M.R.O. 1—33,000—16-10-23.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1581 Press —Mis—

55-56

Dated 16—11—1955

Not to be folded or roughly handled

1581 MK

Proceedings of the Madras Government, Judicial Department, for the month of November 1859.

No. 55. Read the following Charge Sheet, dated 4th November 1859.

The undersigned have the honor to submit to G. Thornhill, Esq., Magistrate of Vizagapatam, the evidence recorded during the enquiry into the cause of the death of the late Captain Leycester, with a charge against three suspected persons.

(Signed) G. VANS AGNEW,
Principal Asst. Magistrate.

(„) J. C. BOULDERSON,
Justice of the Peace.

Prisoners.

1. Mooratkhan, a Peon of the Pay Office in attendance at the house of Captain Leycester.
2. Sawmy, a bearer in the service of Captain Leycester.
3. Juggunnayacooloo, a Peon of the Pay Office on duty at Captain Leycester's.

Charge.

The 1st prisoner with having feloniously and wilfully of his malice aforethought, killed and murdered one Ralph Wm. Hy. Leycester, a Captain in the 19th Regiment of Native Infantry and Paymaster at Vizagapatam, at his house situated in Waltair, between the hours of 10 and 11, on the night of the 28th of September 1859, and the 2nd and the 3rd, with being accessories.

Witnesses.

1st, Dr. Smith.—Examined the approaches to the east door leading into Captain Leycester's bed-room, states what occurred immediately after Captain Leycester's death, and having examined the body of the late Captain Leycester, proves that he met with death by a gun shot wound, which he could not have inflicted himself.

2nd, Bungaroo, punkah puller.—Proves that he was pulling the punkah over his master's bed on the night of the 28th of September at a little before 11 P. M., when he heard the discharge of a gun from the direction of his master's bed-room, and after a short interval a second discharge from the other side of the house, that sometime afterwards he was joined by Mooratkhan and others with a lamp, that Captain Leycester's dog did not bark that night, that before the 1st gun was fired, all was quite silent.

N. B.—This man's post was near the steps which lead to the east door of Captain Leycester's room, which was shut by Mooratkhan.

3rd, Puntiah, punkah puller.—Proves, &c., &c., and that he was awoke by the discharge of a gun and that afterwards he went into the house with others, &c., &c.

4th, Madena.—Went out shooting that evening with Mooratkhan, and states what occurred afterwards.

5th, Maurimoottoo, Tunnicarchy.—Proves that she gave a light to Mooratkhan, and went into the house, and states what she saw and heard, speaks also about the east or garden door of the room in which Captain Leycester was shot.

6th, Chinnasawmy, Cook.—States that he was called up at 11 o'clock on that night by Mooratkhan and Sawmy, that they got a light from the cook-room, and that they all went to the house where he saw his master lying dead on his bed.

Proves also that there was ill-will existing between his master and Mooratkhan.

States also that Mooratkhan gave him and some other servants toddy that afternoon.

Points out where Mooratkhan and the Peons usually slept in his master's house. Identifies the powder flask.

7th, Veerasawmy, Maity.—Proves that he trimmed and lighted the globe lamp in the hall, extinguished the reading lamp and the lantern, and placed the latter under the side-board, and went away, states also that he tied up his master's dog in the side board room, that the dog barks much at strangers, and points out the place where Mooratkhan and the peons were in the habit of sleeping, also identifies the powder flask.

8*th*, *Bungaroo, Bearer.*—Proves that he went out shooting with Mooratkhan, and that he saw Captain Leycester strike Mooratkhan on the 27th of September.

9*th*, *Appunnah, Horse-keeper.*—States that he was called from the stables by Mooratkhan, and relates what he saw and did at the house afterwards.

10*th*, *David Diarym, Butler*—Proves the existence of bad feeling between Mooratkhan and the deceased Captain Leycester, and states that his master's dog always barked much at strangers, and identifies the small box.

11*th*, *George Vans Agnew, Esq.*—Searched the house, and examines the approach to it from the garden on the east side, leading to Captain Leycester's bed-room, proves where the gun was found, and mentions that a mark of a bullet on the upper part of a window leading to the centre room from the room in which the gun was found was discovered, proves also that an exploded cap was found on each of the nipples of the said gun, produces articles found in the house, and in the garden, produces also articles found on the person of Mooratkhan, and states what he said regarding the powder flask.

12*th*, *Revd. Mr. Griffiths.*—States what occurred after Captain Leycester's death, and was present when the gun was found.

13*th*, *Major Strange.*—States what he observed, and what he found in the house immediately after the death of Captain Leycester and what he did afterwards, proves the plan of the house.

