M.R.O. 1—20,000—16-10-20.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1345 Press Mis—

109-110

Dated 3 —20— 1985

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, from 24th September to 4th October 1859.

No 109. Read the following letter from JOHN A. C. BOSWELL, Esq., Head Assistant Magistrate of Salem; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Tripatore 16th September 1859, No. 113.

In accordance with a letter just received from Mr. T. J. Knox, Acting Magistrate of Salem; I have the honor to submit direct to Government, copies and translations of the depositions, &c., taken before me in examining the charge brought against one Thomas King, an East Indian, for shooting Gholam Hossain a Lubbay of Vaniembady.

On the evening of Saturday, 3rd September, I received information from an unofficial source that Mr. King had "accidentally shot a Native" and "that on his return to Vaniembady he had been placed in confinement and that he was afraid to be removed to Tripatore without a strong guard, as the Natives seemed very much prejudiced against him" and that his life was in danger. I at once sent off to Vaniembady four armed peons and followed them myself. Under cover of night I had Mr. King removed to Tripatore. After seeing him safely out of the town I returned to Vaniembady and held the usual inquest on the deceased's body in the morning, when the Railway Apothecary's attendance was secured. I also rode out and viewed the spot where the deceased had been shot, about six miles from Vaniembady.

I forward herewith the copy of a Memorandum of the subsequent inquiry held at Tripatore. From the evidence, I am of opinion that the affair was purely an accident. I referred the case however to Mr. H. G. Smith, Joint Magistrate in charge of the District, who directed me to commit Mr. King for trial on the charge of murder, on the ground that "he was engaged in an illegal act, viz., that of shooting a dog," and as one of the witnesses says that Mr. King lifted the hammer after shooting at the dog and rearranged the gun."

Mr. King is an East Indian, but as his father was a European he was offered the privilege of being tried before the Supreme Court of Madras, but declined, and I have therefore at his own request committed him for trial before the Salem Court.

The ill treatment that Mr. King received from the hands of the mob of Vaniembady, I have made the subject of a separate inquiry. A memo of the Proceedings is herewith enclosed. The only individaul identified as taking all active part in the riot was one Neina Mohammud Casim Sahib, one of the chief Lubbays of the place, who was fined Rupees 200 in 1857 for the prominent part he took in riot made that year at the celebration of the Mohorum festival. I have therefore fined him Rupees 30 and also required him to give personal recognizance in the sum of Rupees 200 and to furnish two securities each in Rupees 200 to keep the peace for one year. The original depositions &c., are forwarded to the Court. I have therefore sent herewith the office copies to save delay and request that they may be returned.

No. 110. From T. J. KNOX, Esq., Officiating Magistrate of Salem; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Oossoor, 28th September 1859, No. 247.

I had the honor to receive from you 2 Telegrams regarding Mr. King's case.

2. On the receipt of the first, I desired Mr. Boswell, the Head Assistant Magistrate, by whom the case had been tried, to comply with its requisitions and to forward to you the copies and translations of his Proceedings, this he reports that he has done and I now beg that the translations may be returned direct to Mr. Boswell at Tripatore, as it appears Mr. King pleaded before the Sub-Court of Salem, he was a British subject, and the case has been returned to Mr. Boswell, who in his capacity of Justice of the Peace is now perparing to commit him to the Supreme Court. I may add that before Mr. Boswell, Mr. King expressed his wish to be tried by the Sessions Court at Salem and made no mention of his status as a British subject.

3. The answer to your second Telegram is that the Sub-Court, returned this case as above described and consequently there is no decision to report.

Proceedings of the Madras Government, Judicial Department, from 24th September to 4th October 1859.

No. 111. ORDER THEREON, 3rd October 1859, No. 1345.

14 Papers, No. 1 @ 14.
2 Memoranda. Examination of charges.
4 Letters marked. A, B, C, & D.

20

Ordered that the documents received from the Head Assistant Magistrate of Salem be now returned to him direct as requested by the Magistrate.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Judicial.

Proceedings of the Madras Govt.

Read the following letters.

From the Head Assistant Magistrate Salem ——— Entered 16 Septr. 1859 No. 113

" the Magistrate of Salem ——— " 28 do ——— 247

Order — 3d October 1859 — No. 1345

Ordered that the documents received from the Head Assistant Magistrate of Salem be now returned to him direct as requested by the Magistrate.

14 Papers No. 1 @ 14.
2 Memoranda — Examination of Charges.
4 Letters marked A, B, C, & D.

20

To Magistrate of Salem.
" Head Assistant Magistrate of Salem — with 20 documents.

Provincial Govt. & Defts

Judicial 1859 Defaults

Writ of 21st Oct.

No. 1345.

Proceedings of Govt.

Date 3rd Oct. 59

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