

admitted into the Garrison, and reincorporated with the Corps; and on the march of the 1st Battalion 3rd Regiment from Pallamcottah, I directed the remainder of the Mussulmen to join their Corps, after being armed, with the exception of some of the Commissioned Native Officers.

Q. by the Court—What opinion have you formed of the general conduct of the Mussulmen, subsequent to the restoration of their arms?

A.—On the march of the 1st Battalion 3rd Regiment from Kytaur, I directed Captain Wilson, who then commanded the Corps, to report to me daily (so long as they continued in the district I commanded) the general conduct of the Corps. I received daily reports accordingly by Tappall, stating that the behaviour of the Corps was regular and satisfactory. I personally spoke* to the remaining Mussulmen of those who had been disarmed, previous to the ordering them into the Fort to receive their arms, and to their being reincorporated into the Corps, on which occasion they seemed highly satisfied with the measure, and their conduct was such as it ought to be.

Q.—Did you hear from Major Welsh, whether he had any proof of a conspiracy, besides the proof he had received from his own servants?

A.—He stated a number of concurring circumstances.

Q.—What were those circumstances?

* Colonel Dyce cannot speak a word of any Native language.—J. W.

A.—He stated that the Battalion one evening under arms, had manifested symptoms of great disturbance*, paid little or no attention to the duty they were then performing, and seemed to be much occupied with something foreign to their duty; that, in short, they appeared either drunk or stupified; that the Native Officers on the parade being dismissed, behaved in an indecorous manner, talking very loud, and conducting themselves improperly. He said this happened some days previous: that on a variety of occasions, expressions had fallen from Sepoys strongly indicating a hostile design; that on a recent occasion, the Senior Subadar of the Corps had used improper language before several of the Native Officers and Non-Commissioned Officers, at Major Welsh's quarters; that on the morning of the day on which Major Welsh received information of the conspiracy, there appeared to be an unusual commotion among all ranks of the Natives; and that it appeared as if the conduct of the European Officers was watched with much jealousy; that some days preceding the 19th, some blood had been sprinkled on each side of the door of the Protestant Church at Pallamcottah; that a ghost had been seen to parade about the Garrison, supposed to be that of a Mussulman who had been put to death some years before, and that the apparition was in the habit of crying out, "Bread and Water."

* Colonel Dyce here has combined the information he had from other Officers, with mine.

Q. by the Court—Did you yourself make any inquiries amongst the Natives, relative to the conspiracy reported by Major Welsh; and what was the result of that inquiry?

A.—Not among the Troops; I consulted and examined a respectable Native inhabitant* at Pallamcottah, who informed me that he could not ascertain any thing about the conspiracy, as it was involved in so much mystery.

Q.—Did the inhabitant at Pallamcottah whom you consulted, appear, from your observation, to believe in the existence of the conspiracy?

A.—I am disposed to think he did not.

COLONEL DYCE *Cross-examined by Prisoner.*

Q.—Did you not confirm and approve every public measure I adopted, even four days after your arrival in the Garrison?

A.—I confirmed every public measure to the period mentioned by the Prisoner. I had no other guide for my conduct than Major Welsh's verbal reports. He did not deliver his written and official statement on the subject†, in consequence of constant employment, *I presume on duty*, till the 25th.

* This respectable inhabitant was Custoor, Colonel Dyce's dubash, an infirm old man, who hardly ever quitted his house. Can it be supposed that the conspirators would go and tell him of their plot?—J. WELSH.

† He was living with me at the ~~time~~ in the Fort, and knew every thing as fully as I did myself.—J. W.

Q.—Did you not approve, as well as confirm those measures ?

A.—I did not specifically approve of all Major Welsh's measures, although I followed them up, because it seemed to me then to be impossible to retract.

Q.—Did you not, immediately on your arrival in the Garrison, and before you had any report from me concerning the attempt to force the door, announce your determination to put all the Native Officers who were in confinement, in irons ?

A.—Certainly I did, a short time after I arrived in the Garrison; but on the representation of Mr. Stratton, the Judge, I waived that determination*. The attempt to force the door, and the report of its being attempted, were subsequent to my determination of putting the Native Officers who were confined, in irons.

LIEUTENANT-COLONEL DYCE *Cross-examined.*

Q. by Prisoner—Did I not wait upon you with a recommendation from Mr. Stratton, Mr. Hepburn, and others, not to put them in irons ?

