M.R.O. 1—38,000—16-10-23.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 341 Press Mis.
102 – 103

Dated 12. 3. 19 1924

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 12th March 1858.

No. 102. Read the following letter from H. G. SMITH, Esq., Acting Joint Magistrate of Malabar; to T. PYCROFT, Esq., Chief Secretary to Government, dated Camp Shoratoor, 5th March 1858.

SIR,

As a sequel to the letter I wrote you yesterday, I have the honor to enclose a copy of the depositions of Captain Johnston and Messrs. Coe and Ross of the Railway Department, to show you for the information of Government how entire and unprovoked the assault was.

The Namboory who seems according to every deposition I have taken, to have been the chief ring-leader, is a man of great wealth and influence both here and in the Chitore District of the Cochin territory, to which it is reported to me he has fled.

His property is estimated in land and houses in this District to be worth 30,000 Rupees, I would therefore suggest should the ordinary means fail, a reward of 1,000 Rupees be offered for his apprehension.

I am induced to name this large amount that some of his retainers may through the hope of obtaining it be tempted to give him up.

I am glad to be able to report, Mr. Ross' Peon although subjected to great mal-treatment is gradually recovering.

There appears to be no ill feeling or wish to disturb the peace any where except in the Namboories Umshom, I have therefore suggested to Mr. Robinson that a portion of the Malabar Police Force be sent or some other measure be taken to protect the Railway Engineers in this part of the line, where owing to their just going to begin work there seems to be an aversion on the part of the land owners to its being carried through their land.

Statement of RICHARD HALL COE, Esq., of the Madras Railway Department.

On the evening of Wednesday the third Instant, Captain Johnston, Government Engineer, Mr. Ross, Resident Engineer, and myself proceeded to a quarry about a mile along the line where I was getting some stone cuttings done and in returning by a different road as passes close to a Temple, we saw some Nairs leave after us who began yelling. We continued to walk quietly on followed by Mr. Ross' Peon the only Native that was with us, when we were suddenly attacked by about 50 Nairs headed by a Numboory. I continued parrying off their efforts to close in on us and by signs to induce them to let us know what they wanted, at this time my Store-keeper came up on his way home and endeavoured to push the Nairs off from me and we continued fighting our way to my Bungalow, several of them seized me by the arms, but I knocked them off and tried to get to the assistance of Captain Johnston and Mr. Ross and with the Store-keeper's help succeeded for a minute or two in keeping them back, but their numbers and the darkness increasing they closed in on us and struck Mr. Ross and knocked off his hat, three of them seized me by the arms and one by the throat and deprived me of my neckerchief. I shook off those who seized me and took hold of the man who had my neckerchief, took it from him, fought my way through the crowd and ran to the Bungalow for arms and assistance.

On getting there, I took my gun turned out with my Writer and Cash Peons and ran back to the assistance of Captain Johnston and Mr. Ross, but before I reached the crowd, I met them coming towards the Bungalow followed by two of my people who had ran to their assistance and found Mr. Ross' Peon left behind. We returned and dined and about 8 o'clock was joined by three of my Sub Inspectors, whom I had sent for and a number of Mopalas with whom I wished to rescue Mr. Ross' servant, but was dissuaded from doing so by Captain Johnston who thought it better to await the arrival of the Magistrate.

Q.—Of the prisoners now before you, do you recognize any as being concerned in the affray?

A.—The 8th prisoner I distinctly recognize and think I can the third, cannot swear to him.

Q.—Do you know their names?

A.—No, I do not.

Q.—Did Numboory take a very prominent part in the affray?

A.—He did take a most prominent part, in fact he was the ring-leader and I should know him again if I saw him.

Q.—Did you give them any provocation to proceed as they did ?

A.—Not the slightest.

Q.—On my arrival and proceeding with a strong force of Railway employeés to rescue Mr. Ross' Peon, do you recognize one of the prisoners as having been then and there captured ?

A.—I recognize the first prisoner.

Taken on oath before me, this 5th day of March 1858.

(Signed) H. G. SMITH,
Assistant Joint Magistrate.

