M.R.O. 1—39,000—16-10-37.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1340 Press Mis=

14-16

Dated 11—11—1938.

Not to be folded or roughly handled

No. 14. Read the following letter from G. THORNHILL, Esq., Acting Magistrate of Vizagapatam; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 5th November 1859, No. 511.

I have the honor to request you, will lay before the Government the enclosed short correspondence bteween Sir A. Grant, and myself.

No. 1. 2. I received, late last evening, a note from Sir A. Grant, giving his opinion that a prisoner under my charge was improperly guarded.

No. 2. 3. I replied shortly that the arrangements adopted were such as were for the time most convenient, but in my hurry, omitted to sign the note.

No. 3. 4. The note was returned by Sir A. Grant, for signature with another from himself, and in returning the note, duly signed, I stated that I must be permitted to exercise my own

No. 4. judgment, in matters for which I was responsible.

5. Sir A. Grant writes in reply, that as I consider his remarks unwarrantable, he shall appeal to the public press.

6. I have since my arrival in the district, received numerous suggestions regarding the conduct of the investigation into Captain Leycester's murder, and knowing the painful interest taken in the matter by all, I have heard, and replied courteously to them.

7. It appeared however to me, that Sir A. Grant's note was concluded in most objectionable terms, and that any remarks on the conduct of the case, which may have been, in some sense, allowable in the earlier stages of the enquiry, because, after the arrival of Colonel Boulderson, an Officer specially deputed by Government to assist in the enquiry, unwarrantable, and disrespectful not only to that Officer, and to myself, but to the Government also, and I do not think I am going too far in saying that my independence as a Magistrate has, in this instance, been directly assailed by an Officer of Government, with a threat of attack in the public press, for refusal to adopt his suggestions in a matter entirely under my own authority.

8. I will not trouble the Government further, but will leave the case in their hands.

No. 1.

Waltair, 4th November 1859.

DEAR SIR,

On going this afternoon to the late Captain Leycester's house to look at the effects now offered for public inspection there, I was quite surprised to find that the murderer Murad Khán is still kept in the house. The Sepoys told our party, that Murad Khán has his hand-cuffs removed every day, and that he is taken out to the stables where he is allowed to cook his own dinner.

This to the mind of a person fresh from England seems a most extraordinary arrangement. Not to mention that there appears to be a want of Magisterial discipline and of the proper forms, in such treatment of an atrocious criminal, is there not also considerable danger that a desperate man like Murad Khán may take advantage of the daily relaxation which takes place in his confinement to elude the execution of justice by some form of suicide?

As you mentioned to me on Tuesday that you intended removing Murad Khán to the Gaol, I was the more surprised to find that this had not been done.

I am sure you will excuse my writing to you in this straight forward way about a matter of the deepest public importance.

I am dear Sir,
Faithfully yours,
ALEXANDER GRANT.

G. Thornhill, Esq., Acting Collector and Agent, &c.

No. 2.

DEAR SIR,

I have been out all this morning or I should have replied earlier to your note received last evening.

Moorat Khan is, I am aware, still confined in Captain Leycester's house as that arrangement is found to be the most convenient for the present.

No. 3.

Waltair, 5th November 1859.

DEAR SIR,

As the note which I have just received from your Peon is not authenticated with your signature, I take the liberty to enclose it to you, and to request that you will attach your signature to it, and return it to me at your earliest convenience.

I am, Dear Sir,
Faithfully yours.
A. GRANT.

No. 4.

DEAR SIR,

I have attached my signature to my note. I need hardly add that its omission was simply an oversight.

The note was despatched in a hurry.

And I take this opportunity of adding that I must be permitted to exercise my own judgment as to what is right in matters for which I am responsible.

I am, Dear Sir,
Yours faithfully.
(Signed) G. THORNHILL.

No. 5.

Waltair, 5th November 1859.

DEAR SIR,

With reference to your two notes received this morning, as you appear to consider it an unwarrantable liberty in me to offer any remarks or suggestions upon an important public matter under your charge, I shall not trouble you with any further correspondence on the subject. But I shall feel myself at liberty to appeal to public opinion as to whether my anxieties (in which several intelligent persons participate) with regard to the security of Murad Khán's confinement, are wholly unfounded. With this object I shall communicate my letter to you of yesterday, together with your answers thereto, to the Madras newspapers.

I am, faithfully yours,
(Signed) A. GRANT.

No. 15. MINUTE by the HONORABLE the PRESIDENT, dated 11th November 1859.