A.—I believe Major Welsh was the channel of communication from Messrs. Stratton and Hepburn on that subject, in which Major Welsh also concurred. This was on the day of my arrival at Pallamcottah.

The Court adjourns till Eleven o'clock To-morrow morning, February 26.

* Vide Mr. Stratton's Deposition, Appendix

Thursday, February 26, 1807.

The Court met pursuant to their Adjournment. Members present the same as yesterday. The Prisoner admits the facts mentioned in the First and Second Charges, that is to say, the Confinement of the Native Officers, the Disarming of the greater part of the Battalion, and the Expulsion of the Moormen from the Fort of Pallamcottah.

The Letter written by Major Welsh to the Officer Commanding the Troops at Quilon, is again put in Evidence in support of the Third Charge.

[Here the Letter was again inserted verbatim.]

The Judge-Advocate-General produces a Copy of a Letter, the original of which the Prisoner admits to have been written on the 20th of November, to the Governor of Ceylon.

“HONORABLE SIR,

“BY a miraculous effort, we
 “have discovered and quelled a mutiny at this place;
 “an express has been sent off to Trichinopoly; but
 “from the nature of a plot understood to be in great
 “forwardness all over the Coast, we think it absolutely
 “necessary to apply to you for succour by *Tutucoryn*;
 “a few Companies of Europeans for a rallying point,
 “at this period, may prove the means of saving the
 “Company’s Territories all over the Coast (there are

“ no European Corps south of Trichinopoly, and four
 “ Native Corps very thinly Officered); we have now
 “ quiet possession of the arms of the Battalion, having
 “ turned out 450 Mussulmen, and confined 20 Native
 “ Officers. It may be necessary to inform you briefly,
 “ that all *Mussulmen* are concerned in this plot, and
 “ that this district abounds in them: a European
 “ succour alone can complete the work, which (under
 “ Providence) we have so fortunately begun. We
 “ are in all about twenty souls to depend upon one
 “ another, after collecting Civilians, Officers, private
 “ Europeans, and half-casts together: we will sell
 “ every life most dearly, before any force shall conquer
 “ us. We have four Ladies in the house with us, and
 “ have armed 4 or 500 men, whom we hope we may
 “ rely on. Colonel Dyce commands this district, and,
 “ *if alive*, will be here to-morrow. We keep posses-
 “ sion of the Fort, but rely on our citadel, a large
 “ house.

“ I have the Honor to be,

“ Honorable Sir,

“ Your very obedient Servant,

“ J. WELSH,

“ Major, Commanding 1st Bat.

“ 3d Reg. and Pellamcottah.

“ *List of Gentlemen present.*

“ Mr. Stratton, Judge of the Zillah; Mr. Hepburn,
 “ Collector; Mrs. Wetherall; Mr. Woodcock, Regis-
 “ ter, and Lady; Mr. Douglas, Deputy Commercial

“ Resident; Mr. Hanbury, Assistant-Collector; Cap-
 “ tains Wilson and Pepper; Lieutenant Wilson and
 “ Lady; Lieutenant Gore; Lieutenant Perkins; Lieu-
 “ tenant Dumas; Mr. M‘Cabe, Surgeon; Mrs. Welsh;
 “ Mr. Ringletaube, Missionary; and Mr. W. Light.”

The Judge-Advocate-General produces a Copy of a Letter, which the Prisoner admits to be a True Copy of a Letter dated 19th November, addressed by him to Colonel Campbell, at Trichinopoly.

“ *Colonel Campbell.*

“ SIR,

“ I have the honor to inform you, that in
 “ consequence of information (after strong suspicions),
 “ that a day was fixed on for our murder by the
 “ Moors, I consulted with the Judge and Collector,
 “ assembled my Officers, and pushed at once, mostly
 “ unarmed, to the Barracks: having sent the reputed
 “ ringleaders outside, we fell in the barrack guard,
 “ and seized the arms; and after moving about for
 “ some time in different directions, collected most of
 “ the men, not Mahomedans, whom I armed.

“ I have now, with a handful of men, quiet posses-
 “ sion of the Garrison, and have turned most of the
 “ moormen out of the Fort. We look for immediate
 “ succour, and shall defend our present position with
 “ our lives.

“ If those now in arms are faithful, we are pretty
 “ sure: I have thirteen Moorish Officers in close con-
 “ finement, and our position is confined to the Parade,

“ Commanding-Officer’s Quarters, and General Stores,
 “ all contiguous. Heaven has so far favored our
 “ attempts, and we trust to God for the rest.

