

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	580	Press
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43-44		
Dated	3-5-	19 1858

Not to be folded or roughly handled

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Fort St. George, Judicial Consultation, 4th May 1858.

No. 43. Read the following Extract Minutes Consultation in the Military Department, dated 13th April 1858, No. 1255.

Communicating copy of a letter from the Adjutant General of the Army, submitting a report from the Officer Commanding 3rd Extra Regiment, respecting the Grain Riot at Raneeper, and stating that the Commander-in-Chief considers Captain Wilson's explanation to be perfectly satisfactory in every particular. (Vide Military Consultation, 13th April 1858, Nos. 35 and 36.)

No. 44. ORDER THEREON, No. 580; dated 3rd May 1858.

Ordered to be communicated to the Magistrate of North Arcot, who will call upon the Assistant Magistrate to state why the Sepoys were put in irons, and forward their Officer's explanation with his own opinion on it.

(Signed) T. PYCROFT,
Chief Secretary.

No. 1255.

Extract from the Minutes of Consultation, 13th April 1858.

Read letter, from the Adjutant General of the Army, Head Quarters Ootacamund, 1st April 1858, No. 441; to the Secretary to Government, Military Department.

With reference to Extract from Minutes of Consultation as per margin, I have the honor, by order of the Commander-in-Chief, to forward for submission to the Right Honorable the Governor in Council, copy of letter from the Officer Commanding Centre Division, dated 17th instant, No. 97, with a report from the Officer Commanding 3rd Extra Regiment, respecting

the grain Riot at Roneepett.

Lieutenant General Sir P. Grant considers that Captain Wilson's explanation is perfectly satisfactory in every particular.

It would appear that the Ameen placed the accused Sepoys in Irons previous to sending them to Chittor. His Excellency cannot think that the act was justifiable under the circumstances, whilst it certainly was most degrading to the Soldiers every one of whom has been acquitted.

The Lieutenant General has instructed Captain Wilson to refer the above point to the Magistrate.

From the Officer Commanding Centre Division, Madras, 17th March 1858, No. 97; to the Adjutant General of the Army.

With reference to your letter of the 25th ultimo, number and subject as per margin, I have the honor to forward, for the information of His Excellency the Commander-in-Chief, the enclosed report from the Officer Commanding 3rd Extra Regiment on the subject referred to, in your letter under reference; which I am glad to find seems entirely clear the conduct of the men of the 3rd Extra Regiment.

From the Officer Commanding Arcot, 10th March 1858, No. 142; to the Deputy Assistant Adjutant General, Centre Division, Madras.

I have the honor to acknowledge the receipt of your letter of the 1st instant, number and subject as per margin, and having called on the Officer Commanding 3rd Extra Regiment N. I. for a full report of the occurrence referred to, and also to state why a report was not made at the time the disturbance occurred, I now beg to forward that Officer's reply.

The enclosure of your letter is herewith returned.

From the Officer Commanding 3rd Extra Regiment N. I., Arcot, 8th March 1858, No. 54; to the Cantonment Adjutant, Arcot.

I have the honor to acknowledge the receipt of your letter No. 126, dated 5th instant, enclosing one, No. 178, dated 1st instant, from the Deputy Assistant Adjutant General of the Division, in which that Officer requests that a full report may be made of a seemingly very discreditable circumstance in which certain men of the 3rd Extra Regiment N. I. were said to have been concerned, and also desires to know why the above circumstance was not reported before.

2. In reply, I beg to offer the following explanation.

On the evening of the 19th January 1858, as I was seated at dinner, Lieutenant and Adjutant Wright of the 2nd Native Veteran Battalion accompanied by a Native Officer of the same Corps came to my house, and Lieutenant Wright informed me that the Native Officer had reported to him that the Sepoys of the 3rd Extra Regiment N. I. were plundering the Bazar in rear of the Lines, I asked the Native Officer "are they really men of the 3rd Extra who are plundering," he answered, "I don't know people say so." I immediately ordered my horse and rode up to the Lines. On my arrival there, I found every thing quite quiet, I then proceeded to the Bazar immediately in rear and found all there apparently quiet, I was then joined by two or three Native Officers of the Corps of whom I asked what had occurred, they told me that some discharged horsekeepers and other Camp followers had come up to one of the shops and run away with the baskets of grain that are usually placed in front. Some of the shopkeepers now came up and said that they had been plundered by men of the 3rd Extra Regiment, I asked them if they would be able to point out the men, they said yes, I then told them that I would parade the men in the morning and they could pick out any one whom they suspected.

3. The next morning I proceeded to the Bazar accompanied by Lieutenant and Adjutant O'Reilly, where I met Mr. Elliott, Head Assistant to the Collector, we were shown the shop that had been plundered, and as far as I can recollect only one had been plundered, and that apparently only of the baskets of grain that are usually placed in front, the other articles did not appear to have been touched.

4. I then proceeded with Mr. Elliott, the Adjutant, and complainants to the parade ground where the Recruits were drilling, they (the Recruits) were drawn up in line, and the complainants were told to go down the ranks and point out the men who had plundered them. They picked out 9 Privates, observing at the same time, that were the men in their Native dress they could more easily recognize them. The Houses of the 9 men pointed out were immediately searched, but nothing suspicious was found in them.

4. I then told the complainants that if they would come to arms cleaning parade at 11 o'clock they could see the men in their Native dress and point out as many more as they wished. They did so, and the only person they picked out was a Private who had been a Prisoner in the Barrack Guard the whole of the previous day and night, and who had only been released that very morning.

