor to state that, on the abduction being brought to the knowledge of the Special Assistant Magistrate, the active measures taken to trace the prosecutor's family resulted in the discovery several days after the abduction, and the female, his wife, afterwards gave, what evidently was very faithful and most painful testimony to facts connected with the torture of her now maimed husband. This lawless attempt to defeat justice, became of course collateral to the main charge and enquiry, and no special notice was taken of it when the main charge was disposed of.

2. With reference to the determination of Government to allow the Subadar and Havildar to remain with the Corps, I would venture most respectfully to urge, that their reinstatement take place only from the date of the expiration of the sentence, awarded with my concurrence, and upheld through all the proper Judicial steps. The example will be effective, and the authority of Magistracy will be vindicated. I consider that their employment while out on security would have a very bad effect.

3. With reference to the character of the men in question, I differ widely with Major Haly, I fear that *neither* of them are men with a cordial respect for order and good government, and the case before me is an instance of the fact.

4. There is no record of Mr. Conolly's recommendation of either of these men, but Messrs. Conolly and Collett were both well acquainted with their history, character and spirit. I too became intimately acquainted in 1849, with the circumstances of the Koorikal's family. The records of that period give testimony that the spirit of the lawless free-booter (Manjerry Koorikul) of Tippoo's reign, and the early era of our rule (their ancestor) had not disappeared among the race. This Subadar's father was at that time placed by Mr. Conolly in close solitary confinement for a month, on strong suspicion of treachery and active sympathy with the insurgents killed in the outbreak of 1849, and was only released, because the offence could not be legally proved.

5. Havildar Mootha was held to heavy security by Mr. Collett in 1853, for one year, under the express orders of Mr. Conolly, for manifestation (the overt acts of which were unmistakeable) of a violent and fanatical spirit, that being "the only means then existing that tended to restrain the general fanatical spirit of the caste." A recent occurrence at Malapoorom has satisfied me, that he is still a very unsatisfactory character, but Major Haly, when written to, seemed to attach much less importance to the matter than I should have done, for I believe the Malabar Police Corps was placed under arms as a precautionary measure. In his letter, however, on the subject, under date 9th April 1857, Major Haly remarks, "I have no very high opinion of Aluvan Mootha, and have frequently been on the point of discharging him from the Corps as a troublesome character."

6. It is not improbable that Mr. Conolly, and Mr. Collett viewing the Corps rather in the light of the old Nair Corps under Major Watson, thought that such characters and a number of their connexions and dependents whom they took into the Corps, were safer under an European Officer's surveillance than at large. But it is the presence of such characters in the higher ranks of the Corps that makes it exceedingly difficult to give effect to the desire of Government that they be employed more extensively in Police duties.

N. B.—And this is certainly my feeling with regard to Mootha, whom I would induce to leave the country were he discharged.

(Signed) W. ROBINSON,

Acting Magistrate.

Fort St. George, Judicial Consultation, 23rd June 1857.

No. 28.

ORDER THEREON, No. 703; dated 22nd June 1857.

It appears from this letter, that the family of the complainant returned to him before the investigation of the case, during which his wife gave her evidence in support of the charge. On a consideration however of all that has passed, the Government concur with the view expressed by the Acting Magistrate in the 2nd para. of his letter, and resolve not to re-instate the Subadar and Havildar in the Police Corps, until the expiration of the period for which they have been sentenced to furnish security. This measure will support the decision passed by the Magistracy and mark the displeasure felt by Government at the Subadar's and Havildar's conduct.

(Signed) E. MALTBY,

Acting Chief Secretary.

Exd. F. Cartledge.

Handwritten notes on a separate sheet of paper, likely a translation or commentary on the official document. The text is written in cursive and includes phrases such as:

...further information...
...that information...
...that in fact...
It is not known by whom...
The woman was at...
or whether the Subadar...
present in the translation...
This point should...

has been cleared up
Mr Robinson
says that the men may only
be returned after the
of the sentence paper
them of the Mass.
Dutless Hoffman
long ago furnished the family
reg. wh. was buried with
The order of those however
that the Mass. prison
at disapproval.

Mr Robinson
to visit the prisoners
these men in the Corps with
of it appears doubtful
whether it is
- who recommended them.
If there is

3
If there is a nominal
roll of the Melchior Pl:
Corps (as there is of the San Juan
& Logg. Corps) in the office
to see it. J. J.

No. 703

Extract. Mins. of Cons. Dated 22^d June 1857

Read the following letter from the S^d Mag^{te} of Malabar (Here enter 8th June 1857. No. 97.)

- It appears from this letter that the family of the complainant returned to him before the investigation of the case, during which his wife gave her evidence in support of the charge. - On a consideration however of all that has passed the Govt. concur with the views expressed by the S^d Mag^{te} in the 2nd Para of his letter, and resolve not to reinstate the Subadar & Havildar in the ^{Police} Corps until the expiration of the period for which they have been sentenced to furnish security. - This measure will support the ~~Magistrate's~~ decision passed by the Magistrate & mark the

At
— M^g

I pass this in order to support the Magistrate as the security has all ready been required. but I suspect this system has caused more evil in Malabar. than anything else

displeasure felt by Govt
at the Subedar's & Kavildar's
conduct.

W

2 the Dy Magistrate of Malabar Dated 25th

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