M.R.O. 14-5,450—22-10-25.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 552 Press
~~Mis.~~

I—2

Dated 11—5—1897.

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 19th May 1857.

No. 1. Read the following papers.

Colonial Secretary's Office,
No. 59-10. Mauritius, 20th April 1857.

Sir,

1. In continuation of my letter of the 30th Ultimo, I am directed by His Excellency the Governor of Mauritius to transmit to you a further communication from the Procureur and Advocate General to whom your letter of the 11th February and its enclosures were referred by His Excellency's order.

2. I also transmit the Depositions of Mrs. Hugon, widow of the late Manager of the Six Islands, and of Dumazel, the second Overseer, taken before the District Magistrate of Port Louis: the Depositions of the laborers alluded to in the 4th para: of the Procureur and Advocate General's letter will also be forwarded in due course for the information of the Madras Government, and His Excellency trusts that the Government of Mauritius may, similarly, be put in possession of any further circumstances relating to this affair which may be brought to the knowledge of the Authorities at Madras.

3. With reference to para: 6 of Mr. Dickson's letter herewith transmitted, I am to state that the expediency of introducing an Ordinance rendering the irregular introduction of laborers into Mauritius and its dependencies a punishable offence, is under the consideration of the Law Officer of the Crown.

4. An early opportunity will also be taken to enquire into the state of the laborers a Solomon's Islands and other Islands in those latitudes.

I have the honor to be,
Sir,
Your most obedient Servant,
(Signed) J. DOWLAND,
Acting Colonial Secretary.

The Chief Secretary to the Government of Madras.

Procureur and Advocate General's
No. 155. Chambers, 7th April 1857.

Sir,

I have the honor of acknowledging receipt of your letter of 23rd Ultimo, transmitting to me a letter from the Chief Secretary to the Government of Madras respecting the murder of the late Mr. Hugon at the Six Islands, together with copies of Depositions and of correspondence on that subject.

2nd. In your letter above mentioned, I am requested to report what steps should be taken to furnish the Government of Madras with all such procurable information as might enable them to bring to justice the parties implicated in the said murder.

3rd. The Six Islands where this murder has been committed are a dependency of Mauritius. Consequently the perpetrators of the crime could only be tried before the Supreme Court of this Colony. The Madras Government however would, equally with that of this Island, be justified in taking cognizance of the piracy and robbery committed by the Indians of Six Islands in taking possession of the "Schooner Alexander Auguste," and in plundering the money which was on board this vessel; because these offences, having been perpetrated on the High Seas, are triable in any part of the British Empire where the parties implicated in them may be arrested.

4th. I have caused the Depositions of Madame Hugon, the widow of the murdered man and that of the 2nd Overseer of the Six Islands, to be taken in regular form before a Magistrate; and I transmit them herewith to be used by the Madras Government, if need be, in the prosecution of the Indians for the piracy and robbery. I am not aware of any further information to be obtained at present that would be of any service; but I understand that the Creole laborers who were on the Six Islands at the time of the murder, and of the piracy and robbery, may shortly be expected here; and if upon their arrival, I find that their evidence is likely to be of any use, I shall cause it to be taken on oath before a Magistrate with a view to its being transmitted to the Madras Government.

5th. I do not find anything in the Depositions forwarded from Madras to induce me to modify the opinion that I have already expressed, that there is not sufficient evidence at present to lead to a conviction of the murderers of Mr. Hugon. I cannot therefore recommend that the Indians who have been arrested by the Madras Government should be sent here to take their trial. The Madras Government might however be requested to forward to Mauritius any further evidence that they may obtain on this matter, on the receipt of which I shall perhaps be better able to form an opinion as to the course which should be pursued with respect to the murderers.

6th. I am not aware of any local Law or any Act of Parliament under which either the Grantees of the Six Islands or any of the persons who have been engaged in the illicit introduction of Indians into these Dependencies could be punished by any Court in Mauritius. I presume however that there are local enactments in India under which parties using fraudulent devices to induce Indians to emigrate may be punished. If so the prosecution of such an offence would have to be instituted in India.