“ I am, Sir, in much haste,

“ Yours obediently,

(Signed) “ J. WELSH,

“ November 19,

“ Major Commanding Pallamcottah.

“ *Half-past Five, P. M.*

“ P. S. Civilians and all are concentrated and arrived
 “ here.”

The Judge-Advocate-General also produces a Copy
 of a Letter to the Master Attendant of Tutucoryn,
 which the Prisoner admits to be a True Copy.

“ DEAR BAGGOTT,

“ Send off *this* immediately,
 “ as you value life. God has done wonders by our
 “ weak hands, and we are all well together; state the
 “ hour you receive this, by return of post. Hundreds
 “ of pagodas will be given for a conveyance, if a cheap
 “ one cannot be procured. Raise all the Dutch, and
 “ seize my guard at the *Big House**.

(Signed) “ J. WELSH.”

The Judge-Advocate-General also produces a Copy
 of a Letter addressed to the Prisoner from Major of
 Brigade M'Dowall, from Quilon, in answer to one
 addressed by the Prisoner from Pallamcottah.

* Government House at Tutucoryn.

“ Major Welsh, &c. &c. &c.

“ SIR,

*“ Lieutenant-Colonel Grant desires me to
“ communicate to you the measures which have been
“ adopted here, in consequence of the information he
“ received from you last night.*

*“ As a temporary expedient for the night, our guns
“ were planted on the flanks to command the line: we
“ had there the artillery-men, band, and drummers,
“ that we could depend upon, with firelocks and ac-
“ coutrements of two Companies, taken from the
“ Sepoys.*

*“ This measure seemed to create no alarm, nor did
“ the motive seem to be understood.*

*“ This forenoon the side-arms and pouches of am-
“ munition of both Corps were taken from them—the
“ men were brought by Companies to the Artillery
“ Barrack-yard, where they delivered them without a
“ murmur.*

*“ We have formed a party of Officers, artillery men
“ and half-cast, drummers, &c. whom we may rely on,
“ of 100 effective men: these may do a great deal;
“ and indeed I may safely say, that nothing can be
“ effected against so many, determined to resist.*

*“ The Native Officers are so situated, that it will be
“ difficult for them to take any steps against us.*

*“ You mention emissaries having come this way.
“ Colonel G. will esteem it a particular favor, your*

“ communicating any information on that subject you
 “ may possess.

“ We have not as yet been able to discover any here,
 “ but your information might enable us to trace them;
 “ but the secrecy of their measures makes it difficult
 “ to discover *them**.

“ Your obedient Servant,

(Signed)

“ S. M'DOWALL,

“ *Quilon*,

“ Major Brigade.

“ 22nd November, 1806.”

The Prisoner being called on for his Defence, reads
 the following written Address to the Court :

DEFENCE.

MR. PRESIDENT AND GENTLEMEN,

ALTHOUGH the situation in which
 I am now placed is entirely novel, and must certainly
 be irksome to any man of honor; yet the conscious
 innocence which led me (ere I knew of my arrest) to
 demand a public Trial, emboldens me now to address
 this Honorable Court in the language of sincerity;
 without the least doubt of an investigation which I am
 convinced can alone acquit me of the several Charges
 preferred against me.

It is my wish to intrude as little upon the time and

* The emissaries alluded to, were Emaum Ally, a Havildar of my own
 Corps (vide Appendix), and the Vellore Facqueer, who made his escape on
 the 19th, while I was disarming the Corps, and went direct to Quilon.

patience of the Court, as the nature and extent of the Charges will admit; but they naturally lead me into a detail of circumstances, which I cannot omit without injuring my own character as a Soldier.

In the month of July last (shortly after accounts reached Pallamcottah, of the massacre at Vellore), I remarked a degree of mystery in the conduct of the Corps I commanded, especially one night, when one of the sentinels over the colours at my door snapped his piece, and afterwards went through the motions of priming and loading in a very deliberate manner. The inquiry which followed (being somewhat foreign to the present subject), I shall omit, and only state, that the Native Officers, taking advantage of the circumstance, persuaded us (with Lieutenant-Colonel Dyce's authority) to turn out 162 Drafts from the 6th Extra Battalion, as suspicious persons*, not one of which was a moorman, or any way connected in the Corps. These men (being still at drill) were not sufficiently known to the few European Officers commanding Companies; and it is natural to suppose, from what happened subsequently, that the motive for getting rid of them, was not a suspicion of their fidelity on the part of the Native Officers, but a fear that these men would not join in a plot to murder their European Officers, or that they might betray it, through apprehension or stupidity†.