Statement of ANDREW DAVID ROSS, Engineer of the Madras Railway Department.

On the evening of the 3rd of March 1858, Captain Johnston, Mr. Coe and myself left on foot the Engineers' Bungalow at Shoratoor for the purpose of looking at a portion of the Railway line to the west of the Bungalow, before leaving the Bungalow, I said I would let my Peon carry my gun as I thought that in returning we should probably see a hare. We went about a mile along the Railway and then returned by a different road along which I have frequently passed before, as we were going along I told the Peon to keep close to me in order that he might hand me the gun if a hare should cross our path, he consequently kept close to me not more than two yards behind me. We passed a Covil, we went along the road marked A. A. in the sketch, after we had left the Covil about 50 yards, I heard loud yells behind, immediately a man whom I knew to be a Namboory and whom on seeing again I could easily identify came up and tried to take possession of my gun and Peon, I pushed away the Namboory and was immediately surrounded by a crowd of Nairs, they headed by the Namboory tried to arrest the gun from the Peon. I assisted him in retaining it, after some little time I took the gun into my own hand and did my best to defend the Peon from the blow and thrusts aimed at him, I had great difficulty in retaining the gun as a number of people tried to pull it from me, I was repeatedly knocked and pushed about, had my hat sometimes knocked off and sometimes over my eyes, the Peon being separated from me was carried away. I ran towards the Bungalow to get help, I met one of Mr. Coe's Peons Mahomed Saib and went back to the crowd to try and recover my own Peon, Mahomed Saib asked the crowd for my Peon, a few of whom again headed by the Namboory rushed upon Mahomed Saib, knocked him down and were abusing him, when on my going to his assistance they left him, after this we all went to the Engineer's Bungalow it being too dark and the crowd too large and infuriated for us to attempt to rescue the Peon; the Adighary arrived about 8 o'clock, he was requested by Captain Johnston to go and recover my Peon, he went away and soon returned, saying that the Nairs refuse to give up the Peon, he further said he had not sufficient influence over them to compel them to do so, he then gave a list of the persons who refused to give up the Peon, after that he went away being of no service to us.

Q.—Are you quite sure you gave them no provocation to proceed as they did ?

A.—I am quite certain we gave them none.

Q.—Do you recognize any of the prisoners as taken part in the affray ?

A.—No I do not, but I recognize the 1st and 2nd prisoners as being the two who were caught yesterday as guard over the house where my Peon was in custody.

Taken on oath before me, this 5th day of March 1858.

(Signed) H. G. SMITH,
Assistant Joint Magistrate.

Statement of Captain C. C. JOHNSTON of the Madras Engineers.

On the third of March 1858, between the hours of 6 and 7 o'clock P. M. Messrs. Ross and Coe, Railway Engineers and myself were returning to the Bungalow occupied by Mr. Coe in the limits I believe of the village of Shoratoor, the only Native with us was a Peon of Mr. Ross, who was carrying his gun. Mr. Ross before leaving the Bungalow observing that he would take his gun as we might see a hare while passing along a public road as shown in the accompanying sketch we were suddenly overtaken at a short distance beyond the Covil,* and surrounded by a number of Nairs headed as we subsequently ascertained by a man known as Paracata Namboory (whom if shown me I should be able to identify) after yelling for a time their numbers increased and notwithstanding that we continued to walk quietly on, they proceeded

* Vide Sketch

ed to assault us. Mr. Ross held his gun against numbers and showed the greatest forbearance in not firing it as it appears to me the violence of the attack would have justified him in doing, when at some distance from Mr. Coe's Bungalow the Nairs succeeded in separating from us Mr. Ross' Peon whom they severely illtreated, but owing to their numbers, and the darkness, it would have been useless our attempting to rescue him, the Adighary of the village came to Mr. Coe's Bungalow, late in the evening, when I desired him to go to the village and ascertain whether the Nairs would deliver Mr. Ross' Peon to his custody. This on his return he informed me they declined to do and further stated that he had no means of enforcing his authority. The paper marked A. contains the names of seven of the principal men of the village when the Adighary said refused to deliver up Mr. Ross' Peon.

