

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1278	Press Mis.
<i>21-52</i> Dated	8. 9.	19-1865

5/6

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
8th September 1865.*

No. 31. Read the following letter from A. HATHAWAY, Esq., Magistrate of Bellary, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated Bellary, 22nd August 1865, No. 58. I have the honor, after consultation with the Superintendent of Police, and

* Letters from the Superintendent of Police, Nos. 323 & 332, dated 11th and 16th August 1865, respectively.

with reference to the enclosed original correspondence,* which gives in full detail the circumstances of the case, to recommend, agreeably to paragraph 6 of the Government Order, No. 1380, dated 23rd August 1862, Judicial Department, that a reward of Rupees 100 be given to Nagamah, the wife of the deceased Kavully Hunmanah; of Rupees 75, to Venkatapah Naidoo; and of Rupees 50, to Talary Hanoomagadoo.

2. It will be observed, from the enclosed correspondence, that an individual named Divocar Naidoo, who on the previous evening had been confined by the Deputy Constable of Caroor, together with another person, in the village Choultry of Pundeccoontah, on suspicion of having been concerned in a case of theft, effected his escape from Constable Suntojee, by making a sudden rush from the Choultry, taking with him, at the time, a sword which was apparently on the floor of the said Choultry.

3. The Constable then went to report this to the Deputy Constable; and eventually they found the escaped prisoner on a flat-roofed house, armed with a loaded flint musket, and a large dagger. The Constable on advancing was fired at by the prisoner, and wounded on the right shoulder and right hand. He was, however, then sent to Caroor, by the Deputy, to obtain assistance, the villagers being, it is avowed, too much afraid to show themselves; and during this interval, the prisoner, who is said meanwhile to have amused himself by firing at the house of the village Magistrate, and setting fire to his stack of Cholum straw, left the village, and took up a position in a field, sheltered by some trees.

4. The Constable Suntojee returned at about 4 p. m., with three Constables and two carbines; and these four Constables and a Deputy, thus armed, appear to have been effectually kept at bay for an hour by one determined man, armed with a flint musket and dagger—a fact not particularly creditable to them.

5. At 5 p. m., two Kavullies and a Taliar (Village Police) came from the village, and crept up from behind the prisoner, with a view to seize him.

6. The prisoner however turning round fired at, and mortally wounded, Kavully Hunmanah, upon which Kavully Venkatapah Naidoo, cut him down, receiving several wounds from the prisoner's dagger in so doing. The Taliar Hanoomagadoo also closed in upon the prisoner, who was killed on the spot.

7. It is for the widow of the said Kavully Hunmanah, and for the last named two individuals, that I wish the above rewards to be granted.

From Lieutenant F. J. HICKS, Superintendent of Police, Bellary, to A. HATHAWAY, Esq., Magistrate of Bellary, dated Bellary, 11th August 1865, No. 323.

I have the honor to inform you that, on 28th ultimo, I visited Pundeccoontah and made personal inquiries into the occurrences reported to you in my letter, No. 268, dated 3rd ultimo, and ascertained as follows.

2. On 21st June the Deputy Constable of Caroor Sub-Station received information from the Reddy of Ragulpad that a theft had been committed in that village on night of 20th June.

*Proceedings of the Madras Government, Judicial Department,
8th September 1865.*

The Deputy immediately proceeded to Ragalpau, and from information received went to the village of Pundee-coontah, where he arrested 2 persons named Nursonah and Chinna Davocar Naidoo, and it being late kept them in custody in the village Choultry during the night, guarded by himself and Constable Suntojee, No. 1140.

3. On the following morning (22nd) the Deputy sent to Caroor for charge sheet book, &c., so as to enable him to prepare the charge, bind over complainant and witnesses, and forward prisoners to Sub-Magistrate at Overakondah within the 24 hours.

4. In the interval, and during the Deputy's absence from the Choultry, the 2nd prisoner made a sudden rush, and seizing a sword lying in the Choultry made his escape and disappeared in the narrow lanes in the vicinity. Constable Suntojee, leaving 1st prisoner in charge of the village police, at once proceeded to inform the Deputy, when both of them went together to look after the escaped prisoner, who was next found mounted on a flat-roofed house, and armed with a loaded flint musket and a large dagger, which he is supposed to have obtained from his own house.

5. On Constable Suntojee advancing, the prisoner at once fired on him and wounded him in front of right shoulder and on right hand. I have examined the position taken up by the prisoner, and consider that it would have been difficult for the most determined man to have forced his way on to the roof where the prisoner stood.

6. The prisoner was a notorious ruffian; his name was down in police list as of bad character and dishonest livelihood, and the whole village feared him so much that all the inhabitants took refuge in their houses. Indeed so great was the alarm, that several of even the sturdiest villagers told me personally that "they scarcely felt safe, after they had shut themselves up and placed great stones against their doors."

7. The Deputy, unable to obtain assistance in the village, sent off Constable Suntojee to Caroor Sub-Station to bring additional Constables with arms, while he himself remained in the village to watch the prisoner as he best could.

