M.R.O. 1—89,000—16-10-27.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1318 Press
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Dated 12. 10. 1860 19 .

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Not to be folded or roughly handled

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Proceedings of the Madras Government, Judicial Department,
12th October 1860.

No. 81. Read the following letter from WILLIAM CHAS. GIBSON, Esq., Colonial Secretary, Colombo, to the Chief Secretary to Government, Fort Saint George, dated 1st October 1860, No. 91.

With reference to the annexed copy of a correspondence with the Chief Superintendent of Police at Colombo, I am directed to request that you will move the Honorable the Governor of Madras in Council to cause the papers to be referred to the Magistrate of Trichinopoly for his report.

From W. MACARTNEY, Esq., Chief Superintendent of Police, to the Honorable the Colonial Secretary, Colombo, dated 24th August 1860, No. 107.

I have the honor to annex copy of a letter from Captain C. M. Drew, Provincial Inspector of Police, Kandy, and to state that I have dismissed the Constable therein alluded to, which is all I could do under the circumstance.

From Captain C. M. DREW, Provincial Inspector of Police, to W. MACARTNEY, Esq., Chief Superintendent of Police, Colombo, dated Kandy, 21st August 1860.

I have the honor to report that a Criminal Warrant was in the month of May last, issued by Captain Graves, Police Magistrate and Inspector of Police of Kandy for the apprehension of one "Christian Solomon Appawo" charged with embezzlement by Messrs. Keir, Dundas and Co.

Having received information that the accused had gone to Trichinopoly, Messrs. Keir, Dundas and Co. was asked whether the Firm would pay expenses of a Constable going out thither to execute the warrant, and this being agreed to, No. 52 P. C. Drahim, *who said he knew the accused*, was despatched from this on the 24th May, having received from Mr. Dundas a sum of £5 for his travelling expenses.

On the 13th instant he returned bringing a wrong individual who was consequently discharged.

The man who was brought from Trichinopoly claims damages to the extent of £10 besides his expenses back to his country. I have suspended the Constable, and request your instructions as to what is to be done in this matter. I have not yet paid him his pay for last month.

(A true Copy.)

(Signed) W. MACARTNEY,
Chief Superintendent of Police.

From JAMES SWAN, Esq., Colonial Secretary, to the Chief Superintendent of Police, Colombo, dated 31st August 1860, No. 108.

Having submitted to the Lieutenant Governor your letter No. 107 of the 24th instant, I am directed to acquaint you that it seems hard to dismiss the Constable, if he acted bonâ fide in the matter.

From W. MACARTNEY, Esq., Chief Superintendent of Police, to the Honorable the Colonial Secretary, Colombo, dated 4th September 1860, No. 111.

With reference to your letter No. 108, of the 31st ultimo, I have the honor to state that as the Lieutenant Governor thinks it a hardship that the Constable alluded to therein, should be dismissed, I beg to state the circumstances under which I felt it my duty to dismiss him. He was sent from this to arrest a man charged with embezzlement whom he said he knew well and

often saw in Kandy, and could identify him without any one to point him out, he proceeded on this important duty, and arrested a man he admits he never saw before, and brings him a prisoner here, merely on suspicion. I have a great objection to dismiss a good Constable, as this man has heretofore been, but I did not think it safe to trust a man who could make so gross an error with Police authority.

I beg to forward a copy of a Petition I have just received from hm, and have no objection if His Excellency approves to reinstate him pending reference to the Magistrate at Trichinopoly, under whose directions he says he acted.

To W. MACARTNEY, Esq.,
Chief Superintendent of Police,
&c., &c., &c.

The humble Petition of DRAHIM, Police Constable No. 52 of Kandy.

HUMBLY SHEWETH,

That your Petitioner begs leave most respectfully to submit his grievance to your honor's kind and judicious consideration.

That the Petitioner did, as per order of the 25th May last, proceed to Trichinopoly to detect the Store-keeper who ran away from Messrs. Kier, Dundas and Co., having committed embezzlement and that the Petitioner having undergone great many casualties at his embarkation, arrived at the spot above alluded to, where in the course of his searching the person aforesaid, the Petitioner found an individual disguised of his dress and when the Petitioner enquired his name from him who declared his name as Appoo, as to ascertain the same when the Petitioner enquired it again from the people of that country, they then said, he is called by the name of Butler, and again the Petitioner asked him whether he knows Messrs. Kier, Dundas and Co., he then replied that he is well acquainted with them and when the Petitioner asked him again what became of the money that he has brought from the above company he then declared he has expended the whole money on his way from Kandy; all these expressions created a strong suspicion on his part, consequently took him before the Magistrate at Trichinopoly, being under the impression that he must be the very person, whom the Petitioner in want, and there after a due enquiring into the matter, the Magistrate desired the Petitioner not to proceed to Ceylon until he gets an answer from the Government of Ceylon, and subsequent to which, he ordered the Petitioner to conduct the Prisoner to Kandy, where on taking him in the presence of Mr. Dundas, who told the Petitioner that he has brought the wrong person, in consequence of which, the Petitioner has been suspended from his service since the 28th ultimo. But the grievances he feels are most painful in consequence of his being suspended for other's faults, after he has endured great many casualties and heavy expenses at his departure and arrival. The Petitioner begs to assure your honor, it is not by the will of the Petitioner that he has brought the Prisoner to Ceylon, but by the order of the Magistrate of Trichinopoly, whereby he humbly presumes it is reasonable to surmise that the Petitioner can by no means to accuse for conveying the Prisoner to Ceylon in obeying the order of the Magistrate aforesaid.

That your Petitioner further begs leave to entreat your honor's kind and merciful consideration, that he has been serving in the Police establishment for the last 9 years, with faithful and active discharge of his arduous and responsible duties; in conformity with such he was several times promoted in his service, the fact of which and the propriety of his conduct and capacity, can on reference to the testimony he bears, be fully ascertained. The Petitioner has on several times apprehended many thieves, but he was never at any time found fault nor suspended for any such crime whatever, but the present time.

Under these circumstances, the Petitioner takes his refuge to your honor and most humbly craves, that your honor may, in consideration of his long and faithful service, be graciously

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pleased to reinstate him to his service, as well as paying his arrears salary for the month of June last, and batta for the period of 80 days, from 24th May up to the 13th August 1860.

For which act of goodness and justice your Petitioner as in duty bound shall ever pray.

(Signed) DRAHIM,
Police Constable.

COLOMBO,
3rd September 1860.

From JAMES SWAN, Esq., Colonial Secretary, to the Chief Superintendent of Police, Colombo, dated 11th September 1860, No. 114.

With reference to your letter No. 111 of the 4th instant, I am directed to acquaint you that you should never have sent the Constable to the coast on such a duty; and as he appears to bear a good character, the Lieutenant Governor thinks he may, under the circumstances, be reinstated, pending the reference you propose to make to the Magistrate at Trichinopoly.

From W. MACARTNEY, Esq., Chief Superintendent of Police, to the Honorable the Colonial Secretary, Colombo, dated 25th September 1860, No. 118.

With reference to your letter No. 114 of the 11th instant, I have the honor to request that the correspondence respecting Constable Dryan and Solomon Appawoo, the man brought from the coast by him, may be sent to the Magistrate of Trichinopoly for his report.

(True Copies.)

(Signed) WILLIAM C. GIBSON.

No. 82. ORDER THEREON, 12th October 1860, No. 1,318.

Referred for the report of the Magistrate of Trichinopoly.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

List

No. 1318 — 12 October 1860 —

Referred for the report of the Magistrate of Trichinopoly.

JP

The Magistrate of Trichinopoly

Dated 18