

MADRAS RECORD OFFICE.

Government of Madras.

Police DEPARTMENT.

G.O. No.	618	Press
	49-50	~~Mis.~~
Dated	11-8	19-11-58

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 11th May 1858.

No. 49. Read the following letter from Lieutenant Colonel H. COLBECK, Senior Magistrate of Police; to T. PYCROFT, Esq., Chief Secretary to Government, dated Royapet, 5th May 1858, No. 23.

SIR,

Understanding that the Commissioner of Police has forwarded to Government certain statements and correspondence emanating from a murder case recently before me, I have the honor to enclose the depositions taken in the matter and in doing so I cannot refrain from offering certain explanations and comments regarding them.

2. The murder case was entered for my investigation on the 31st March last, and the taking of depositions each day after the bench was over went on in due course until the 9th Ultimo when Mr. Grant the Secretary to the Widow and Orphan's Fund appeared before me and gave his evidence, while he was waiting in my room for the fair copy to be brought for his signature he made some observations regarding the murder case. Among other things he said "I hear Sooboolal purchased some cloths on the Monday evening before he was missing." I said "No." He said "perhaps I have been misinformed. I heard something about this and that some men accompanied the woman Amoordum to buy some sovereigns. I said "impossible, I know nothing of it."

3. After Mr. Grant had left, I sent for the Talliar Naick Roodruppen and knowing the character I had to deal with I addressed him to the following effect "where are the people from whom Sooboolal purchased cloths shortly before his death, and where are the people connected with the purchase of the sovereigns?" He became much confused and said "if you wish it I will produce them." I asked him where they were? He said "a man named Chedumbra Chetty is out on bail, I have got the cloths, I will bring the Shroff and the cloth merchants to-morrow." I said how dare you conceal all these important circumstances from me? He first said "the Coroner told me it was no use bringing them to your notice; then he said Mr. Clarke told me. Afterwards he said I intended to bring all this to your notice but I have had no opportunity." I asked him "if he had mentioned any of these circumstances in his deposition or in his usual preliminary explanation of the case he had brought before me? He admitted he had not, saying he had no opportunity because I had always gone away. I asked him if I had not sat for hours each day patiently investigating the case? He then said, that he had done very wrong, but he hoped I would pardon him.

4. I immediately wrote a note to Colonel Boulderson begging Roodruppen might be relieved from charge of the case, stating how he had deceived me and pointed out the very serious consequences that might have ensued had the circumstances I related to him been discovered for the first time in the Supreme Court.

5. In reply to this I received the note marked A and appended, by which it appeared that the Commissioner's suspicions against Roodruppen had been *previously* roused, but of this I was in ignorance.

6. It will be observed in note A that Jemadar Kistnah Singh was directed to appear before me and render his assistance, but he did not do so and Roodruppen remained in charge of the case and I felt that I had not only its intricacies to unravel, but sedulously to guard against the palpable intent to deceive on the part of the Police Officers themselves, the very persons bound to render me every assistance.

7. It may not be an unfitting time here to observe upon the bearing and manner of one of the prisoners Vencatasawmy Buthen. From the first he was extremely excited and repeatedly made violent assertions that the Police had fabricated the whole case. He complained of parties who could give evidence favorable to him being kept out of the way. I had great difficulty from time to time in quieting him, telling him I would see justice done him, he declared Roodruppen had in his possession papers which he was withholding, that those papers would throw light upon Sooboolal's death.

8. Reference to the depositions will shew that Roodruppen did withhold certain papers and how they were drawn from him, but Vencatasawmy Buthen positively affirmed there were others though they were not forthcoming.

Fort St. George, Judicial Consultation, 11th May 1858.

9. Vencatasawmy Buthen had for several days been complaining that a barber named Gooroovoodoo and a Braminy woman and man, a Rajpoot beggar and others whose names I forget were necessary to his defence but that they were withheld by the Police, I gave most peremptory orders for their production, but none of them were forthcoming until the last moment that is the night before the Sessions for which I was hastening the committal of the case.

10. Roodruppen and others said they were not to be found. On the last day of investigation viz. the 14th April up to the afternoon the witnesses so urgently called for not being present, I sent some Police officers from my own Court, and eventually Vencata Buthen, Seetharam and Gooroovoodoo were produced, the two last not until 8 o'clock at night.

11. Vencata Buthen the brass smith was examined first. He was by no means what is styled a willing witness. The prisoner Vencatasawmy Buthen repeatedly urged him to speak the whole truth. His deposition I have the honor to refer you to.

12. The next examined was Seetharam a far more unwilling witness than Vencata Buthen. His evidence will be found among the depositions.

13. The next was the barber Gooroovoodoo. Vencatasawmy Buthen pitiously entreated him to speak the truth and after much hesitation he gave his deposition which will be found among the rest.

14. The Bramin and the woman were never produced, though Vencatasawmy Buthen urged it to the last.

15. It was now 11 o'clock p. m. on the night of the 14th. The Sessions were to commence the next morning and it now became my duty to decide whether or not I would submit it for trial.

