

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	682	Press ~~Mis~~
	3-4	
Dated	26-5-1958	

Not to be folded or roughly handled

Ans

Fort St. George, Judicial Consultation. 1st June 1858.

No. 3. Read the following letter from C. WHITTINGHAM, Esq., Magistrate of North Arcot; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Chittoor, 15th May 1858, No. 21.

SIR,

Para. 1. I have the honor to acknowledge the receipt of Extract from the Minutes of Consultation, under date 13th April 1858, No. 1255, in the Military Department, directing me to call upon the Assistant Magistrate to state, why the Sepoys were put in irons, and to forward that Officer's explanation with my own opinion on it.

2. In obedience to the orders of Government, I beg to submit Mr. Elliott's explanation* of the cause that led to irons being placed on the Sepoys. The Circular Order of the Foujdaree Udalut, dated the 23rd September 1844, No. 162, authorizes the employment of iron handcuffs to restrain prisoners charged with any heinous offences while on their way to the Criminal Courts. The offence with which the Sepoys in question were charged was certainly of a heinous nature, it has always been usual to handcuff persons so charged, and I do not think that the conduct of the Sepoys as reported by the Police Officer entitled them to any exemption from the authorized practice.

3. The report of the Police Ameen of Ranipett, dated the 20th January, giving the first account of the plunder of the shops which had taken place the previous evening the 19th, was received by me in the Calastry Zemindary on the 23rd. On the same day I requested Mr. Elliott to take up himself the investigation of the case against the Sepoys. My communication did not reach Mr. Elliott till after the case had been committed to the Criminal Court by the Police Ameen.

4. It is, I think, much to be regretted that the case was not personally investigated by †Dated 8th March 1858, No. 54. Mr. Elliott. The letter† of the Officer Commanding the 3rd Extra Regiment, to the Cantonment Adjutant, communicated with Extract Minutes Consultation under reply, details circumstances which if adduced as evidence before Mr. Elliott would probably have satisfied him that the charge was false, and would have led to the immediate acquittal of the Sepoys.

5. I have requested Mr. Elliott to investigate personally cases in which Sepoys may be charged with similar offences whenever he is residing at Ranipett.

From E. F. ELIOTT, Esq., Acting Head Assistant Magistrate, North Arcot; to C. WHITTINGHAM, Esq., Magistrate of North Arcot, dated Raneepett, 13th May 1858, No. 112.

SIR,

As requested in your letter, No. 266 of the 8th Instant, I have the honor to forward the explanation called for in Extract from the Minutes of Consultation, No. 1255, under date 13th Ultimo, enclosed therewith, together with copy of an Urzee from the Police Ameen of Raneepett No. 70, of the 12th Instant, relating to the same subject. All that I myself know, regarding the Sepoys in question, having been put in irons, is, that the Police Ameen asked me once, if he should place them in irons, as they were refractory, and refused to go to Chittoor, and he was afraid they might give some trouble on the road, and might try to effect their escape, on which I told him I saw no reason for my interference, that the case was before him, and that if they were refractory about starting, he ought to report the matter to their Commanding Officer, who would direct them to go, which course, he said he would adopt. The Police Ameen states in explanation, that in the year 1840, iron manacles for the hands, and a sort of wooden stocks, for confining prisoners by the leg, which is fastened at one end by a padlock, and opens by a hinge at the opposite end, were supplied to all the Cutcherries in the District, by order of the higher authorities, the latter, for the confinement and better security of prisoners, who might be under trial at the Cutcherries, for heinous offences; and the former for the better security of prisoners on their road to the Court; since which year up to the present time, they have been in use; that many strict orders have been issued from time to time by the Foujdary Udalut, and Magis-

Fort St. George, Judicial Consultation, 1st June 1858.

trate, regarding prisoners, being kept in close custody, and stating that any negligence on that score, which might allow of their effecting their escape, would be visited with punishment on those proved of it, in consequence of which and considering the very refractory behaviour of the Sepoys on the occasion of their being directed to start, and the fact of their being a large party of them and also fearing that if allowed to go unfettered they might by force be enabled to effect their escape, he had recourse to the only measure of precaution left him, which was to put them in irons.

(True Copy.)

(Signed) C. WHITTINGHAM,
Magistrate.

No. 4. ORDER THEREON, No. 682; dated 26th May 1858.

Ordered to be communicated to the Military Department, in reference to Extract Minutes Consultation in that Department, dated 13th April 1858, No. 1255.

2. Government approve of the instructions issued by the Magistrate, to his Assistant, personally to investigate cases in which Sepoys may be charged with offences similar to that under notice, whenever he is residing at Ranipett.

(Signed) T. PYCROFT,
Chief Secretary.

Judicial Department

No. 682

Extract from the Minutes of Consultation

Dated 26 May 1858.

Read the following letter
from the Magistrate of South Arcot

(Received 15th May 1858 at 21)

Ordered to be communicated
to the Military Department in reference
to the Military Cons. in that Dept. dated
13th April 1858 No. 1255.

C. Govt. approve of the instructions issued by the Magistrate to his Assistant personally to investigate cases in which Sepoys may be charged with offences similar to that under notice whenever he is residing at Ranipett

Handwritten initials and marks: A, M, C, and a checkmark.

Copy to Military Dept.
" to the Magistrate of South Arcot. } Dispt 29/11/58

Journal Letter to Eng.
1st May 1858 of 1858.
P. 1007.

C. No. 43-44
4/5/58

1st May 1858.
Public 1858. Department.

No. 600

Extract Mins. Cons.

Dated 26 May 1858.