* Vide Appendix, No. I.

† Not a man ever proposed to turn out the real relatives and connexions of the mutineers, many of whom were known to be in the Corps; far less did they point out the brothers of the ringleaders as suspected persons.

I sent out parties afterwards in all directions, to apprehend Deserters from Vellore; and it is well known, that though twenty-two were brought in by Collectors, Peons, and Eteapoor Poligars, not a man was ever apprehended by my Sepoys; on the contrary, when any were brought in (I was afterwards assured), their conductors were publicly abused at the main gate by the Sepoys on duty, for bringing in their countrymen to be delivered up to Europeans.

On the 3rd August, the Battalion barber (Ramah by name), informed me that there was a report in circulation, that five Companies of Europeans were on the road, to make Christians of all the Natives, and to turn the Battalion out of the Fort; in consequence of which, Subadar Sheik Hyder had assembled the moormen, and hoisted a flag at the mosque. My tailor, who was then present, immediately confirmed that part relative to the reports. On going into my verandah, I observed a very large flag flying at the mosque (it was triangular, of a dark blue or green ground, with light yellow oval spots on it). I had never seen such an ensign before, and it had a rich appearance, resembling satin. I understood afterwards, that on hoisting it, the moormen gave a *deen*, declaring "that the Infidels were routed, and that the Mussulmen were to govern the country."

My brother-in-law (Mr. Light*) informed me, that

* Now a Lieutenant in the 4th Dragoons, and Assistant Quarter-Master-General in Spain.

he saw another flag flying on one of the bastions that morning. The latter, however, I could not find out, or I should have instantly torn it down, and taken such other measures as might be necessary at the moment. When the Native Officers came shortly after to make their reports, I spoke to them about the rumours in the Bazar, and told them it was their duty to have informed me, that I might contradict them. I then wrote to Colonel Dyce, who sent me a Proclamation*, which I published on the 5th August†, with my own sentiments fully on the occasion, and received the most satisfactory replies from the Native Officers, which I then reported to Trichinopoly, and the flag disappeared that night privately; after which they applied to me for permission to hoist the annual flag of *Cawder Wallie*, which was done with much ceremony. This flag is long and narrow, called a *Goam*, in consequence of its being cut in the semblance of a centipede, and it ought to have been taken down in ten days or a month at furthest, and be replaced by a white flag the rest of the year. The *Goam* at Pallamcottah was flying till the 20th November with an orange flag (till taken down by the Hindoo Sepoys). The barber told me the next day, that Sheik Hyder and other Native Officers abused and threatened him, for telling me

* Appendix, Nos. III. and IV.

† When Colonel Dyce's Proclamation arrived, I was out with the Corps, firing ball at the target, on purpose to show my confidence in them. On our return I convened the Native Officers, and explained it to them, prior to being regularly translated for the Corps.

about the flag and the reports (although I had never mentioned his name to any one of them); and some time afterwards he told me he was quite miserable and despised by the whole Corps, and if any of them were talking together, when he appeared they left off, and always shunned him upon all occasions.

These trifling occurrences (as they must now appear to the Court, and did then to me), lead in a regular chain to the main subject. Every thing remained quiet till some time after the middle of August, when Mr. Cochrane, Collector, received a Letter from one of his Aumildars at Shevlapatoor, informing him that he had received an order from Madura, to prepare sheep, &c. for 500 Europeans and followers, that had arrived at Madura on the 12th, in their way to Pallamcottah. Mr. Cochrane sent it in to me, with a man to read it. I instantly affirmed it was a falsehood, and publicly contradicted it. On inquiry, the author could not be traced, but I have now good reason to believe it was Madar Sahib, brother to Sheik Hyder, then at Madura (who afterwards at Pallamcottah, on the 19th November, sent to the Tappall to stop his Letters*, &c). All this time, numerous foreign Facqueers had been pouring in, and one among them I particularly remarked, who seemed for a long time a spy upon all my actions, and annoyed me very much, by following me every where, and demanding alms in a haughty

* Vide Appendix. Depositions, Nos. X. and XI.

tone ; but as no suspicions were then entertained of the nature of the mission of those people, I took no further notice of them, and matters went on as usual ; and if I had ever entertained any slight suspicions of the Corps, they were certainly laid aside from that time, till the 14th November.