5. The 9 men and also the Regimental Cutwall, the latter of whom the complainants accused of heading the persons who had plundered them, were handed over to the Civil authorities and subsequently tried at the Sessions Court at Chittoor.

6. I enclose an Extract* from the
*Recorded in M. C. 27th February 1858, No. 764. Proceedings of the Sessions Court, by which it would appear that the Magistrate who tried the case characterizes the evidence of the complainants as having been given in a very unsatisfactory manner in so much that it was not entitled to any credence, declares that the Prisoners are not guilty, and directs them to be released forthwith.

7. This is as far as I have been able to ascertain a correct account of what took place, and as the men of the Regiment under my Command had been acquitted of the charge brought against them, and the evidence of the complainants had been pronounced to be not worthy of credit, I did not consider that it was necessary to report the circumstance to higher authority.

8. As however the Magistrate of North Arcot in his letter to the Chief Secretary of Government, dated 10th February 1858, has thought proper to affirm (and this before knowing the result of the trial at Chittoor) that a portion of the 3rd Extra Regiment had misconducted themselves, I beg to offer the following observations regarding the conduct of the complainants, with a view of shewing that the charge brought by them against the men of the Regiment was malicious and unfounded.

9. The Native Officer of the day hearing that there was a disturbance in the Bazar, immediately proceeded thither, and on his arrival asked the complainants to point out the persons who had committed the robbery, and that he (the Subadar) would immediately confine them—The complainants replied, that they did not know who the persons were, who had robbed them, and it was not until afterwards that they accused the men of the 3rd Extra Regiment. The Native Officer also affirms that only one shop was plundered, and I believe the very man who complained of having been robbed of grain to the amount of Rupees 314 had on the same evening stated to some Sepoys who had come to buy grain that he had no more rice left.

10. The complainants further stated before the Magistrate Mr. Elliott, on the morning of the 20th January, that the Regimental Cutwall had headed the mob, whereas I believe it was proved on the trial by a most respectable witness (a Native Officer of the Regiment) that on the first intimation of the disturbance the Cutwall ran to a Guard near at hand to put it down.

11. I beg further to observe, that on being made aware of the result of the trial at Chittoor, I addressed a letter (copy of which marked A, is annexed) to the Sessions Judge, requesting him to inform me whether according to the Regulations the complainants could not be brought to trial for making a false accusation against the men of the 3rd Extra Regiment, I received a reply (copy of which is annexed marked B,) which seems to me not to answer my question but rather to avoid it.

12. As the Regimental Cutwall is a respectable man and was recommended to me by a most trustworthy Native Officer viz., Subadar Major Govindoo, Sirdar Bahadoor, and Aide-de-Camp to His Excellency the Commander-in-Chief, I am desirous that the persons who have brought such an apparently malicious accusation against him should be punished, I have therefore directed him to apply for a summons against the complainants with a view to the case being tried before the usual Civil Courts.

13. I have further been informed that the charge against the Cutwall was trumped up by the complainants with a view to his dismissal, and in the hope that one of their friends, a discharged Cutwall of the 8th Light Cavalry, would be appointed to the vacant situation.

A.

From the Officer Commanding 3rd Extra Regiment N. I., Arcot, 15th February 1858, No. 34 to the Sessions Judge Chittoor.

With reference to case No. 6 of the Calendar of 1858, in which certain Bazarmen of the Town of Raneepett were Prosecutors against 9 Privates and 1 Chowdry of the 3rd Extra Regiment N. I., and which ended in the acquittal of the Prisoners, I have the honor to request that you will be good enough to inform me whether the Prosecutors in the above case can be brought to trial for preferring a false accusation.

2. I am induced to make this request, as I perceive from a copy of the sentence and remarks made by the Sessions Judge and brought to me by the Chowdry, that the Prosecutors are described as giving their evidence in a very unsatisfactory manner, and that it (their evidence) was not entitled to any credit. This leads me to suppose that the Prosecutors were actuated by malicious motives in bringing their accusation against the Prisoners, and more especially against the Chowdry described in the case as No. 10 Rungiah Naiken.

3. It would appear that this last Prisoner No. 10 so far from aiding in plundering the shops of the Prosecutors was according to the evidence of a most respectable witness (a Jemadar of the 3rd Extra Regiment N. I.) one of the first to proceed for a Guard to put down the disturbance. As this Prisoner No. 10 is, I have every reason to believe, a very respectable man, I am most anxious to have his character perfectly cleared from any suspicion of having been engaged in such a riot, and I shall feel much obliged by your informing me whether the regulations of your Court will admit of the Prosecutors in case No. 6 being brought to trial for making a false accusation.

4. I would further feel obliged by your informing me, whether the Police Ameen of Arcot was justified in placing the Sepoys in irons when sending them to Chittoor for trial. These men had made no attempt to escape and were perfectly willing to proceed to Chittoor.

5. I am therefore anxious to know, whether the Regulations required that these men should be ironed previous to the accusation brought against them being proved.

B.

From the Session Judge of Chittoor, 17th February 1858; to the Officer Commanding 3rd Extra Regiment N. I., Arcot.

The Charge of this Court having devolved upon me, I have the honor to state in reply to your communication under date the 15th February 1858, that I am precluded from giving an opinion on a subject which may eventually come before me for decision in my judicial capacity.

city—and in respect of the Prisoners in the case referred to having been put in irons by the Police Ameen, I must refer you to the Magistrate to whom that Officer is subject. The Certificates received with your letter under acknowledgment are herewith returned duly filled up.

Communicated to the Judicial Department.
(True Extract & Copies.)

W. Ameen

Secretary to Government.

To the Judicial Department.

With 3 spare Copies.

Recd. 21 April.

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