M.R.O. 1—82,000—18-12-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1926 Press ~~Mis.~~

79-80

Dated 10-12-1863 ~~19~~

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Not to be folded or roughly handled

No. 79. Read the following Proceedings of the Board of Revenue, dated 27th November 1863, No. 7524.

Read letter from V. H. LEVINGE, Esq., Collector of Madura; to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated 14th November 1863, No. 268.

1. With reference to the Orders of the Board, dated the 4th, on the Proceedings of the Madras Government, No. 1969, dated 2nd November, I have the honor to report that I proceeded to Trippatore to inquire into the circumstances of the plunder of the Sub-Magistrate's Cash Chest at that place.

2. The cash was kept in a small box secured by a lock over which an iron hasp passed, which was fastened down by a padlock; the box was kept in the Record-room, the door of which was secured by a lock, and it was customary to cover the lock by a strip of cloth, one end of which was sealed to the door post, while the other end was sealed on to the door.

3. To open the lock of the door it would be necessary first to remove the strip of cloth. The thieves did this by cutting the cloth which was too strong to be torn; of course they might have got it off by tearing it away from the seal, which would have been broken by that operation; but the seal was only slightly injured.

4. The door lock was of the commonest sort of Native lock. I procured in the town a whole handful of keys which would have opened it. The door key was in the possession of the Head Gumastah.

5. The padlock of the Cash box was covered by a bag round the neck of which a strip of cloth was wound over the upper end of which a wax seal was impressed.

6. To open this padlock the seal on the bag was not broken; the bottom of the bag was cut, the bag was then slipped up over the padlock, the lock opened, and the padlock taken off; the bag would then naturally fall off with the seal unbroken. The padlock and lock of the box were common locks, which would be easily open by any key which could be got into the key holes. The keys were kept by the Sub-Magistrate.

7. After the robbery was effected, the box was shut down, and the padlock put on, but not locked, and the bag was made to hang over the padlock with an appearance at first as if it was on the lock by having the neck of the bag above the seal pushed into the opening between the lock and hasp of the padlock, the bag being spread out over the lock, so there was perfect deliberation about the robbery and the way the bag was taken off. The lock shows the parties concerned were expert, and had well considered how to get off the bag without breaking the seals; it is remarkable no seals were broken, and the Constables urge that they are only liable for the seals.

8. There were sentries over the Record-room door the whole night, and it is impossible the door could have been opened without the cognizance of the sentry, unless he left his post or slept.

9. At 6 P. M. of the 15th, the Sub-Magistrate locked the Cash Chest, saw the bag put on the padlock and sealed and went away to his house, taking the keys with him. The door of the Record-room was locked and sealed by the Musalji at 9 o'clock P. M. The Head Gumastah was present; he made over the seal to the Head Constable and Police Inspector, and took away the key with him to his own house.

10. The Head Constable was in the office sleeping by the Record-room door till 12 o'clock that night; he himself relieved a sentry at 11 o'clock when he saw the seal all right, and he put on a sentry named Meikol Savary who remained on sentry till 2 A. M. of the 16th.

11. At 12 o'clock the Head Constable was called away by Constables Kasiram Sing and Marady on the plea that a burglary was being committed in a house some distance from the Cutcherry.

12. Kasiram Sing had been on beat; he joined another beat Constable who had been standing near a car in the street, which seems to be a place of rendezvous for the patrol Constables; shortly after he joined Constable Marady at the car, a man appeared with a light in the

distance who raised a cry of thieves; the Constables ran to the place; a hole had been made in the wall of a house. No thieves were of course discovered, and it is the opinion of the Sub-Magistrate the hole in the wall was altogether a sham.

13. Kasiram Sing and Marady went and reported the circumstances to the Police Inspector, who instead of getting up and going to make inquiries, remained in his house, which was close to the broken house, and told the Constables to go and call the Head Constable, which they did. They took the Head Constable from the Cutcherry and trotted him about the town for some time, a cry of a thief having been got up in another quarter. About 3 o'clock A. M. the Head Constable went to the Inspector and reported all quiet, and went away to his house to sleep.

14. The guard on the 15th was constituted as follows:—

Oomer Sing.... Petty Officer.
Peryanan..... } Sentries.
Meikol Savary... } Sentries.
Govindu..... } Sentries.