16. Under all the circumstances of the case, I would have risked the censure I might have received from the bench, and sent it forward, for it would have been a great satisfaction to me that all the circumstances of the case should have been tested in the Supreme Court, but I felt certain when reflecting upon the whole case and the nature of much of the evidence that the Grand Jury would have ignored the Bill and my object in sending the case forward would have been defeated. I consequently determined to dismiss it, which I did.

17. It is a fact well known to all familiar with ministerial and Judicial investigations that the mere reading of a case as tamely recorded upon paper cannot give that insight into it which is acquired by one personally taking the depositions and narrowly watching the deportment of the witnesses.

18. The character of one of the principal witnesses Vencatachella Naick was known to me as very bad and reference to his evidence will I think show it utterly unworthy of belief. It is improbable in the extreme, nay it is almost impossible that what he advanced could be true and I confess I give credence to the accusation of the witnesses Seetharam, the Rajpoot beggar as regards Vencatachella Naick.

19. Parthasarady's character I am not acquainted with, but his evidence made much the same impression upon my mind as that of Vencatachella Naick.

20. The barber boy named Coopoodoo was asked if he could point out any peculiarity in the razor (at this time the razor was concealed from him) he replied it is broken towards the thin end. The razor is not broken. I have the honor to enclose it and if the evidence of the other barber Gooroovoodoo is to be credited, Coopoodoo is utterly unworthy of belief, but even previous to Gooroovoodoo's testimony, I confess I gave little weight to the evidence of Coopoodoo.

21. I have the honor to submit two plans taken with reference to the alleged murder, one of the streets and places alluded to in the various depositions. The other a ground plan of Vencatasawmy Buthen's house. I have marked them D and C.

22. I would call attention to the plan marked D and the red line which I have drawn shewing the track by which the body of Sooboolal is said to have been carried, and ask if it is probable nay possible that such a route could have been taken undiscovered.

23. After the examination of the barber Gooroovoodoo, Vencatasawmy Buthen said he could prove that the bag found in his house was his property that he had the razor for years but as I had then determined to dismiss the case, I did not deem it necessary to go into further evi-

Fort St. George, Judicial Consultation, 11th May 1858.

dence. My belief is if Sooboolal was murdered at all, it was not in the house of Vencatasawmy Buthen. Would there not have been some traces of blood or the recent washing of it out somewhere?

24. Let the razor (marked C) be examined and from the corroded state of the blade I contend that it would to this hour have borne some stain upon it or the appearance of very recent grinding.

25. Sooboolal's death I confess is involved in deep mystery. My own impression (after sixty-eight hours of patient investigation) is that the evidence brought forward upon the prosecution is mainly suborned and that the family of the late Sooboolal have lent themselves to the plot. Many things tend in my mind to corroborate this view of the case and I have no hesitation in saying that for myself I give far more credence to the defence than to the prosecution.

26. I am aware that this opinion may not find response with those unaccustomed to deal much with the Police, but 10 years' experience has painfully convinced me that conspiracy and subornation of perjury is but of too common occurrence, and the Talliar Naick Roodruppen has on several occasions and particularly in two cases of importance come under my strongest suspicion, but proof of guilt in such cases is almost impossible.

27. After the dismissal of the case and the release of the prisoners, I wrote privately to Colonel Boulderson bringing to his notice that serious accusations had been made against one of the Deputy Commissioners of Police Ramachundra Row, and giving it as my opinion that the matter should go further. I have not a copy of my private note, but I request it may be called for from Colonel Boulderson, I received in reply the note marked B appended.

28. I was anxious that the whole matter should be referred to Government, but as the accused were the subordinates not of myself but of the Commissioner of Police, I deemed it a matter of etiquette to bring the case to his notice in the hope that upon the receipt of the depositions from me, he would have asked permission and forwarded them for the consideration of the Right Honorable the Governor in Council. I acted towards Colonel Boulderson as I would he should towards me under similar circumstances.

29. The note marked B plainly shewed me that Colonel Boulderson was unwilling to believe anything to the discredit of his subordinates, but as I held opinions diametrically at variance with those expressed in his note, I addressed to him officially a letter No. 19, dated 21st April 1858, (copy appended) receiving in reply No. 289, (copy attached.) This elicited from me No. 20, dated 23rd April 1858, (copy appended.)

30. On the 29th of last month, one of the prisoners in the murder case (the woman Amoor-dum) waited upon me and demanded sundry cloths, &c., now in my custody. I told her it was possible she might be again apprehended and arraigned before me upon fresh evidence and that for the present I should retain the property. She left the office, and on the 1st of this month I received from her a petition marked C appended.

No. 50. ORDER THEREON, No. 618; dated 11th May 1858.

Ordered that the above letter with the papers and articles therewith transmitted be forwarded to Mr. William Hudleston, in reference to Extract Minutes Consultation 11th Instant, No. 617.

(Signed) T. PYCROFT,
Chief Secretary.

Raymond P. Seabrook
5th May

My dear Mr. Pycroft.

Just as I had closed
the packet accompanying
this I thought it
might be well to send
the bag and handker-
chief of Murder Case
evidence to show that
they are of the most
ordinary description
and

