

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1415	Press <u>Mis.</u>
117-118	
Dated 19.11.1861	19

5/5

Not to be folded or roughly handled

16/6/70

*Proceedings of the Madras Government, Judicial Department,
19th November 1861.*

No. 117. Read the following Petition:—

To

THE RIGHT HONORABLE THE GOVERNOR IN COUNCIL,
&c., &c., &c.,

Fort Saint George.

The humble Petition of GHOLAM
GHOUSE of Madras, Mahomedan, Inhabitant,
now under Sentence of transportation for life,
presented by his afflicted wife, HOOSSANA
BAIGUM, residing near the house of Meer
Bukahee Nuckee Saib in Chepauk Street at
Triplicane, within the local limits of Madras.

SHOWETH,

Your petitioner was on the eleventh January one thousand eight hundred and fifty-eight convicted in the Supreme Court at Madras of instigating Rebellion by pasting a seditious placard in Triplicane on the nineteenth of the preceding October.

Not a single native was on your petitioner's Jury; and the European and East Indian inhabitants of the residency, as is well known, were at that time in a state of the utmost, though unfounded anxiety, not to say, consternation, alarm and panic.

The evidence against your petitioner was wholly that of Police Officers, although the place where the offence is alleged to have been committed was admitted to be a public thoroughfare. Three Police peons declared that they saw your petitioner affix the placard to the wall, and that they immediately arrested him; no one single independent person unconnected with the Police corroborates this testimony, and the circumstances that no less than three Police men should happen to be on the spot at the very instant of time when the paper is supposed to reach the wall is sufficiently remarkable. Moreover two of the Police men swore that they well knew, and were well known by your petitioner. Equally remarkable then is it that your petitioner should have committed himself in their presence. They say, indeed, that they were not in uniform.

The Peons swore that they conveyed your petitioner to the Tanah and that there his jacket was searched and two other copies of the placard found. This part of their evidence was corroborated by the Inspector and Mr. Lafond, but your petitioner submits that this when examined is no corroboration at all: your petitioner's jacket is said to have been hanging over his right shoulder and of course the pocket would receive any thing that might be introduced into it, and possible object could your petitioner have had in carrying these extra copies about with him? Was it to paste them up in other localities? There was no paste on either of them—there was no paste in your petitioner's possession.

Furthermore not a particle of evidence was given that any of the papers were in your petitioner's handwriting, and no attempt was made by the Police to search your petitioner's house for arms, placards or seditious writings, which your petitioner submits one would expect to find was the course adopted.

Your petitioner, notwithstanding his conviction protests his innocence of the offence charged against him. He has suffered the fate of a felon for upwards of three years. Peace has happily been restored to India. Men who have actually borne arms against the State have been pardoned and your petitioner humbly trusts that his case will receive your Lordship's merciful consideration.

That your petitioner despatched his Memorials in triplicate to the Home authority, from where a reply had been received which is herein enclosed, and your petitioner solicits that he expects forgiveness as two other individuals were thus pardoned, one of Chingleput Moonshee of Session Courts Syed Ahmud Jallal Saheb, and another from Hyderabad; otherwise your

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Petitioner prays this good Government to see the enclosed transferred to the favorable consideration of Home authority.

And that your petitioner may be pardoned and released.

MADRAS,

29th October 1861.

عالميت العبد

حسينه بيگم اهلينه غلام غوث سيد

TO HIS EXCELLENCY THE RIGHT HONORABLE THE SECRETARY OF STATE,

§c. §c. §c.

The humble Memorial of GHOLAM GHOUSE of Madras, Mahomedan, inhabitant, now under sentence of transportation for life, presented by his afflicted wife HOOSSANA BAIGUM, residing near the house of MEER BUKKSHEE NUCKEE SAIB, in Chepauk Street at Triplicane, within the local limits of Madras.

SHOWETH,

Your Memorialist was on the eleventh January one thousand eight hundred and fifty-eight convicted in the Supreme Court at Madras of instigating rebellion by posting a seditious placard in Triplicane on the nineteenth of the preceding October.