And they should have been the sentries on the 16th, but Kasiram Sing persuaded the Head Constable, as the Constables were tired from having been up all night running about the town, to change them to sentry duty on the morning, and to send the sentries on beat. Accordingly Meikol Savary and Govindu were sent away on beat, and in their room Hame Sing and Mooneyappa Servy were put on; Perayanan was sent off with the Inspector who was going to a village six miles off, and Kasiram Sing went on in his place. Mooneyappa Servy was told he was not to come on guard till 2 P. M. of the 16th, so that at 6 o'clock P. M. of the 16th when the robbery would be almost certain to be discovered, the guard consisted of Oomer Sing, petty Officer; Kasiram Sing, and Hame Sing, sentries; all of one caste, and ready to stick by each other.

15. Oomer Sing left the Cutcherry early in the morning, and did not return till 8½ A. M. Kasiram Sing should have been sentry from 6 to 10 A. M., but he made Hame Sing go on sentry, in whose tour the broken seal and robbery was discovered at 8¾ o'clock by Oomer Sing, who reported the same to the Head Constable who at that time came to the Cutcherry.

16. At 10 P. M. of the 15th, the seal was made over all right by the Head Constable to Meikol Savary; he should have been relieved at 2 o'clock by the petty Officer Oomer Sing, but he got himself called off to look after the pretended burglars. So Meikol Savary himself made over his post to Govindu; both of course say the seal was there all right.

17. A light is kept burning in the Cutcherry during the night; the lamp went out by the wind, Meikol Savary says, and that he made over his guard to Oomer Sing and went away to get a light. Oomer Sing says Meikol Savary did not tell him of this. I believe Oomer Sing, and that he was not at the Cutcherry at the time. The Peons of the Zemindar's Cutcherry prove that about 1 o'clock Meikol Savary came to their Cutcherry, which is about 100 yards off, to get a light; at that hour Oomer Sing was on patrol after the burglars. Meikol Savary seems to have made this statement to excuse his having left his post; his story that the lamp went out by the wind is not probable, but how it was put out is not known; there was sufficient oil in it.

18. At about 6 A. M. of the 16th Govindu made over charge to Hame Sing, the petty Officer not being present. Kasiram Sing was in the Cutcherry and should have gone on sentry, but after a dispute he made Hame Sing take the duty. Govindu says when he made over Hame Sing said all was right, whereas Hame Sing says before he took charge properly, Govindu ran off on beat, and that he saw the cloth which should have been sealed across from the door post to the door hanging down, but that as such happened some times, he took no notice of it and did not report it; this is false.

19. Such is the state of the case, and it is very difficult to fix the time when the robbery was effected, but I think it was done by the Sing party.

20. The only Constable who is not accounted for during the night, and whose story of what was done is contrary to that of all the others, is Hame Sing. Meikol Savary might have slept, and Hame Sing may have then committed the robbery and blown his lamp out, but I don't think it likely the robbery was effected whilst the Head Constable was about, and might return to the Cutcherry, and Meikol Savary is not a probable person to have committed the robbery.

21. The robbery would scarcely be committed after 6 o'clock A. M., a time when the Cutcherry servants and others were likely to have been coming about the place. It was most likely committed between 2 and 6 when Govindu was sentry. After sending the Head Constable to his house, all the Sings came to the Cutcherry and slept there. Govindu may have been concerned or he may have slept whilst the others committed the robbery, and he would go off in the morning on beat without looking at the seal; discipline and relief of sentries was very slack.

22. I shall commit the petty Officer Oomer Sing, Meikol Savary, Govindu, and Hame Sing to the Sessions Court to be tried under Sections 409 and 462 of the Penal Code.

23. The conduct of the Police Inspector throughout has been most reprehensible. On the night of the 15th he was informed of the pretended burglary; he did not stir himself in that matter; then or the next morning he made no inquiries whatever about it, and at 8 o'clock went off suddenly to a village six miles off; he had arranged to go that morning with the Sub-Magistrate who was also to have left on circuit, but the Inspector slipt off without sending any message to the Sub-Magistrate; the Sub-Magistrate sent after him immediately; he discovered the robbery about 9 o'clock, but the Inspector, who might have returned by 1 o'clock easily, did not return till 7 o'clock P. M., and then he made no inquiries, gave no assistance to the Sub-Magistrate, abused the Head Constable for having allowed the Sub-Magistrate to examine the Constables, and put the sentries in custody.

