

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	<i>998</i>	Press
	<i>63-65</i>	Mis.
Dated	<i>9. 8. 1860</i>	19

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*Proceedings of the Madras Government, Judicial Department,
9th August 1860.*

Read the following papers:—

No. 63. From Lieutenant Colonel H. COLBECK, Senior Magistrate of Police, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 28th July 1860, No. 9.

In accordance with the instructions contained in the Order of Government, dated 20th of July 1860, No 909, in reference to two paragraphs "five" and "six" quoted from a letter from the Advocate General to your address dated 14th July 1860, I have the honor to offer for the consideration of His Excellency the Honorable the Governor in Council the following remarks and proofs which I feel confident will fully exonerate me from the slightest imputation of blame in the matter of the kidnapped children alluded to.

2. The cases came before me from the Office of the Commissioner of Police without any instructive assistance whatever. They were merely entered as an ordinary nuisance case would be, Syud Abdulla's name appearing in the charge sheet as a "witness" and as such I proceeded to take his deposition.

3. This deposition (in my own hand-writing) I have the honor to forward.

4. I did not send Syud Abdulla's deposition to the Clerk of the Crown together with the others, as it was a mere negative and perfectly valueless; and it has been the universal custom pursued both by Mr. Edward Elliot and other Magistrates (under instructions from the Judges) not to burden the Proceedings in cases with useless papers.

5. Until the perusal (yesterday) of the Advocate General's remarks I was not in any way aware that Syud Abdulla had made any "statements" whatever; neither do I know at this moment what is alluded to. If Syud Abdulla made any deposition or statement at the Office of the Commissioner, such deposition or statement should most certainly (as is usual) have been put into my hands which would have been considerably strengthened by such assistance, and the result might have been the committal of Syud Abdulla to take his trial as an accessory to the Felony. But as the cases appeared before me as shown by the rough depositions (taken in my own hand) enclosed, not one word of mention was made of the name of Syud Abdulla to justify his committal by me.

6. If the Police Officers have acted unworthily and made depositions here, varying with their evidence in the Supreme Court, or their statements before the Commissioner, they should be made strictly to account for their conduct, as it is thus that the Magistrates are constantly hampered and involved in serious difficulties as pointed out by me on more than one occasion to the Government. If in fact they have deposed upon the trials that the children were found in the house of Syud Abdulla (as the Extract from Mr. Smyth's letter would infer) and in their depositions before me have sworn that the children were recovered from the house of Thoyer Saib, it will show in what jeopardy the liberty of the subject is placed, and how the Magistrates may suffer by their misconduct,

No. 64. From Colonel J. C. BOULDERSON, Commissioner of Police, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 31st July 1860, No. 85.

With reference to the Order of Government of date 20th instant, No. 909, Judicial Department, in which allusion is made by Mr. Advocate General Smyth to certain cases of child stealing, in which one *Syed Abdollah* residing in Ausum Khan's garden, Triplicane, was concerned; I have the honor to forward copy of the Charge Sheet sent to the Magistrate, in which you will find the name of the said Syed Abdollah entered as one of the witnesses, and his name was so entered, because, when before me, there was in my opinion no sufficient evidence to sustain a charge of kidnapping against him, then forthcoming.

No. 65. ORDER THEREON, 9th August 1860, No. 998.

There is no doubt that Syed Abdollah was forwarded by the Police to the Royapettah Police Court as a witness in the cases of kidnapped children which were tried at the last Sessions.

*Proceedings of the Madras Government, Judicial Department,
9th August 1860.*

2. Before the Magistrate, however, Syed Abdoolah professed his total ignorance of the whole affair, and the person in whose house the children were found was stated to be Thayer Sahib.

3. According, however, to the letter from the Advocate General (paragraph 5) four or five of the kidnapped children were found in Syed Abdoolah's house and by the evidence of the Police who found them there, he made statements which certainly ought to have been taken down.

4. The Government would wish for explanation from the Police what part Syed Abdoolah did take in the matter—why he was sent as a witness before the Magistrate, and what testimony he was expected to give—in whose house the children were found—if in that of Thayer Sahib, why this individual was not forwarded to the Magistrate as a Prisoner or witness, and if (as seems) the Police deposed at the Sessions that some of the children were found in Syed Abdoolah's house why no mention of this fact was made to the Magistrate—or, supposing Thayer Sahib and Syed Abdoolah to be the same person, why the man bearing both these names was called on to account for the children being found at his house.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Magistrate's District