7th. It is stated in some of the Depositions which have been forwarded from India, that coolies have also been conveyed by the Schooner "Alexander Auguste" to the Solomon and other Islands in these latitudes, and landed there, when they had embarked under the promise of being taken to Mauritius. The Commander of the Frolic on his visit to those Dependencies last year reported that he found all the laborers, in a happy and contented state, with only one exception, as I understand. He acknowledged however to have had great difficulty in understanding a Creole witness examined by him at the Six Islands; and the statements of Indians only imperfectly acquainted with Creole would probably be still more unintelligible to him, or their meaning might have been misrepresented by interested persons.

8th. It may therefore ~~be advisable to institute a more careful investigation into the con-~~dition of the Indians at the Islands referred to, and I would suggest that the Government of Mauritius should avail itself of the first favorable opportunity for doing so. The Government of India will also, it is presumed, direct attention to the subject.

I have, &c., &c.,

(Signed) W. G. DICKSON,

Procureur and Advocate General.

The enclosures of your letter are herewith returned.

(Signed) W. G. D.

(A true Copy.)

(Signed) R. G. CUMMINS,

Assistant Colonial Secretary.

In the District Court of Port Louis, Mauritius.

On the fourth day of April in the year one thousand eight hundred and fifty-seven, before me, Victor Esnouf, Acting Senior District Magistrate for the town of Port Louis, and at the requisition of the Honorable the Procureur and Advocate General, personally appears Mrs. Eve Albert, the widow of Mr. Paul Hugon, of Malabards Street, Port Louis, who, upon her oath says as follows through the interpretation of Henry Ritter, sworn Interpreter for the French and Creole languages into English and vice versâ.

I left Seychelles my native country with late husband for Agalega where I remained with him two years; and from thence we went to Six Islands were we arrived in the twenty-third day of December in the year one thousand eight hundred and fifty-five. My husband was Manager of the Six Islands belonging to the Duperrel family and continued in that capacity until the sixteenth day of August in the year one thousand eight hundred and fifty-six, on which day he was murdered. He, on the said day, left the principal establishment which is on an Island called "Sud Est" to go to Lubine Island belonging to the same cluster of Islands, on

which there were fifteen Indians and a Creole occupied in cleaning the soil for plantation of cocoanut trees. The Creole was called Eugéne. Among the Indians were Moëdine Cooty, Kistnen Nouveau, Ismaël, Moëdine Cogne, Moëdine Edouard Bapoo, Abdallah, Abcep, Moëdine Callipah, Baride Noaro, Kistnen Varioby, Conillamote, Moëdine Grand Barbe, Moëdine Tióera. My husband went into a boat with two men called Billon and Valayden, it was then twelve o'clock. At about six o'clock in the afternoon, my husband not having returned, I ordered Mr. Dumazel the Overseer, to send another boat in quest of my husband. He accordingly despatched a boat manned by Gustave, Malfils, Simon and another man, all four Creoles. At about eight o'clock Mr. Dumazel came and told me; Madam, I inform you that your husband is dead. I think at that time the Creoles had returned. He then called out all the Creoles and ordered them to keep watch under my verandah during the night. At about midnight, I was informed by my Indian servant Anthony that all the Indians from Lubine Island had arrived on the principal establishment and that they intended to kill myself and my children the next day. As far as I can recollect there were, besides the fifteen Indians alluded to, about seventeen on the "Sud Est" Island. They all joined together as all of them were natives of Cochin or at least had come from that place to Six Islands. They were introduced previous to my arrival at Six Islands. A list of every person on the Six Islands was given by me to the Captain of the Brig of War "Frolic." I heard Moëdine Cooty on several occasions say that it was he who had murdered my husband. I heard him say that when my husband arrived at Lubine Island, he, my husband, inquired what work had been done, Moëdine Cooty made answer what work; whereupon my husband gave him a blow with a rope which he sometimes carried about him. That Moëdine Cooty gave him a blow with his fist on the neck, from which Mr. Hugon fell down. That Moëdine Cooty called out his comrades who rushed upon my husband; that my husband contrived to escape, but at a short distance he tumbled down; that one Ismaël then went for an axe with which he struck Mr. Hugon on the calf of his leg. That four of them, Moëdine Cooty, Ismaël, Kistnen Nouveau alias Pirien Kistnen and Moëdine Cogne, then cut of his hands when he begged for mercy entreating them to allow him to go and see his wife and children before dying. That they answerd that the same fate was in store for me and my children. That they then cut off his head.

