

*Proceedings of the Madras Government, Judicial Department,
28th October 1875.*

7. I should have reported the case sooner, but he said he wished to take his pension, and I thought if he could do so, it would be unnecessary for me to report the matter; but the Zillah Surgeon will not invalid him, and I therefore lay the matter before the Board for submission to Government for their orders.

ENCLOSURE No. 1.—Copy of Deputy Magistrate's report.

ENCLOSURE No. 2.—Translation of Sub-Magistrate's explanation

ENCLOSURES Nos. 3 to 5.—Translations of depositions.

SUBMITTED for the orders of Government.

2. The proceedings of the Sub-Magistrate seem to have been irregular and ill-considered, as were also those of the Police. But the Board do not think that the Sub-Magistrate's conduct has been such as to necessitate his removal, and are of opinion that a warning to be more careful in future will suffice.

(A true Copy and Extract.)

(Signed) H. E. STOKES,
Acting Secretary.

Transferred to the Judicial Department.

OOTACAMUND,
17th August 1875.

(Signed) A. MACGREGOR,
Actg. Secy. to Govt., Rev. Dept.

No. 338.

No. 109.

OFFICIAL MEMORANDUM.

Proceedings, Board of Revenue, dated 29th July 1875, No. 2118.

The Magistrate of South Arcot is requested to send up to this office translations of documents (1) to (7) inclusive, as noted in blue pencil on the margin of the Sub-Magistrate of Elavanasoor's explanation, herewith enclosed.

2. He will be good enough at the same time to procure an explanation from the Superintendent of Police as to the delay in procuring and submitting the Zillah Surgeon's certificate. That paper should be submitted in original, and the Surgeon should be called upon to state when he signed it, which he will have no difficulty in doing, as of course the draft is to be found amongst the dispensary records.

OOTACAMUND,
20th August 1875.

(Signed) D. F. CARMICHAEL,
Officiating Chief Secretary.

No. 110. From J. H. GARSTIN, Esq., District Magistrate of South Arcot, to the Hon. D. F. CARMICHAEL, Officiating Chief Secretary to Government, Fort St. George, dated Cuddalore, 27th September 1875, No. 98.

As requested in your official memorandum of the 20th ultimo, No. 338, I have the honor to forward translations of the undermentioned papers having

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as will be seen, been lost and cannot be sent, but the Civil Surgeon admits that signed it on the 19th March last.

4. The letters of the Superintendent of Police and Civil Surgeon are explanatory of the delay in obtaining and forwarding the medical certificate in the case and need no comment from me.

No. 111. ORDER THEREON, 28th October 1875, No. 2298.

In this case the District Magistrate recommended the dismissal of C. Srinivasa Rao, Deputy Tahsildar and second-class Sub-Magistrate, Oolundurpet taluk, on the ground that his conduct showed him unfitted for his post. He is an officer of twenty-six years' standing, and the Board of Revenue were of opinion that a warning to be more careful in future would suffice. The Government called for further explanation, which shows that the carelessness which has led to the incarceration without trial for three and a-half months of the three men mentioned, is in no way attributable to the Sub-Magistrate, and it is to be regretted that his dismissal should have been solicited so hastily.

2. It appears that the Police arrested these three men on the 19th December

* Mr. Garstin erroneously states that the prosecutors swallowed an ointment for the eyes. This would break down the case at once, if so; but it is clear the medicine was administered by the mouth, for (amongst any other symptoms) "a burning sensation in the eyes"—*vide* deposition of Arunachala Reddi.

for administering by way of medicine a certain deleterious drug* to some travellers, with intent to rob them. The accused seem to be religious mendicants—being described in one place as "devotees" and in another as "vagabonds."

The Police applied for a remand till the 24th, in view to the matter vomited by the prosecutors being examined by the Medical Officer, together with the "black drug" given up by the accused; one piece of which, lying in a cocoanut shell, they produced "from a prickly-pear bush on the tank bank."

3. On the 4th January, the Head Constable procured a further remand to the 13th, on the ground that "the Doctor's certificate was not yet received." Other remands were given for the same reason, and on the 23rd February the Sub-Magistrate addressed his Divisional Officer, the Deputy Magistrate Sri Baliah, as follows: "Ever since the above date the defendants have been in custody on remand. I informed the Station Officer to charge the men, and also spoke to the Assistant Superintendent of Police, who had come here. They say that the drug has been sent to the Chemical Examiner, and that as no reply has been received, they cannot charge them. I request that you will address the District Magistrate in view to a letter being sent to the Chemical Examiner on the matter."

4. The Deputy Magistrate did not move in the matter till the 6th March, when he addressed, not the District Magistrate, but the Superintendent of Police, who on the 22nd December had requested the Zillah Surgeon to send the vomit

† 16th *idem*.

and the drug for analysis to Madras. Captain Jenkins now† asks Dr. Robertson

if any certificate had been received. It appears that Dr. Robertson had entirely forgotten all about the matter; the chatties had been lying in a box in his house, and he now sent a certificate that he had examined the drug (nothing is said about

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No 4338
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JUDICIAL.

THE INSPECTOR-GENERAL OF POLICE.

No. No. No.

Dated October, 28th.

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G.O. 28th October 1875, No. 2298.

W. H. M.

OCTOBER.

Nos. 108-111.

Magistrate — Orders passed in the case of G. Srinivasa Rao, Deputy Tahsildar and second-class Sub-Magistrate, Odmandapet Taluq, South Arcot District, recommended by the District Magistrate to be dismissed from his post.

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Council of the

1875

9:10 AM

To the Board of Revenue, 10th Dec