M.R. O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1195 Press ~~Mis.~~

34-35

Dated 30 - 8 - ~~19~~ 1934

Not to be folded or roughly handled

No. 34. Read the following letter from Colonel J. C. BOULDERSON, Commissioner of Police; to T. PYCROFT, Esq., Chief Secretary to Government, Fort St. George, dated 26th July 1858, No. 101.

SIR,

1. With reference to Extract from Minutes of Consultation, No. 997, bearing date 23rd July 1858, Judicial Department; I have the honor to report that I was not aware that any previous transactions had occurred between my Deputy Ramachendra Row and Vencatasawmy Buthen at the time I told Mr. Clarke to deliver the enquiry of the murder case to him, and that I only became aware that past transactions had existed between them, after the case had been put up before the Magistrate.

2. Following is Ramachendra Row's account of the transactions to which the Advocate General alludes—

He says, "I have been acquainted with Vencatasawmy Buthen as a gold-smith for some ten years. About 4 or 5 years ago, on account of a dispute which existed between himself and his mother-in-law, he requested my assistance in case the matter should come before the Police. I refused to interfere. He then appeared before Mr. E. F. Elliot, the then Chief Magistrate and Superintendent of Police, and stated that his mother-in-law had removed some property which was in dispute, from one house to another, by my advice, falsely so saying."

"Mr. Elliot heard all that he had to say and he was advised by him to put his case before a Civil Court, as it was purely of a civil nature. I have heard that he did so. Since that time Vencatasawmy Buthen has however saluted me in the usual way whenever he happened to meet me."

No. 35. ORDER THEREON, No. 1195; dated 30th August 1858.

The above explanation furnished in reference to Extract Minutes Consultation 23rd Ultimo, No. 997, para. 2, is quite satisfactory as far as the Commissioner of Police is concerned, and from Ram Chundra Row's statement the transactions between himself and Vencatasawmy Butten do not appear to have been of the character supposed by the Advocate General. It would however have been more correct had he informed Colonel Boulderson precisely how matters stood between himself and Vencatasawmy Butten, and awaited his instructions before taking up an enquiry of such deep importance to the latter individual.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

I, therefore now submits to your Excellency's

To

The Right Honerable,
George, Francis, Robert, Lord Harris.
Governor in Council,
Fort Saint George.

The humble Petition of
John Hankin, a Prisoner
in Her Majesty's Criminal
Goal, under Sentence of
Two years Imprisonment,

Sheweth

That, He is a prisoner in the goal afore-said, Committed by Her Majesty's Supreme Court, on the 16th of April 1858, for Imprisonment; He pleaded Guilty on the Indictment, and was Sentenced for "Assault" on one Elizabeth Martyn a native woman,

He Submits to your Excellency's Consideration, That, He being unused to the prescribed formula of Courts, not ever having been placed in such a trying position before, and not having proper Legal advice during trial, he was unable to make his Lordship aware, that the imprisonment imposed would cause a much severer punishment, than was intended in the sentence Decreed by Her Majesty's Supreme Court,

That, Your Petitioner was unaware of his Lordship's having Left the Presidency until it was too late for applying to him, on the present subject of your humble Petitioners,

He, Therefore now Submits to your Excellency's

Consideration; That; he was a Pensioned Serg.t on the reciept of Company's Rupees (30-0-0) Thirty per Mensem as his pension; Out of which, he helped to support his Widowed Daughter with Three Children, her Husband having lost his life in the Service of his Country during the late revolt in Bengal;—

That; by his long imprisonment he forfeits, all the benifit that accrues from his pension, thereby leaveing his family as aforesaid, without Sufficient means of Subsistance during his im=prisonment;—

That; the Loss of his pension for the two years in reality amounts to a fine of upwards of Company's Rupees Seven (7,00-) hundred in excess to the punishment recorded against him in Her Majesty's Supreme Court;— thereby severely Destreping his unfortunate family wholly unawares to the then presiding Judge;—

That; Previous to his present trial and im=prisonment;— Your humble petitioner has ever borne an unimpeachable Character, During the Long period of Twenty five years of uninterupted service, in the First Madras Fusiliers;— he never having been brought before any Court, either Military, or Civil,— which may be shown by a reference, to the Records in the Adjutant Generals Office;— never being even a Defaulter in their books;— also— while doing Duty in the straits of Malacca, on the Convict Establishment, for three years on that Station, his Character was ever honerable, an has ever Continued so, untill the present instance, wherein, he was greatly provoked, by finding himself robbed, and Grossly insulted, after returning from a long Tour of Duty of two Months and Eleven days; pre=ceding the Cutcherie at Cuddalore;—

Your humble Petitioner having been informed of Your Excellency's being Empowered, by an Act, (passed Sometime in November 1855.) for Remitting Mitigateing— and pardoning of punishments and other penalties when justly Considered in the Cause of humanity and Mercy— he has been induced therefore to apply to your Excellency's Considerate kindness he haveing lost all those who would have interested themselves on his behalf; Major General Neill, Majors Renaud and Stevenson and many others who were his immediate Officers whilest serving in the Regt. are either now deceased or absent from the Presidency.

Wherefore; Your humble Petitioner under the Severe and great Distress that his family and him=self endures, humbly prays that your Excellency will take into Consideration, his very advanced age of upwards of 50 years and the honerable and un==impeachable Character he has formerly borne, during his long service in India of Thirty years standing —and do something to Mitigate and alleviate his lamentable Case,—

And Your humble Petitioner
Shall ever pray

&c

Madras
12th August 1858

John Hankin
Pensioned Serg.t

No 1195.

The above explanation furnished in reference to Ltr No 23 dtd. 30 Augt. No 997 para 2. is quite satisfactory as far as the Commissioner of Police is concerned and from Ram Chundra Lows statement his transactions between himself and Venkatasawmy Butler do not appear to have been of his character supposed by the Advocate General — It would however have been more correct had he informed Col Bouldnor precisely how matters stood between himself & Venkatasawmy Butler and solicited his instructions before taking up an enquiry of such deep importance to the latter individual.

JP.

Fort St George
30th August 1858

Commissioner of Police.

Dispd 3rd Sept

Judl Letter to Govt. dated
No 2 of 1858.
Entered 31 & 35.

Ltr No 1195
dtd 30 Augt

C 27th July 1858 #28
Order No 9 & 11

Judl Dept to Engr 13th Dec
No 2 of 1858.
Encl 44.

In Dy 5 Cong: 31 August.
Judicial
1858 Dept

From
Colonel J. C. Boulderson
Commissioner of Police
To
J. Pycroft Esqre
Chief Secretary to Govt
Fort St George

Dated 26th
Rec'd 27 } July 1858.
No 101.

No 1339.

Reports the transaction which had occurred between his Dep'y Commissioners Ramalchander Row and Venkatasawmy Pantulu

34 & 35

C. 2 Augt
R 9 "
P 11 " C 23 Augt
R 21 " R 30 "

Witness order
GP