

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 2052-53 Press
~~Mis.~~

163-165

Dated 17.12.1862

5/6

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
17th December 1862.*

No. 163. Read the following letter from G. BANBURY, Esq., Acting Magistrate of Kurnool; to A. J. ARBUTHNOT, Esq., Chief Secretary to Government, Fort Saint George, dated Kurnool, 27th November 1862, No. 50.

I have the honor to report for the orders of Government, that a Mussulman named Jankhan, who took part in the late Bengal Mutinies is now in custody at Kurnool.

2. Jankhan was apprehended by the Police of this District as a suspicious character without ostensible means of livelihood, and upon being examined before me states that he is a native of Caubul, and coming to Oudh, joined the retinue of a petty chief named Kamarally; that when the mutinies broke out he together with the rest of Kamarally's dependants joined Nana Saib's force; that he fought against us at Calpee, Gwalior and three or four other places, receiving three wounds; that subsequently he came to Hyderabad and that when proceeding thence to Bombay he was apprehended and imprisoned at Hyderabad for upwards of three years, for being concerned in a highway robbery committed in that territory, and that after his release whilst looking about for some mode of livelihood he was taken up by the Kurnool Police.

3. I enclose a translation of Jankhan's deposition, it will be seen that he asserts he has never positively killed an European, although he has frequently fired at them as enemies in battle, and that he never was in the British Service. He bears the scars of three wounds, the one on his back appears to have been caused by a bayonet thrust, probably received as he was decamping from the battle field, and must have been a most severe injury. It seems wonderful how he could have survived it.

4. I feel considerable difficulty in recommending what should be done with the prisoner no doubt what he says is perfectly true that "he is willing to remain wherever he can obtain food," and would very probably then conduct himself tolerably well; but being unacquainted with any means of earning his maintenance, except as a mercenary or retainer, I do not think he would ever take to gaining an honest livelihood in the event of his not being thus employed.

5. At first the proper course to be adopted appeared to be to demand security from him under Section 217 of the Code of Criminal Procedure, but as the same difficulty would again be experienced with regard to him at the expiration of his three years' imprisonment, I do not see that much advantage would arise from this proceeding. The best course would, I venture to suggest, be to send him back to Hyderabad, with a warning that if he again sets foot in our territory he will be apprehended and dealt with under the above Section.

6. I have already communicated twice with the authorities at Hyderabad regarding the imprisonment there of Jankhan, and as to whether his assertions are correct; but having received no reply, and the prisoner being still detained in custody, I do not wish to delay this reference any longer.

Deposition of Jankhan.

I belong to Caubul. Eight years ago I came thence, and was for a few months in service at Peshawar and at Ratoor, afterwards I was for four years in Oude, and under a Rohilla named Kamar Ally, who joined Nana Saib, and I continued with Kamar Ally during the mutiny. I received from him Rupees 12 per month. I fought under him against the English at Calpee, Gwalior and at three or four other places. I received 3 wounds. After the war was over I came to Hyderabad, and when I was proceeding thence with a view of going to Bombay, I was apprehended near Janampett by the Wanampurty Rajah and sent back to Hyderabad, where I was imprisoned for 3 years and 3 months. I was released 20 days ago, and as I was looking about for some means of gaining a livelihood I was again apprehended by the Kurnool Police. Wherever I can get enough to eat, there I am willing to remain. I never killed an Englishman to my knowledge. I fired against them in the battles we fought, but whether my shots ever took effect or not I am unable to say. I never was in the service of the English Government.

*Proceedings of the Madras Government, Judicial Department,
17th December 1862.*

Question. For what offence were you imprisoned at Hyderabad?

Answer. I committed a highway robbery in the Hyderabad Territory by attacking a Sahib's bandy, and was imprisoned for that. I obtained no share in the plunder, but the leader Jemadar Gholab Khan gave me 10 Rupees.

Given before me.

(Signed) G. BANBURY.

Acting Magistrate.

November 27th.

(True copy and Translation,)

(Signed) GEORGE BANBURY.

Acting Magistrate.

No. 164.

ORDER THEREON, 17th December 1862, No. 2,052.

The Officiating Resident at Hyderabad will be requested to state whether he sees any objection to the adoption of the course recommended by the Acting Magistrate with reference to the individual referred to in the foregoing letter.

(Signed) A. J. ARBUTHNOT,

Chief Secretary.

No. 165 To the Officiating Resident at Hyderabad, dated Fort Saint George, 17th December 1862, No. 2,053.

Dated 27th November 1862.

With reference to the enclosed letter* from the Acting Magistrate at Kurnool, I am directed by His Excellency the Governor in Council to request that you will be good enough to state whether you see any objection to the individual therein referred to being sent back to Hyderabad as suggested by the Acting Magistrate.

(Signed) A. J. ARBUTHNOT,

Chief Secretary.

Exd. T. McMootry.

*The Magistrate at Kurnool
a Comm. of Police.*

73
Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter
from the Ag. Magistrate of
Mumool.

(Here enters 27th Nov^r 1862 No. 50)

Order thereon 17th December 1862 No. 2052

The Officiating Resident
at Hyderabad will be re-
quested to state whether he
sees any objection to the adop-
tion of the course recommend-
ed by the Acting Magistrate
with reference to the individual
referred to in the foregoing
letter.

To the Magistrate of Mumool des^d 18

5
No. 2053
To The Offg. Resident at Hyderabad
des^d 18
Sir,

With reference to the
enclosed

Fort St. George

Dated 27th November 1862

enclosed letter from the Acting
Magistrate at Kurnool, I am
directed by His Excellency, the
Governor in Council to request
that you will be good enough
to state whether you see any
objection to the individual
therein referred to being sent
back to Hyderabad as sug-
gested by the Acting Magistrate

W. R.

S. (opio)

W. R. Marshall

2052

The

Judicial 1862. Department.

No. 2052

PROCEEDINGS OF GOVERNMENT,

Dated 17 Decr 1862.

163 @ 165