Sir A. Grant should, I think, be informed that if he saw reason to object to the arrangements of the Magistrate, in reference to the custody of a person under detention on a criminal charge, his representation should have been addressed to the Government; and Mr. Thornhill should be made acquainted with this communication.

(Signed) C. E. TREVELYAN.

No. 16. ORDER THEREON, 11th November 1859, No. 1540.

Mr. Thornhill, Acting Magistrate of Vizagapatam, submits to Government a correspondence which has passed between himself and Sir A. Grant, Bart., Acting Inspector of Schools, relative to the arrangements made for the custody of Moorad Khan. In his concluding note, Sir A. Grant intimates his intention of communicating the correspondence to the Madras Newspapers.

2. The Honorable the Governor in Council resolves to inform Sir A. Grant, that if he saw reason to object to the arrangements of the Magistrate, in reference to the custody of a person under detention on a criminal charge, his representations should have been addressed to the Government.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

JUDICIAL DEPARTMENT.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from C. M. TEED, Esq., Administrator General.

(Here enter 28th October 1859.)

ORDER THEREON, 4th November 1859, No. 1493.

The Honorable the Governor in Council has no objection to Mr. Teed, the Administrator General, proceeding for three months to Bangalore for the benefit of his health.

2. It is observed, however, that on the occasion of a former Administrator General, Mr. W. A. Serle, leaving Madras on account of sickness, it was held that there were objections on legal grounds to the appointment of an *Acting* Administrator General, and that the individual by whom the duties of the Office were to be performed must be appointed to it absolutely.

3. Under these circumstances, Mr. C. Dale has been appointed Administrator General, on the understanding that Mr. Teed will be re-appointed to the Office on his return to Madras.

(True Extract.)

Chief Secretary.

To C. M. Teed, Esq.
„ C. Dale, Esq.
„ the Civil Auditor.

Exd. F. Cartledge.

Sir A Grant should, I think, be informed that ~~[illegible]~~ if he saw reason to object to the arrangements of the Magistrate in reference to the custody of a person under detention on a criminal charge, his representation should have been addressed to the Government; and Mr Thornhill should be made acquainted with this communication.

Madras. 11 Nov, 1859.

W. Thornhill

L.G.

W.C.

Judicial 10th Nov 1859 Nº 1493

Proceedings of Acting Inspector of Schools

Dated 4th Sept 1859

Submitting for the information of Government a correspondence which has passed between himself and the Acting Magistrate of Vizagapatam relative to the arrangements made for the custody of Moorad Khan, and intimating his intention of communicating the correspondence to the Madras Newspapers.

should be made acquainted with this communication.

(Signed) C. E. TREVELYAN.

No. 16. ORDER THEREON, 11th November 1859, No. 1540.

Mr. Thornhill, Acting Magistrate of Vizagapatam, submits to Government a correspondence which has passed between himself and Sir A. Grant, Bart., Acting Inspector of Schools, relative to the arrangements made for the custody of Moorad Khan. In his concluding note, Sir A. Grant intimates his intention of communicating the correspondence to the Madras Newspapers.

2. The Honorable the Governor in Council resolves to inform Sir A. Grant, that if he saw reason to object to the arrangements of the Magistrate, in reference to the custody of a person under detention on a criminal charge, his representations should have been addressed to the Government.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Pas of the Madras

Read the following:

From Actg Magt of Vizagapm 5 Nov/59

Minute by the Honble President — 11 — do

Order thereon 11 November/59 No 1540.

Mr Thornhill Actg Magistrate of Vizagapatam bringing to Govt a complaint which has passed between himself and Mr Hunt Asst Actg Inspector of Schools, relative to the arrangements made for the custody of Monarkhaa — & his concluding note Mr Hunt intimating his intention of

communicating
the correspondence
to the Madras
Newspapers —

2. The Govt Hon the
Govr (resolves to
inform the Asst
Genl that if he
saw reason to object
to the arrangements
of the Magistrate in
superintending the
custody of a person
under detention on
a criminal charge,
his representations
should have been
addressed to Govt
Govt

Magistrate of Vizag
Sir A Grand Bart

Prov. of Govt 20th Nov.r

Judicial. 1859. Dep.t

No 1540.

Proceedings of Govt.

of 11 Nov.r/59.

~~Feb 1974.~~

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In forwarding Sir A. Grant that if he saw reason to object to the arrangements of the Rajahship of Vizianagaram taken in performance of the testamentary of Maharaj Kumar under Sanction on a criminal charge, his representation should have been addressed to the Government.

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