No. 23. Read the following letter from H. A. BRETT, Esq., Magistrate of Salem; to T. PYCROFT, Esq., Chief Secretary to Government, Fort St. George, dated Tripatore, 16th February 1858, No. 46.

Sir,

I have the honor to acknowledge the receipt of an Extract from the Minutes of Consultation under date the 25th January 1858, No. 125, forwarding copy of paras. 9 to 11 of a letter from the Advocate General, dated the 12th of January 1858; and calling upon me to report upon para. 11, and to state whether the Peons therein alluded to were Government or Railway servants.

2. I beg to state, that no Government Peons were present at the time the assault was committed. The only person mentioned in the evidence by name, as having seized some of the bricklayers and brought them up to be beaten, was a man named Abdool Musjeed, who, it appears, was, and probably still is, employed as a Maistry over the Coolies.

3. The Advocate General observes that "the occurrences of the morning of the 18th July, "and the consequent suspension of the works for 8 days, if unknown to the Police, argue great "supineness on their part;" that "if these occurrences were so known, it shews something worse, "that none of the Police watched the case of the deceased, or took notice of his death, so as "(not) to have a *post mortem* examination of his body until the 4th day."

4. The assault on Cundasawmy was committed near the village of Ahtoor. On the morning of the assault he was removed to the village of Vadagumputty 3 miles off, where he died at 4 P. M. of the 21st. The Moonsiffs belonging to those 2 villages ought to have reported on the 18th, that so serious an assault had been committed. Their neglect on this point was noticed by the District Head of Police in his report. The Moonsiff of Vadagumputty reported the death of Cundasawmy, and the alleged cause of his death, to the nearest Sub Police Officer. His report reached the Sub Police Officer, who at the time was at a place 7 miles from Vadagumputty, on the 22d. The Sub Police Officer sent on the report the same day to the District Head of Police at Taramungalum (17 miles,) who in his turn reported the case the same day at 8 P. M. to the Joint Magistrate at Salem, (15 miles from Taramungalum.) On the 23rd the Assistant Apothecary was ordered by the Joint Magistrate to examine the body, and on the 24th at 8 A. M., he reached the village, which was about 20 miles from Salem. With reference to these details, I do not think that the Police are open to the charge of supineness in reporting the death. The evidence on the trial did not shew what time might be reasonably occupied in forwarding the report through the usual channels, nor the time which the Apothecary would need to reach the village where the body lay.

No. 24. ORDER THEREON, No. 259; dated 26th February 1858.

Resolved that a copy of the foregoing letter be furnished to the Advocate General in reference to his communication of 12th January 1858.

(Signed) T. PYCROFT,
Chief Secretary.

Encl. F. Cartledge.

No. 259

Resolved that a copy of the foregoing letter be furnished to the Advocate General in reference to his communication of 12th January 1858.

Fort St George, 26th February 1858.

Copy to Advocate General
" H.B. Collector
" Mag of Chicacole

Dispd 1st March

C. No. 35-37
26-1-58

Jud Dr & Encl No. 9
30-6-58

Para 25

M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 259 Press ~~Mis.~~

23-24

Dated 26—2—19~~1~~88

Not to be folded or roughly handled