A severe domestic loss* in the end of October, had induced me to retire to the sea-coast for a few days. I came up to Pallamcottah, to be present at the returns, and there, on the 1st November received a Letter† from Colonel Dyce, then at Trichinopoly, giving an account of the Mutiny at Nundydroog, &c. I read it, and thought no more of it, but returned to Tutucoryn that night, where I received on the 11th another Letter from Lieutenant-Colonel Dyce‡, desiring my immediate return to my Corps, for very particular reasons, to be communicated in future.

I set off that night, and arrived in the Garrison next morning, where I found that Colonel Dyce had been for a short time on the 10th, and proceeded to Courtallum. I reported my return, and at the same time sent for Subadar Sheik Hyder, Acting Adjutant, (a man who had for many years held that situation, and who was high in the confidence of every Officer in the Corps): I told him what I had learnt of the affair at Nundydroog, with Colonel Cuppage's having detached

* The loss of a beloved child.

† Vide Letter, Appendix, No. IX.

‡ Appendix, No. X.

two Companies, and thereby deferred the execution of the plot, &c. instancing at the same time, the singular kindness of Providence to the Europeans, in pointing out and defeating those villanous plots. I begged him to speak to the rest of the Native Officers, and engage them to keep a strict eye over the mendicants from the northward, and if they should attempt to corrupt the men, to bring them to me. He promised very fair, and departed, but never mentioned a word of it to any body.

On the 14th I received a detailed account* from Col. Dyce, of the plots at Nundydroog and Bangalore, the suspicions of the Native Army in general, &c. &c. which led me to think it necessary to set some person to watch over even the Native Officers. The result of this last step (which proved its necessity) is detailed in my Official Report to Lieutenant-Colonel Dyce of the 25th November, a Copy of which†, with subsequent Notes, I now beg leave to submit to the Court for perusal, as also an Order by Lieutenant-Colonel Dyce the same day.

Now, Gentlemen, when all these circumstances are duly weighed; when it is considered how artful the Natives are in concealing the nature of their designs, and how difficult (if not impossible) it is to arrive at positive evidence of guilt, when that is to be drawn chiefly from those involved in it; when it is taken

* Appendix, No. XI.

† Vide Letter A, and Appendix, No. XV.

further into consideration, that in the remote position of the 1st Battalion 3rd Regiment, the safety of the European part of the community wholly depended upon our own exertions, and the immediate execution of those measures we had adopted to defeat the conspiracy; I trust, Gentlemen, when you revolve these circumstances in your minds, I shall appear to you to have been guided in the line of conduct I pursued, by a strong sense of duty, arising out of the most imperious necessity.

That the measures I adopted were hazardous, I do not attempt to deny; but they were not acted upon without due consideration, and the united sense of the whole of the Gentlemen of the Station, who all concurred with me in opinion, that they were fully warranted by the critical posture of our affairs.

The unhappy tragedy at Vellore had sunk deep into every man's mind, with the uneasy reflection, that it might perhaps have been averted, had due attention been paid to the information of an individual, previous to the melancholy event. I beg, Gentlemen, I may not be misunderstood: it is far from my intention to impute blame to any man. I am willing to believe, that the confidence so generously reposed in the Native Troops, arose from a just consideration of their long-tried fidelity and attachment; but I am anxious to defend myself, and having before me a never-to-be-forgotten instance, and proof written in blood, of the fatal consequences of reposing in such false security,

I was determined to do all that lay in my power to avert the blow, which I was convinced (and in which conviction I shall continue to my dying hour), from the evidence I possessed, was impending over us.

Permit me, Gentlemen, to put a case—allow me to suppose, and the supposition is by no means improbable (for the melancholy affair to which I allude affords a memorable example), that a similar catastrophe had happened at Pallamcottah, to that which took place at Vellore, and that it was discovered I had had information of the plot, yet disregarded it—I will ask, what would have been the reflections upon the occasion? Though it is not probable I should have had to answer before this Tribunal for my gross neglect and deplorable infatuation, yet I will venture to affirm, that my memory would have been stigmatized as a driveller and an idiot, who could thus repose in such careless security, after the dreadful example so recently afforded me.

I trust my character is too well established in the Service, to allow it to be supposed that I was actuated by groundless fears.

I can with truth aver, that I never, upon any occasion, betrayed the smallest distrust of the men under my Command, nor ever intimated the least suspicion of them to my Superiors, or felt it in my own bosom, till it was roused by that which I (and all around me) regarded as an undeniable proof of a conspiracy.