Not a single Native was on your Memorialist's Jury: and the European and East Indian inhabitants of the Presidency, and is well known, were at that time in a state of the utmost, though unfounded, anxiety, not to say consternation, alarm and panic.

The evidence against your Petitioner was wholly that of Police Officers, although the place where the offence is alleged to have been committed was admitted to be a public thoroughfare. Three Police Peons declared that they saw your petitioner affix the placard to the wall and that they immediately arrested him; no one single independent person unconnected with the Police corroborated this testimony, and the circumstances that no less than three Policemen should happen to be on the spot at the very instant of time when the paper is supposed to reach the wall is sufficiently remarkable. Moreover two of the Policemen swore that they well knew, and well known by your petitioner. Equally remarkable then is it that your Petitioner should have committed himself in their presence. They say, indeed, that they were not in uniform.

The Peons swore that they conveyed your Petitioner to the Tannah and that there his jacket was searched and two other copies of the placard found. This part of their evidence was corroborated by the Inspector and Mr. Lafond; but your petitioner submits that this when examined is no corroboration at all: your Petitioner's jacket is said to have been hanging over his right shoulder, and of course the pocket would receive any thing that might be introduced into it, and possible object could your Petitioner have had in carrying these extra copies about with him? Was it to paste them up in other localities? There was no part in your Petitioner's possession.

Furthermore not a particle of evidence was given that any of the papers were in your Petitioner's hand-writing, and no attempt was made by the Police to search your Petitioner's house for arms, placards or seditious writings, which your Petitioner submits one will expect to find was the course adopted.

Your Petitioner, notwithstanding his conviction protests his innocence of the offence charged against him. He has suffered the fate of a felon for upwards of three years. Peace has happily been restored to India. Men who have actually borne arms against the State have been pardoned and your Petitioner humbly trusts that his case will receive your Lordship's merciful consideration.

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That your Petitioner despatched his Memorials in triplicate to the Home authority, from where a reply had been received which is herein enclosed, and your Petitioner solicits that he expects forgiveness equally with the others; as Gholam Moostafah held an animosity perjured himself as the Government have promised reward of 500 Rupees, which anxiety had caused him to take this false course, whose husband is of a respectable descent, drawn twelve Rupees from a Jagheer as a shareholder and 7 Rupees from His Highness the late Nabob of the Carnatic, and so the case was solely a fabricated one, thereby the Petitioner's wife solicits that her husband may be pardoned who was transported for life. Such was the wishes of Government then merely to put others under awe thus check them; and she humbly prays to expect pardon thus protect them; otherwise Petitioner solicits that her triplicate Memorial be transferred to the Home authority with your Lordship's warm intercession and recommendation.

For which act of charity the Lords of heaven and earth will reward the good Government abundantly, and as in duty bound shall ever pray.

عالميت العبد

حسينه بيگم اهلينه غلام غوث سيد

MADRAS,

4th November 1861.

No. 118.

ORDER THEREON, 19th November 1861, No. 1,415.

The Memorial received with this petition will be forwarded to the Secretary of State.

(Signed) T. PYCROFT,

Chief Secretary.

Exd. T. O'Connor.

N^o 1415 - 19 November 1861.

The Memorial received
with this petition will
be forwarded to the
Secretary of State.

MD

Wm

JP

Dispatch of the Petition intended to
St. Louis and Baigum.
Chefrank Street -
Implication

12-2-61

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1000 1853-1854
 1000 1854-1855

India 1861 Sept

1000 1853-1854
 1000 1854-1855
 1000 1855-1856

From
 Goolam House of
 Madras

Of 29th Oct 1861
 1861

Each 1/4
 1/4

1779

Forward for transmission
 to the Home Authorities a letter
 stating that he was convicted
 in the Madras Supreme Court of
 instigating rebellion in 1857
 by passing a sedition placard
 in Triplicane in Oct 1857
 & sentenced to transportation for
 life, and requesting pardon on
 the ground set forth - the
 same to be forwarded Home
 in the event of the prayer of the
 Memo: being not complied with
 by the Govt.

to an Order

1000 1853-1854
 1000 1854-1855

1000 1853-1854
 1000 1854-1855
 1000 1855-1856