Q.—About how many do you think attacked you first ?

A.—About 50.

Q.—To what number do you think they afterwards increased ?

A.—About 120, but others joined after, it was too dark to see.

Q.—When you say they assaulted you, to what extent do you mean they did so ?

A.—They caught hold of my arms and tried to separate me from Mr. Ross.

Q.—Did you see what they did to Messrs. Ross and Coe ?

A.—They tried to take his gun from Mr. Ross and I conclude they struck him, as once or twice he lost his hat and they appeared to treat Mr. Coe with the same roughness as they did myself.

Q.—Are you quite sure you gave them no provocation to proceed in the way they did ?

A.—We gave them not the slightest provocation.

Taken on oath before me, this 5th day of March 1858.

(Signed) H. G. SMITH,
Acting Joint Magistrate.

No. 103. ORDER THEREON, No. 341; dated 12th March 1858.

The Right Honorable the Governor in Council sees no occasion to offer a reward for the apprehension of the Namboory who is stated to have been the ring-leader in the assault upon Messrs. Johnston, Coe and Ross. The Acting Joint Magistrate should act upon the provisions of Section XV, XVI, XVII, Regulation IX, 1816, issue Summons and Proclamation and on non-appearance attach the property of the absentee.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

From

H. S. Smith Esqr

To

J. Ogeraft Esqr

Chief Secretary to Government

Sir,

With regard to the letter I wrote you Yesterday I have the honor to enclose a Copy of the depositions of Captn Johnston and Messrs Cockburn of the Railway department to show you for the information of Govt how entirely unprovoked the assault was.

The Arumboory who Maime according to every deposition I have taken to have been the Chief instigator is a man of great wealth and influence both here and in the Chittore district of the Cochin territory to which it is reported to me he has fled.

His property is estimated in land and houses in this District to be worth 30,000 Rupees I would therefore suggest should the ordinary means fail a reward of 1000 Rupees be offered for his apprehension.

I am induced to name this large amount that some of his retainers may through the hope of obtaining it be tempted to give him up.

I am glad to be able to report

Mr Ross's son although subjected to great maltreatment is gradually recovering.

There appears to be no ill feeling or wish to disturb the peace any where except in the Tamboories amongst whom I have therefore suggested to Mr Robinson that a portion of the Malabar police force be sent or some other measure be taken to protect the Railway Engineers in that part of the line where owing to their just going to begin work there seems to be an opposition on the part of the land owners to its being carried through their land.

I have the honor to be
Sir,
Your Most Obedient Servant
H. G. Smith
Acting Joint Magistrate

Camp Moratoor
5th March
1858

To Orders

&c

Judicial Department

No 455.

From
The Acting Joint Magistrate
of Malabar
Dated 5th March 1858.

For Orders.

I do not find the sketch mentioned - I write upon the amount of Reward proposed - & also of the suggestion of employing some of the Malabar police to protect the Railway people.

W. M 70

The offence charged is one of Assault — It is a bailable offence — & I think the best way of proceeding against the Rambong under the provisions of Sect. XV, XVIII Reg 11 of 16 — offering the reward —

W.M.

No 341 5

The R.H. the Gn Council sees no occasion to offer a reward for the apprehension of the Rambong who is stated to have been the ring leader in the assault upon Mrs Johnston, Coe and Ross — The Act. Joint Magistrate should act upon the provisions of Sect XV. XVI XVII Reg IX. 1816 issue summons & proclamation and on non appearance attach

Rec'd: 12th March 1858. Sepoy

From W.H. Sheriff Esq
Re-bail surrendered

4/5
5/10 Summoned 50.

No 1155.
Kuala

Also report to the Court addressed by him upon the evidence adduced by the Complainant & Complainant's Witnesses on the charge preferred against the Rambong Coolies of the Railway Depôt for the infringement of Government.

Sent to Mr. Sheriff for the information of the Defendant
12th March 1858

Joint Mag.t of Malacca } JP
Mag.t of do } Disp.d 12th

Rec'd 12th March

102 Nos.