To have delayed acting in such a critical situation,

might have been attended with the most fatal consequences: I could not expect a complete developement of the plot from those concerned in it, and I had discovered that the men most in my confidence in the Corps, were among the most active conspirators: to whom, then, could I apply for further information? an hour might have matured the plan of the insurgents, and the proofs we were anxiously seeking for, been sealed with our lives.

Really, Gentlemen, I feel (and I dare say you all feel), that under the impression of contending passions and opinions to which so delicate a question must necessarily give birth, the line of conduct to be followed by an Officer placed in such circumstances, becomes a most difficult and perplexing choice: he is censured if he acts without the most positive proofs—and how difficult these proofs are to be come at, I trust I have already shown—and if he neglects the information conveyed to him, and in the sequel it be found correct, he is equally liable to be called to account, and is answerable for all the lives he might have saved, by timely exertions.

It were a vain and futile attempt in me, to offer an appeal to the passions of this Court; and I declare, that what I have stated in this short Address (in reply to the two first articles of Charge exhibited against me), is the simple dictate of conscious rectitude, and the conviction I have ever felt of an existing conspiracy in the Battalion, and which I do firmly believe,

could only have been counteracted by the decisive measures I adopted.

I come now to the Third Charge, and I trust I shall be able to satisfy the Court, that in writing as I did, I was influenced by what I considered my indispensable duty.

I had detected a dangerous conspiracy in the Corps that I myself commanded; I had received several Letters from a quarter which it was incumbent on me to attend to, expressing an opinion that the spirit of disaffection and revolt was general throughout the Native Army, and recommending me to be watchful, and to take every measure of precaution; I had seen a Letter from Government to the Magistrate, directing him to apprehend all foreign Facqueers who might come into the Fort, and mix with the Sepoys, as they were suspected to be the agents of sedition, and the instigators of revolt. Before I wrote the Letters which form the subject of this Charge, I consulted the principal Civil Officers in the District, who not only concurred in opinion, as to the necessity of the measure, but strenuously urged its immediate adoption, as the only means left us, not merely for our own safety, but also for the preservation of the country.

Under the impression of the facts which had recently come to my knowledge in my own Corps (in whose fidelity I had ever reposed the most implicit confidence), and combining them with various circumstances I had learnt from a respectable authority, to-

gether with the intelligence I have stated in my Official Letter*, with Notes, already before the Court, I was led to apprehend the existence of a plan for a general insurrection, and to consider myself imperiously called upon to use every endeavour to defeat it. How another man would have acted under similar circumstances, it is not for me to say; I followed that course which I conceived my duty pointed out to me; I thought it necessary to apprize the Commanding Officer of the Travancore Subsidiary Force, of the alarming state of affairs, and to apply to Ceylon, as the nearest point whence assistance could be obtained.

Now, Gentlemen, though no man can more sincerely rejoice than I do, that the rumours then in circulation prove to have been greatly exaggerated (for no one was ever more firmly attached to the Native Service than I have ever been), still I think it is hard to impute to me the crime of creating false alarms, which I humbly conceive, is justly chargeable only in cases where a man acts upon his own opinion of danger without any cause, or with a design to disturb the public peace. But in the instance before you, Gentlemen (as I have already stated), the principal Civil Officers, and, I may say, every European in the Garrison of Pallamcottah, concurred in the propriety and necessity of writing the Letters in question; and if we were misled, I trust my conduct will be judged

* Appendix, Letter A.

ascribable to the fallacy of human reason, which (as an infirmity common in a greater or less degree to all mankind) cannot be justly imputed to me as a crime.

In short, Gentlemen, I can with truth affirm, that what I did, I did for the best, and from an anxious zeal for the good of the Service, which all those who know me, I am confident, will allow, I have ever made the rule of **my** conduct; and I cannot but feel the strongest emotions of regret and concern, that it should in this instance have created so unfavorable an impression in a quarter where it has ever been my study to merit applause.

But I trust that the explanation I have given, and the Evidence I shall adduce in support of it, will lead to conclusions in regard to my conduct, far different from those which (unhappily for me) have hitherto been formed of it.

I would here conclude my Defence, and call upon my Evidences, were it not absolutely necessary (in support of a character hitherto unassailed by the breath of slander) to trespass a little longer on the patience of the Court, by the introduction of the subject of the Investigation which took place at Pallamcottah after the Corps left it.

