

# MADRAS RECORD OFFICE.

Government of Madras.

*Judicial* DEPARTMENT.

|                        |                         |
|------------------------|-------------------------|
| G.O. No. <i>493</i>    | Press<br><del>Mis</del> |
| <i>23-24</i>           |                         |
| Dated <i>16-4-1918</i> |                         |

Not to be folded or roughly handled

*Fort St. George, Judicial Consultation, 20th April 1858.*

No. 23. Read the following letter from J. J. COTTON, Esq., Commissioner of Masulipatam; to T. PYCROFT, Esq., Chief Secretary to Government, Judicial Department, Madras, dated 9th April 1858, No. 21.

SIR,

1. A gang of 29 prisoners have been forwarded to me for trial on the charge of having been concerned in the daring attack upon the Government Treasury and town of Juggiahpettah, in the month of November last.

2. The evidence sent up in the above case is very far from satisfactory, nor indeed from the nature of the crime charged and from the immense number of the Rohillas, &c., (about 600 persons) is it likely that primary and independent evidence of a reliable nature is forthcoming, as almost the whole of the inhabitants of the town made their escape as soon as the attack was commenced, and the personal recognition of the offenders is not to be expected. Under these circumstances, I request the permission of Government to offer a free pardon to such of the parties now or at a future time sent up for trial, who upon examination may not appear to have been actively concerned in the attack, but who may appear able and willing to give evidence on points which they alone can be expected to know.

3. Among the prisoners now before me, there are apparently some few who are of a different class altogether to the Rohillas, and from their statements, were employed as coolies to carry loads for the gang, and were consequently some time in their company, both before and after the attack, and may have been also present when it took place, without taking any active part in it (horse-keepers and such like) and I request a discretionary power to release such and make them witnesses.

No. 24.

ORDER THEREON, No. 493; dated 16th April 1858.

1. Under the circumstances represented in the foregoing letter, the Government authorize the Commissioner of Masulipatam to offer a free pardon to such of the parties concerned in the attack on the Town and Treasury at Juggiahpettah, who, upon examination, may not appear to have been actively engaged in it, on condition of their making a full disclosure of all the facts within their knowledge, and giving all the information in their power regarding the members of the gang. Mr. Cotton will, however, be careful to exercise this power within due bounds always exempting principals from such offers of pardon.

2. Persons of the description referred to by the Commissioner in para. 3 of his letter, if only coolies, were probably present through compulsion; and if this be the case, the Government consider, they should not be made amenable to punishment.

(Signed) H. FORBES,  
*Acting Secretary to Govt.*

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I would allow the Com. to do as he proposes provided he exercises the power within due bounds & always excepting principles.

Such persons as he describes as a class of only coolies were probably present through compulsion & in such case should be made amenable to punishment.

W. L.

Judicial Department.

N<sup>o</sup>. 493

Extract from the Minutes of Consultation

Dated 16 April 1858.

Read the following Letter from  
the Commissioner of Malaculipatan

(Here enter 9<sup>th</sup> April 1858. No 21.)

1. Under the circumstances  
represented in the foregoing letter,  
the Government authorize the  
Commissioner of Malaculipatan  
to offer a free pardon to such  
of the parties concerned in the  
attack on the Town and Treasury  
at Saggaipettah, who, upon  
examination, may not appear  
to have been actively engaged in  
it, on condition of their making  
a full disclosure of all the facts  
within their knowledge, and

Andriac - 20th Nov 1858  
17th Nov 1858  
Nov 12

Andriac 1858 Department

Andriac 1858  
Nov 12

No. 493

Extract Mins. Cons.

Dated 17th Nov 1858

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giving all the information in  
their power regarding the mem-  
bers of the gang. Mr Cotton will  
however, be careful to exercise  
this power within due bounds  
and always ~~except~~ <sup>being</sup> principal  
from such offers of pardon.

2. Persons of the description  
referred to by the Commissioner  
in para 3 of his letter, if only  
coolies, were probably present  
through compulsion, and if that  
be the case, the Govt. consider,  
they should not be made  
amenable to punishment.

Wm  
D.H. 15/4/58

Copy to Commr of Masulipatam. Dispd 19th