On the seventeenth, in the morning, all the Indians, being armed with sticks, and knives, appeared in a line at a certain distance from the house and claimed the delivery of the keys of the Store house, threatening that they would kill me. I was obliged to comply with their demand. On a second occasion they compelled me to give up to them all the money in my possession, amounting about to two hundred and sixty dollars and my gold watch too. Every day, I was threatened, my life was in jeopardy, we were not in a situation to offer any resistance, having no arms whatever; all the Creoles being kept at a distance and seperate from us; the greater number of them being invalid or aged. As for Mr. Dumazel he was most frightened, he had taken refuge in my house and never could be prevailed upon to leave it until the arrival of Captain Rodriguez. Whenever there was to parley with the Indians, I was obliged to do it myself. There were, however, three Indians who remained faithful, and afforded us effective protection, Conillamote, Moëdine Grand Barbe and Antony.

On the thirteenth day of September following, the Schooner Alexandre Auguste arrived with Captain Romain Rodriguez. At four o'clock in the afternoon the Captain landed. He was surrounded by the Indians who kept him in custody and asked for all the money he had on board; at the same time threatening that they would kill him and me in case of refusal. At length the Indians went on board in search of the money and came back with the Mate and a sum of about three or four thousand dollars in gold; which was divided amongst them. They then asked the Captain to convey them to Cochin in his Schooner, the Captain first declined but was afterwards compelled to comply with their demand, and after forcibly taking his oath that he would not disclose to any one what had occurred, the Captain took them all on board and sailed, leaving me behind with Mr. Dumazel and the Creoles only. After the departure of Captain Rodriguez, I went over to Lubine Island and saw the place where Mr. Hugon had been buried, but did not cause the body to be removed.

The work required from the Indians at Six Islands was not excessive. They were regularly paid every month at the rate of three or four Rupees each. Their rations consisted of rice or maize alternately, about one and a half to two pounds per day, a glass of rum and tobacco were likewise served out to them on leaving work in the afternoon. The hours of labor were from five or six in the morning until four or five in the afternoon, one hour being allowed them for breakfast. When sick, they were carefully attended to by my husband or myself; we had from Mauritius a complete chest of medicines. My husband's disposition were anything but cruel; he sometimes corrected sluggards with a bit of a rope but never undeservedly and without serious cause.

I left Six Islands on the Sans Pareil for Mauritius on the thirteenth of January last, leaving behind all the Creoles numbering sixteen men and one woman; the Indians, men, women and children having previously left with Captain Rodriguez for Cochin. The Creoles now at Six Islands, if questioned, might give further information respecting the foul outrage committed on the person of my husband, and more particularly Eugéne and Victor, the former having happened to be on Lubine Island and the latter, because he had frequent conversations with the Indians.

Moëdine Cooty was a short strong built Indian, with a pock-marked face. Ismaël is a young lad, beardless, and with a copper complexion. Moëdine Cogne and Perim Kistnen are about thirty years old, rather stout men and of a dark complexion.

They never before shewed any evil disposition which might have led to apprehend any rebellion on their part.

(Signed) V. HUGON.

Taken and sworn before the undersigned Magistrate after having been read over and interpreted to the said widow Hugon by the Interpreter above named the day and year first above written.

(Sd.) V. ESNOUF,
Actg. Sen. Dist. Magistrate in and for
the District of Port Louis.