Understanding that two of the Members of the Court of Inquiry (Major Scot and Captain Newall) had very illiberally prejudged my conduct—aware of the partial knowledge of the Court, from the removal of the Corps, and consequent absence of all the European Officers

(but one)—and apprehending that Lieutenant-Colonel Dyce's suspicions of the veracity of my Butler would lead him to condemn his Evidence—I was induced to apply for a Copy of the Proceedings, to enable me the more fully to justify my own conduct. This was at first denied me; but in the end, His Excellency the Commander-in-Chief was so kind as to allow me to peruse, and make extracts from it; a Copy of which*, with Notes of my own, I now submit to the Court, and entreat that it may be recorded on the face of the Proceedings (in my Defence).

A spotless Character is the dearest possession of a Gentleman, and Courage one of the chief requisites in a Soldier—*mine* has been most unjustly slandered in the assertions of the Prisoners, recorded in the Proceedings of the Court of Inquiry.

I have been seventeen years in the Service, and should be undeserving the rank I hold in the Army, if I could sit down contented under such an imputation. I have further to vindicate (as far as in me lies) the characters of my few European Officers (Captains Wilson and Pepper, Lieutenants Wilson, Perkins, Gore, and Dumas), equally assailed with my own, when they are accused “of having been *frightened* at “Subadar *Sheik Hyder's Flag*”—not one of whom, I am confident, ever discovered a sensation of the kind: on the contrary, it is to the spirit of those Gentlemen

* Vide Copy, Appendix.

that I am indebted (under Providence) for the surprising success of my measures on the 19th November.

I hope my remarks on the Proceedings will not be misunderstood ; I mean not wantonly to censure any man.

I can duly appreciate the justice done by the Court of Inquiry, in so far as relates to myself ; but I feel equally called upon to support the *servant* to whose courage and fidelity *we all owe our lives* ; nor can my sense of obligation to Lieutenant-Colonel Dyce, induce me tacitly to allow a mis-statement which strikes at the very root of that sentiment, and which, if true, would render him an object of universal detestation.

[Thus far was written before Colonel Dyce gave his Evidence ; and what follows, was the result of the *manner*, as well as the *matter* of that Evidence, before the General Court Martial.—J. W.]

I come now to advert to the Evidence given by Lieutenant-Colonel Dyce.

It is painful to me, to be obliged to say unpleasant things of any man ; and had Lieutenant-Colonel Dyce acted with that liberality and candour I had a right to expect from him, I should not have had occasion to trouble the Court with many questions which he has obliged me to put to others, in order to prove that part of his Evidence on oath is a mis-statement.

As the opinion and behaviour of my immediate Commanding Officer towards me, after the adoption of such measures as are now brought in serious Charges

against me, must, I presume, have great weight with the Court, I am led to think it my duty to bring forward a variety of otherwise useless matter to establish this point.

Although Lieutenant-Colonel Dyce has declared to this Court, that he did not approve of my public measures, I hope to make it appear evident, that he led me, and every body else, to conceive that he highly approved of them, both publicly and privately; and I solemnly affirm, that he promised, to the best of his ability, to support me in them.

How far he has fulfilled his promise, I leave to the Court to decide; but I am certainly inclined to believe, that the Court would find it difficult, if not impossible, to discover any traits of that friendly solicitude for my acquittal, or any remaining embers of personal acquaintance with me, which my misfortunes appear to have obliterated from his memory. I will allow that his Evidence is upon the whole favorable, but it was extorted from him, and could not be avoided.

(Signed) J. WELSH,
Major, 3rd Regiment.

The Court adjourned till Ten o'Clock To-morrow,
Friday, 27th instant.

Friday, February 27, 1807.

The Court assembled this Day, agreeably to their Adjournment. Members the same as yesterday.

The Prisoner puts in a written Report, dated 25th November, 1806, written by the Prisoner to Lieutenant-Colonel Dyce.—Vide Appendix, A*.

CAPTAIN PEPPER, *1st Battalion 3rd Regiment,*
is sworn.

Q. by Prisoner—Were any men, and how many, turned out on the 25th of July last, from the 1st Battalion 3rd Regiment, at Pallamcottah?

A.—About 160.

Q.—By whose order?

A.—By the orders of Colonel Dyce.

Q.—What was the reason of their being turned out?