8. Until arrival of such assistance, the prisoner had it all his own way in the village, and repeatedly discharged his musket at the house of the village Magistrate, and also mischievously set fire to a cholum stack belonging to the same person. The village Magistrate was seriously ill at the time, and has since died. The prisoner afterwards made his way out of the village, and remained in a field sheltered by some trees.

9. At about 4 P. M., Constable Suntojee (who was somewhat weakened by blood flowing from his wounds) returned from Caroor bringing 3 Constables armed with 2 Carbines. The Deputy at once joined them, and attempted to close on the prisoner, who again several times fired on the Police; his fire was also returned, but without effect. I consider the Deputy showed want of pluck in not rushing in at once (which I shall bring to the notice of the Inspector General). He urges, in excuse for not doing so, that he first wished to get the prisoner to fire away all his ammunition, when he might have succeeded in taking him alive.

10. Hitherto the villagers had all kept in the back ground and given no assistance, but at about 5 P. M., 3 persons, viz., Kavully Hunmanah, Venkatapah Naidoo and Talary Hanoomagadoo came from the village and crept up to the prisoner from behind, as he was facing the police in his front; before, however, they could seize him, he turned round and fired on Kavully Hunmanah and severely wounded him, and from the effects of which I regret to say he died on the following day. Venkatapah Naidoo then cut the prisoner down, and Talary Hanoomagadoo also closed on him, and the prisoner was killed on the spot, but not before he had succeeded in wounding Venkatapah Naidoo slightly in several places with his dagger.

11. The Sub-Magistrate of Overakondah and Inspector of Police visited Pundee-coontah on the day after this occurrence and made careful inquiries, the result of which, the Sub-Magistrate (who also attended during my inquiry) informs me, are the same as elicited by me.

12. In conclusion, I would bring to your favorable notice the conduct of the 3 villagers who closed on the prisoner. Kavully Hunmanah, who died of wounds received during the

*Proceedings of the Madras Government, Judicial Department,
8th September 1865.*

encounter, leaves a wife named Nagamah unprovided for; I think some compensation should be paid to her. Venkatapah Naidoo and Talary Hanoomagadoo should also, I think, be handsomely rewarded.

13. I should mention that the 1st prisoner, Nursonah, has since been tried on the original charge of theft, and sentenced to 6 months' imprisonment.

From Lieutenant F. J. HICKS, Superintendent of Police, Bellary, to A. HATHAWAY, Esq.,
Magistrate of Bellary; dated Bellary, 16th August 1865, No. 332.

In continuation of my letter, No. 323, dated 11th instant, reporting occurrences at Pundee-coontah, I have the honor to recommend the grant of 100 Rupees to Nagamah, the wife of Kavully Hunmanah who was killed by the prisoner Chinna Davocar Naidoo.

2. I would also recommend the grant of rewards to the 2 individuals who afterwards rushed in and cut the prisoner down, viz., to Venkatapah Naidoo 75 Rupees, and to Talary Hanoomagadoo 50 Rupees. The grant of these rewards is, I consider, highly necessary, as much has still to be done to instil a spirit of self-defence and protection into the minds of the people of this district.

No. 32. ORDER THEREON, 8th September 1865, No. 1278.

Before sanctioning the rewards proposed in the foregoing letter, the Governor in Council requests that Mr. Hathaway will ascertain and report what are the circumstances of the female, Nagamah, and the men, Venkatapah Naidoo and Hanoomagadoo. If the two latter are the leading cultivators in the village, it would be desirable to distinguish their conduct by the bestowal of honorary bangles.

(True Extract).

Chief Secretary.

To the Magistrate of Bellary.

Ed. J. H. Burns.

W.D.F.

The Governor in Council sanctions
the disbursement of the rewards proposed
in the foregoing letter.

The Magistrate should have
stated what are the contents
of the female napkin -
He compares himself to a
man repeating of what the
Supt of Police has said - It
is not what he has said to
see in a matter of this
kind from the head of the
Department - could the two
men for whom rewards are
recomd. - If they are leading it
cultivators in their villages it
might be better to have them
very honouring people.

To the Magistrate of Bellary W.D.F.
- - - Secy General

PROCEEDINGS of the MADRAS GOVERNMENT.

Read letter from the Magistrate
of Bellary ————— Entered 22nd Augt. '65 N^o: 58.

Order — 8th September 1865. N^o: 1278.

Before sanctioning the
rewards proposed in
the foregoing letter, the
Governor in Council
requests that Mr. Hatherly
will ascertain &
report what are the
circumstances of the
female, Nagamah,
& the men, Venkatapa
Naidoo & Hanoomaga
doo. If ~~these men~~ ^{for two latter} are
the leading cultivators
in the village, it would
be desirable to distinguish
their conduct by the be-
stowal of honorary
bangles.

WM

The Magistrate of
Bellary } dated 13/9

Handwritten:
Special 1865 Department

No. 1278.

PROCEEDINGS OF GOVERNMENT.

Handwritten:
Oct 14 2278.

Dated 8th September 1885.