(Signed) E. NOLIN,
Actg. Dist. Clerk.
(Signed) H. RITTER,
Interpreter.

(A true Copy.)
(Signed) R. G. CUMMINS,
Assistant Colonial Secretary.

In the District Court of Port Louis, Mauritius.

On the second day of April in the year one thousand eight hundred and fifty seven, before me Victor Esnouf, Acting Senior District Magistrate for the town of Port Louis and at the requisition of the Honorable the Procureur and Advocate General, personally appears Pierre Tuldei Dumazel of Jardin des peaux in this District of Port Louis, a Carpenter, who upon his oath, says, through the interpretation of Henry Ritter, sworn Interpreter for the French and Creole languages into English and vice versâ, as follows:

I left Mauritius for six Islands in June eighteen hundred and fifty-five, and second Overseer under the orders of Mr. Emile Regnaud. I embarked on board the "Emma Louisa" under the command of Captain Bacot, belonging to Mr. Gérard. I arrived at Six Islands on the nineteenth of July, same year, and remained there until the month of January last, when I took passage for Diego on board Her Majesty's brig of War "Frolic," and from Diego I came to Mauritius per Schooner "Sans Pareil." Mr. Paul Hugon went to Six Islands as head overseer in the room of Regnaud in December in the year one thousand eight hundred and fifty-five. He was a resident at Six Islands until the date of his death which occurred on the sixteenth of August last year. The group composing six Islands includes the Island "Sud Est," on which is the principal establishment where Mr. Hugon, his family, myself and family all resided, the Island "Tatamaka" the Island "Carapatte" and the Island "Lubine" and two other small Islets; on all these Islands labourers are employed in planting cocoanut trees and making oil; on the sixteenth August last year, there were on the Island called "Lubine" fifteen Indian labourers and a Creole named Eugéne, among those Indians were Moëdine Cooty, a Sirdar, Perien Kistnen, Kistna Changary, Varioly, Conillamotte, Kalupa, Pandary, Moëdine Cogne, Ismaël, Moëdine, Edward, Moëdine Tiocra, Fassapp, Baride Noaro and two others whose names I do not recollect. At twelve o'clock, Mr. Hugon left me in charge of the principal establishment and went into a canoe rowed by Billoo and Valaydan to Lubine Island to inspect the progress of the work on the latter place. The distance between the two Islands just mentioned is about three or four miles. Mr Hugon not having returned at five o'clock in the afternoon of the same day and the weather being rather rough, I despatched another boat manned by five men, namely Gustave Pampef, Malmils, Simme, Jean Charles, and another whose name escapes my memory, to enquire about Mr. Hugon. At eight o'clock at night the second boat had not yet made its appearance, and I was on the point of leaving myself in quest of Mr. Hugon, when arriving on the beach, I saw the second boat coming back with the five Creoles. Gustave, one of them informed me that on their arrival at Lubine Island, they noticed evil dispositions on the part of the Indians; that having asked them where Mr. Hugon was, Moëdine Cooty answered, he is not here; on which the Creoles, observing that the Indians were armed with sticks and weapons, wildly running to and fro, left the place saying that they would go to another Island in quest of Mr. Hugon; but they forthwith made for the principal Island. I immediately mustered my Creoles, numbering seventeen in all, and ordered them to keep good watch over the establishment. I went to the Indian camp where there must have been the remainder of the Indian labourers, namely about seventeen, but found only one man outside the huts, which all were not lighted and unoccupied. At about eleven o'clock at night I was informed by one Antony who was employed by Mr. Hugon as his servant, that the Indians who were on Lubine Island had come to the principal establishment where we were, and that they were all concerting together. During the whole night, we were on the alert. At about five o'clock in the morning of next day, the said Antony, who is an Indian from Cochin, told me that the Indians appeared to be ill-disposed, and that he had reason to believe that Mr. Hugon had been murdered. I caused the bell to be rung at six o'clock and the Creoles stood in a row. The Indians stood at a certain distance, also in a line, and were all, men, women and children, armed with sticks, bill hooks and knives. Through the interpretation of Gustave, the Indians said that they wanted, in the first place, one month's rest; and secondly, the delivery of the keys of the stores and the control of the establishment and that in case of refusal they were determined to set fire to the establishment and murder every one of us. There were thirty-three able bodied Indians, whilst we were sixteen Creoles and one woman, seven of whom only were able bodied and the remainder worn out. I was therefore compelled to comply with their demand.