14*th*, *Mootooveeroo, Sepoy 38th Regiment N. I.*—Identifies the powder flask, and states when he last cleaned the gun.

15*th*, *Nursiah, a Cunchinee.*

16*th*, *Appala Nursyah, the Manager of the Pay Office.*

17*th*, *Addianah, a Tailor.*

18*th*, *Appadoo, alias Moogah, a Horse-keeper of Captain Leycesters'.*

19*th*, *Major Usher.*

20*th*, *Yenkoo, also a Horse-keeper of Captain Leycester.*

21*st*, *Unkunnah, wife of the Horse-keeper Uppunnah, witness No. 9.*

22*nd*, *Suntanum, widow of the deceased Butler of the late Captain Leycester.*—Proves the existence of ill-will between Mooratkhan and the late Captain Leycester, and the cause thereof.

(True Copy.)

Vizagapatam,
4th November 1859.

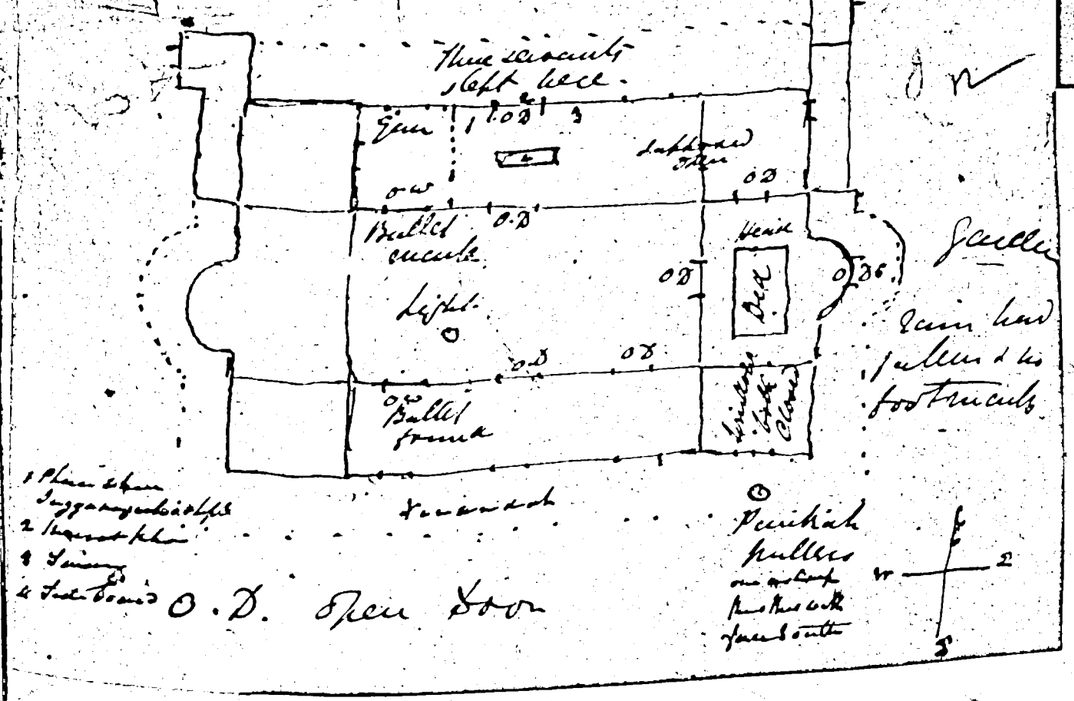
(Signed) G. THORNHILL,
Acting Magistrate.

No. 56. ORDER THEREON, 16th November 1859, No. 1561.

To be recorded.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.


Three casements
Left block
Gun
1 O.D.
Table and
chairs
O.D.
Bulkhead
O.D.
Bed
Locker
Ladder
Down hatch
Ladder
Down hatch
Ballast
ground
Ballast
ground
1 Plan chart
2 Barometer
3 Swing
4 Tool board
O.D. Open door
Portable
bulkhead
Forward

Judicial 1859 Depart.
Proc. of Oct. 29 & 25

Charge Sheet

Nº 4 "November 1859.
R. 14"

The undersigned have the honor to submit to G. Thornhill Esqr. Magistrate of Vizagapatam the evidence recorded during the enquiry into the cause of the death of the late Captain Leycester with a charge against three suspected persons.

(Signed) G. Vans Agnew
Pt. Asst. Magistrate

(Signed) W. La Bouliderson
Sessions Atten. Peace

No 1561 - 16 Nov. 59 -

To be recorded

(illegible)

Jr. 1883 JP

Forwards Abstracts of the evidence recorded during the enquiry into the cause of the death of the late Captain Leycester.

9th 83
R.H.