M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 134 Press / ~~Mis.~~

189-190

Dated 30/1/1862 ~~19~~

3/3

Not to be folded or roughly handled

No. 189. Read the following letter from T. SYDNEY SMYTH, Esq., Advocate General; to the Chief Secretary to Government, Fort Saint George, dated 22nd January 1862.

The only case in which I considered it necessary to appear for the Crown during the First Criminal Sessions of 1862, which have just terminated, was No. 28 in the Calendar, in which one Thomas George Saunders of the Telegraph Department was charged with the manslaughter of one Ramudu, his horsekeeper, at Nellore, on the 30th November last. The Prisioner was acquitted, a result in which I entirely concurred, as did the presiding Judge.

2. The alleged cause of death was a kick on the testicles; but while there was nothing to shew that the death resulted from any injury to those parts, and much to shew that the death resulted from natural causes, as the Zillah Surgeon deposed he had no doubt it had, the evidence of the alleged kick was most unsatisfactory.

3. It was only deposed to, by two little boys of 8 and 12 years old, who in many material respects contradicted each other grossly, and moreover on cross examination contradicted themselves, and swore to particulars utterly incredible.

4. These boys moreover, it appears, were kept, *together*, in the house of Mr. Holman, Inspector of Police at Nellore, for *eight days*, and *not allowed to leave it*, till they had made statements before the Magistrate. It further appears that Mr. Holman seized Mr. Saunders' maty, and when he declared he knew nothing of Mr. Saunders having done any thing to the deceased, Mr. Holman *kept him handcuffed for three days!*

5. It is chiefly on this account that I bring this case to the notice of His Excellency the Governor in Council. There is nothing before me to shew that Mr. Holman in so doing was actuated by any improper motives; but, giving him the fullest credit for acting only from mistaken zeal, it is plain that he has a very mistaken notion of his duty as Inspector of Police.

6. The case of an alleged attempt to commit Sodomy, No. 29 in the Calendar, on which I lately* reported to Government, was at once thrown out by the Grand Jury.

* 18th December 1861.

No. 190. ORDER THEREON, 30th January 1862, No. 134.

Referred to the Inspector General of Police for explanation.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F Cartledge.

List

No. 134 – 30th Jany. 1862

Referred to the Inspector Genl. of Police for explanations.

J.P

The Inspector Genl. of Police. } Despd. 30th ult.

To the Advocate General. Despd. 31st ult.