On the eighteenth of the same month the Indians being armed, came to my house, and Moëdine Cooty, Moëdine Cogne, Perien Kistnen and Thomé, four of them, enquired of me whether I had drawn up a written statement (procés verbal) of what had taken place; that if such was the case they would kill me, Mrs. Hugon and all our families as they had done with Mr. Hugon; Moëdine Cooty added "It is I who killed Mr. Hugon, I am now the chief of the establishment." I declared that I done nothing of the kind, which they compelled me to swear upon the crucifix. For a whole month, they refused working, and continually uttered threats and abusive language against us. They had driven into the woods all the Creole laborers and whilst we were left to ourselves in the midst of those Indians, the latter were constantly busy in forging weapons in the smithy, and they compelled us to give up to them all the money in our possession, amounting to about three hundred and fifty dollars

About the thirteenth of September, the Schooner Alexander Auguste, Commander Roman Rodriguez, arrived at Six Islands and anchored at about three miles from the shore. The Captain landed at about three or four o'clock in the afternoon. Previous to the Captain's landing, the Indians locked up the Creoles in their respective huts, set the mill agoing and ordered me to put on my best clothes, a white jacket and a large straw hat to resemble Mr. Hugon and to walk on the beach to be easily recognized by the Captain. When the Captain approached in his boat, they compelled me to withdraw and the Captain having landed came straight to me, in Mr. Hugon's house; the Indians then formed a line on the beach thus preventing the Captain from retreating to his boat again. The boat was hauled by them on shore; the crew of the boat were Indians of the same country and joined the rebels. I was left with the Captain in the house for half an hour and related to him all that had occurred at Six Islands. He then went out and spoke to the Indians through the interpretation of his nephew, an apprentice on board his vessel; I did not understand their conversation. Captain Rodriguez came back to the house and having called the four men who had manned his boat, told me that it was urgent to convey those Indians to Mauritius and asked me whether I had any weapons. I showed him several pikes which I had made with Carpenter's tools and fishermen's hooks and which were hidden under two mattrasses. On seeing those weapons, the four seamen alluded to, were frightened and went to say to the Indians that arms had been prepared by us to serve against them; the next day, they searched my house, and took away those arms. When I saw that all the Indians were armed, I left the spot and went away with my family whom I took to Carapatte Island at low water. Having returned to the establishment at night, for some food for my children and wife who accompanied me, I was prevailed upon by Captain Rodriguez not to leave again; he at the same time informed me that he had redeemed our lives by a ransom of three thousand and five hundred dollars which he said he had paid them in the course of the day. I know nothing personally of that circumstance, but the following day I saw much gold coin in circulation amongst them. Mrs. Hugon reported to me that money had been given by Captain Rodriguez to the Indians.

After breakfast, Captain Rodriguez escaped into the wood and returned in the afternoon; during his absence all the Indians who were at Six Islands, thirty-three in number besides three women and three children, went on board the Schooner "Alexandre Auguste" with the Mate, taking with them all their effects and arms. When Captain Rodriguez returned from the wood, he went on board and afterwards came ashore again where he spent the night. I cannot say what then took place on board. The next day he embarked in Company with Mrs. Hugon and family, but shortly after, the Indians forced them back. He left Mrs. Hugon and family on the Island and returned on board. Contrary winds detained the Schooner for a couple of days, at the expiration of which they set sail; the Mate was likewise on board. The apprentice was left at Six Islands. In my opinion Moëdine Cooty was the ringleader, he is about thirty years of age, strongly built, pockmarked, middle sized, of brown complexion, having some scars on the arms, and two large scars on the thighs.