24. When the Acting Superintendent of Police and I got to Trippatore, the Superintendent of Police and I ordered the Inspector to keep Oomer Sing and Hame Sing in close confinement, and not to allow any one to converse with them. This order was specially given to the Inspector, and yet he ordered the Head Constable to let Oomer Sing out of guard, and after having heard in my office the examination of Hame Sing, he went outside, had a conversation with his brother who went into the Cutcherry and had a long conversation with Oomer Sing. The Acting Superintendent caught Oomer Sing out of confinement, and the sentry affirmed he had no orders to keep the man in strict custody; the Inspector was accordingly punished under Section 44, Act XXIV of 1859.

25. I am convinced this robbery would not have occurred; but for the want of discipline amongst the Police at Trippatore, which was owing to the worthlessness of the Inspector. The Inspector was indolent, false, and useless, and at variance with the Sub-Magistrate, and the Head Constable who was new and rather afraid of reporting the irregularities of the Inspector, and the petty Officer of the guard was not required to see to the proper relief of the guards.

26. As to the Inspector, the Zillah Surgeon who came to Trippatore with me to look after the vaccinators told me that last year he had been at Trippatore with the Assistant Superintendent who asked him to look at the Inspector as he had reported sick and would not come to him. The Doctor went to the house, the Inspector lay inside groaning, but the Doctor insisted on having him out when he discovered he was suffering from a slight burn on his arm which the Inspector had himself made to avoid duty and coming before the Assistant Superintendent; this disgraceful conduct was reported by the Assistant Superintendent, who is now the Acting Superintendent, but no serious notice seems to have been taken of the Inspector's conduct. Of course it is not to be wondered at, that under such a man such a disgraceful breach of discipline and trust has occurred.

1. Ordered to be submitted for the information of Government, and that a copy be furnished to the Inspector General Mofussil Police.

2. The Collector will in due course report the result of the trial before the Sessions Court.

(A true Copy and Extract.)
(Signed) W. HUDLESTON,
Secretary.

To J. D. Sim, Esq., Secretary to Government, R. D.

Proceedings of the Madras Government, Judicial Department,
10th December 1863.

Transferred to the Judicial Department.

(Signed) C. G. MASTER,
Deputy Secretary to Government.

3rd December 1863.

No. 80. ORDER THEREON, 10th December 1863, No. 1926.

The Governor in Council will await report from the Inspector General of Police on the case referred to in the Magistrate's letter.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Exd. T. McMootry.

Proceedings of the Madras Government, Revenue Department,
2nd November 1863.

No. 9. Read the following Proceedings of the Board of Revenue, dated 23rd October 1863:—

Read the following letter from V. H. LEVINGE, Esq., Collector of Madura, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Madura, 17th October 1863, No. 234.

SIR,

1. I have the honor to report that I have just received by express a report from the Sub-Magistrate of Trippatore, that on the night of the 15th instant his Treasury was plundered of Rupees 796-3-9, being proceeds of Magisterial fines and sale of Stamps.

2. There can be no doubt the robbery was committed by the Police Guard over the Treasury; enquiries are being made.

Submitted for the information of Government and copy forwarded to the Inspector General of Mofussil Police.

No. 10. ORDER THEREON, 2nd November 1863, No. 1,969.

Government will await the Inspector General's report.

(True Extract.)

Deputy Secretary to Government.

To the Board of Revenue.
„ Inspector General of Mofussil Police.

Exd. S. T. Augustin.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following
from the Board of
Revenue.

Rec'd Inter 27th Novr 1863 No 7524

Order thereon 10 December 1863 No 1926.

The Governor in
Council [illegible] a rep.
from the Inspector General
of Police on the case referred
to in the Magistrate's letter

Read

Despd 16th

Judicial 1863. Department.

No. 1926

PROCEEDINGS OF GOVERNMI

Dated 10 December 1863.

J. No. 108–1096

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