No. of Cases.	Persons charged—name, address and occupation.	Persons charging—name, address and occupation.	Witnesses—name, address and occupation.	Charge.	By whom taken into Custody.	Property found on person.	Hour admitted to Bail.	Magistrate's Award.
1	1 Ahmeeda, a widow residing at Kadabangh. 2 Rookia Bee, a widow residing in Seepacegarh.	Veerasamy Horsekeeper residing in Chapank Triplicane.	1 Theorogoo, a female child aged 7 years daughter of Veerasamy. 2. Syed Abdollah Sahib residing in Andum Khan Garden Triplicane. 3. Shank Ally Nagne No. 37, Nungue Mess, Nungue Bazar Pannah 3 rd Division. 4. Ranga Pillay Tom Tom Comacopilay of the Police Commissioner's Office.	The 1 st Prisoner for having maliciously and by fraud decoyed and taken away the witness Ahmeeda a female child under the age of 10 years with intent to deprive the parents of the said child on the 20 th day of January 1860 from Kadabangh Triplicane. The 2 nd Prisoner for having received the said child knowing the same to have been by fraud decoyed and taken away out of the possession of its parents.	Inspector Taylor and Jemadar M. Madamotto in charge of the case.	None.		1 Ahmeeda was committed to S. P. Jail on the 29 th February 1860. 2 Rookia Bee was committed to S. P. Jail on the 29 th February 1860.
2	Ditto	Chellappah, Chacklan residing in Poddoopet 5 th Division, Comalcoo-warum, Coril.	1 Chinna Kotee a female child aged about 8 years. 2. Syed Abdollah Sahib No. 37. 3. Shank Ally Nagne No. 37. 4. Ranga Pillay Tom Tom Man.	The 1 st Prisoner for having maliciously and by fraud decoyed and taken away the witness Chinna Kotee a girl under the age of 10 years with intent to deprive the parents of the said child on the 26 th September 1859 from Poddoopet Comalcoo-warum, Coril of Madras and the 2 nd Prisoner for having received the said child knowing the same to have been by fraud decoyed and taken away out of the possession of its parents.	Ditto	Ditto		Ditto.
3	Ditto	Ponnammah, married woman, mother of the child residing in Abadon Sahib Street Chintal-chopett 5 th Division.	1 Ashtamah a girl under the age of 10 years. 2 Syed Abdollah Sahib No. 37. 3. Shank Ally Nagne No. 37. 4. Ranga Pillay Comacopilay.	The 1 st Prisoner for having maliciously and by fraud decoyed and taken away the witness Ashtamah a girl under the age of 10 years with intent to deprive the mother of the said child between the 26 th and 27 th September 1859 from Abadon Sahib Street in Chintal-chopett of Abadon and the 2 nd Prisoner for having received the said child knowing the same to have been by fraud decoyed and taken away out of the possession of the mother of the said child.	Ditto	Ditto		Ditto.
4	Habeedah, married woman, residing in Jon Raja Triplicane of Madras.	Nimneebee, married woman, mother of the child, residing in Jon Raja, Triplicane.	1 Sankappa Bee a girl aged 10 years. 2. Rukia Sahib, Parsiana a girl under the age of 10 years a comely girl residing in Andum Khan Garden. 3. Syed Abdollah Sahib, No. 37. 4. Shank Ally Nagne No. 37. 5. Ranga Pillay Tom Comacopilay.	For having maliciously and by fraud decoyed and taken away the witness Sankappa Bee a girl under the age of 10 years a comely girl with intent to deprive the parents of the said child on the 21 st November 1859 from Jon Raja Street Triplicane of Madras.	Ditto	Ditto		Committed on the 29 th February 1860.

Madras Police Commissioner's Office 1st February 1860.

Signed J. C. Bonilla
Commissioner of Police.

Commissioner of Police.

Remarks.

Madras Police Daily Case Report

No. of Cases.	Persons charged and name, address and occupation.	Persons charging—name, address and occupation.	Witnesses—name, address and occupation.	Charge.
1	1. Ahmed residing at 2. Room in the house of S. S. S. S. S.			
2				
3				
4	Habib 10-11 am from Police of Madras			

Enclosure in a letter from the
Commissioner of Police, dated
21st July 1860. 1860.

Enclosure in a letter from the
Commissioner of Police, dated
21st July 1860. 1860.

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Judicial Department.

Proceedings of the Madras Government

Read the following letters.
From the Collector, Senior Magistrate, Police
From the Revenue of Police. — (There is an entry of 31st July 1860 No. 1255)

Order thereon 9th August 1860 No. 1978.

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There is no doubt
that Syed Abdoolah was
forwarded by the Police to
the Royapettah Police Court
as a witness in the cases of
kidnapped children which
were tried at the last sessions.
2 Before the Magistrate
however, Syed Abdoolah
professed his total ignorance
of the whole affair, and the
person in whose house the
children were found was
stated to be Thayer Sahib.
3 According however
to the letter from the Advo:
General / Para 5 / four or five
of the kidnapped children were
found in Syed Abdoolah's house
and

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as Police Daily Case Report

Name, address and occupation.	Persons charging—name, address and occupation.	Witnesses—name, address and occupation.	Charge.

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 Enclosure in a letter from the
 Commissioner of Police, dated
 31st July 1860. 1860.
 The Commissioner of Police, dated
 31st July 1860. 1860.
 The Commissioner of Police, dated
 31st July 1860. 1860.

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Judicial Department.

Proceedings of the Madras Government

Read the following Letters.
 From Lt. Col. A. Colbeck, Senior Magistrate, Police } A. E. 20 July 1860. No 9/
 From the Government of Police. } (There is a letter 31st July 1860 No 85)

Order thereon 9. August 1860 No 978.

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Magistrate and what tes-
timony he was expected to
give in whose house the
children were found. if in
that of Thayer Sahib why
this individual was not
forwarded to the Magistrate
as a Prisoner or Witness -
and if as seen by the Police
deposed at the Sepoys
that some of the children
were found in Syed Abdoolah's
house why no mention
of this fact was made to
the Magistrate. or sup-
posing Thayer Sahib and
Syed Abdoolah to be the
same person why the man
bearing both these names
was

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was not called on to ac-
count for the children
being found at his house.

To
Commissioner of Police
With Col. Colbrete's
letter and original
enclosure to be re-
turned -
Magistrate of Poyapettah
District.

Chief Clerk

J.P.

Bo of August

Medical 18th Sept 1861

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Proceedings of Court

Notes 9th August 1861

F. No. 1362.