On the twenty-second day of August, I repaired, with some Creoles, namely, Gustave and the apprentice to Lubine Island, and noticing a spot where the ground had been newly dug, I removed the earth, and at the depth of about six inches, discovered the feet and legs of Mr. Hugon with his shoes and his umbrella and coat in the same hole. The body appeared to have been interred in a slanting position, head downwards. I did not unbury it because I thought that the Government would send an Officer to make an enquiry, and that it was better to leave things as they were.

When I arrived at Six Islands there were about thirty Indians there, and twenty-three Creoles. About two months and a half, ten more Indians from Cochin were introduced by Captain Rodriguez. In March or April in the year eighteen hundred and fifty-five, six men and a woman, all Indians, made their escape from Six Islands in a canoe; I have heard that they were picked up at sea by a vessel which brought them to Mauritius. About one month previous, four Malgasses also escaped from Six Islands for Mauritius.

When I left Six Islands, there remained there no Indian laborer, but only about fifteen Creoles. The Six Islands belong to the family of Duperrel of Port Louis, now residing in France. Their Agent in this Island was Mr Auguste Laporte who has also left for France a few days ago.

The laborers, Indian as well as Creole, were all regularly paid every month; as the pay was never made by me, I cannot say the amount of their wages; their rations consisted of one pound and a half of rice or maize by turns every day; grog, salt, tobacco. They were all allowed to fish and hunt and breed poultry. Their work consisted in planting cocoanut, and reaping the nuts, shelling them and making oil.

Mr. Hugon, although severe, was not a cruel man; he desired that work should be done properly. I saw him sometimes, but not frequently, strike lazy laborers with a rope which he always carried about him.

(Signed) P. S. DUMAZEL.

Taken and sworn before the undersigned Magistrate after having been read over and interpreted to the said Dumazel by the Interpreter above named, the day and year first above written.

(Signed) E. NOLIN,
Acting District Clerk.

(Signed) V. ESNOUF,
Act. Sen. Dist. Magte. in and for the Dist. of Port Louis.

(Signed) H. RITTER,
Intrepreter.

(True Copy.)

(Signed) R. G. CUMMINS,
Asst. Colonial Secretary.

No. 2. ORDER THEREON, No. 552; dated 13th May 1857.

Ordered to be communicated to the Hon'ble Company's Solicitor, with reference to Extract Minutes Consultation 21st April 1857, No. 454.

(Signed) E. MALTBY,
Acting Chief Secretary.

Exd. F. Cartledge.

No 552

Ordered to be communicated to the Honble Company's Solicitor with reference to Ext. Misc. Cons: 21st April 57 No 454.

Fort St. George }
13th May 1857 }

E Maltby

Copy to Honble Comp's Solicitor with letter & encls. } Despd 19th

consideration of the Law Officers of the Crown and that enquiry will be made into the state of the laborers at Solomons Islands and other Islands in these latitudes.

In Reply to Ans: 7th April 1857; [illegible]
B. No. [illegible] 440-445
~~Lock~~ [illegible] 442 -

In Con: 23rd April 1857. No 452 & 453

To London the Sec. of 19 May/57

Ind. Lr. to Eng. 20 Oct. No. 26 of 1857
Para 9

Report on No 5 of 1858.
P. S.

10

142

In Ext Dems: 19th May
Judicial - 1857 Departt.

552

From the Colonial Secretary
Mauritius No 59/10.

of 29th April
Rd 19 May 1857.

Ju 4295

No 770

3 encls

Forwards certain communications regarding the murderous outrage perpetrated at the Islands, and requests that the Mauritius Govt may similarly be put in possession of any further circumstances of this affair which may be brought to the knowledge of the Madras Authorities. States that an ordinance rendering the irregular introduction of Labourers into Mauritius and its Dependencies a punishable offence is under the
with an order