A.—It was in consequence, as I was told by the Adjutant†, of Major Welsh's having observed a Sepoy, who was sentry at his quarters, about twelve o'clock of the night of the 22nd July, going through the motions of priming and loading; upon which Major Welsh went to the Adjutant, and called him up, and informed him what he had seen the Sepoy do.

* The Judge-Advocate, by putting in this Paper in my name, threw out all my Notes, which formed a part of my Defence, in the Copy I produced to the Court; but as it was actually read to the Court, and admitted by them in my Defence, I have copied it fully, as it then stood.

† Lieutenant Hill, who died in October.

Q.—Who communicated the circumstance to you ?

A.—The Adjutant and Major Welsh. The men were turned out by the immediate orders of Colonel Dyce.

Q.—Was there a Court of Inquiry held on the subject of turning the men out ?

A.—There was.

Q.—Who composed that Court of Inquiry ?

A.—All the Native Officers, as well as Europeans.

Q.—By whose orders, and under whose authority, did that Court sit ?

A.—By the orders of Colonel Dyce.

Q.—Did not the Native Officers advise the European Officers to turn the men out ?

A.—They did.

Q.—What reason did they give for that advice ?

A.—As bad and suspicious men, and of the same caste as the men at Vellore, and supposed to be connected with the 23rd Sepoy Corps at Vellore, and having been raised at Shanganacoile.

Q.—Do you recollect any circumstance of a strange flag having been hoisted at Pallamcottah ?

A.—There was a rumour about it. There was a flag hoisted at the Mosque at Pallamcottah.

Q.—Did it appear to you to be an unusual one ?

A.—I never took notice of it; I only saw it hoisted.

Q.—Were you present when I assembled the Native Officers, and read to them a Proclamation ?

A.—I was present.

Q.—What did I say to them on that occasion ?

A.—Major Welsh told them in Moors, to stick to their duty, and rely on the British Government.

Q.—Do you know of a Letter received by Mr. Cochran from one of his Aumildars, mentioning five Companies of Europeans being on their march to Pallamcottah?

A.—Yes.

Q.—Did you observe any strange Facqueers in the Garrison prior to the 18th November?

A.—I did.

Q.—Relate what happened at the morning parade of the 16th November.

A.—I was Senior Officer on parade, and after I had dismissed the men, I ordered the Native Officers to fall out. They made their report to me; on which I observed a murmuring: I immediately asked what was the matter, and said if they had any complaint to make, the Commanding Officer was always willing to attend to it. They still spoke amongst each other; on which I called out to them again to relate what they had to say; on which the Light Company Subadar, Sheik Nutter, came forward to me in a peremptory manner, and said that Major Welsh had abused him, on account of some Sepoys getting leave. Immediately after, another Subadar came forward with a similar complaint. I told them to remove on one side, and I would take them to the Commanding Officer's quarters; on which the whole said they would accompany me. I told them there was no occasion for that, and they

might retire; they did, and I went with the two Subadars towards the Commanding Officer's quarters. On reaching the Commanding Officer's gate, one of them wished to be off, as he did not wish to make a complaint. I found Major Welsh indisposed, and after waiting some time there, I told the Subadar to go to his own house, and when I had had an interview with Major Welsh, I would tell him what he had said to me. On taking his leave, he requested I would not mention the circumstance to Major Welsh. I told him I would, after what had happened: I then walked off. About two hours afterwards, when I called on Major Welsh, I told him what the Subadar had told me; he immediately sent for him and Sheik Hyder, and then asked them what complaint they had to make; upon which he put his hands in a supplicating posture, and assured him he had none; and then Major Welsh and the Subadar went into a private room.

Q.—State what passed on the 18th November between Messrs. Stratton, Hepburn, and myself, at Mr. Stratton's house?

A.—I went out with Major Welsh to Mr. Stratton's house. Major Welsh told Mr. Stratton of a number of Facqueers being about, and of one in particular, who came from Vellore. Mr. Stratton then put a paper into Major Welsh's hand, which I was informed was an order to apprehend those kind of people (Facqueers) who could not give a good account of themselves: on which Major Welsh said he would

point out this particular man, if he could meet with him, but as he did not appear for several days, he supposed that he went off to Quilon, I think.

Q.—State the circumstance of the evening parade on the 18th November.

A.—On the 18th November the Officers assembled as usual, and after going through a few manœuvres, the Officers were ordered to fall out; on which there was a general remark made amongst us, that the men did their manœuvres very badly; appeared to be very inattentive, and to be stupified: on which Major Welsh desired one of the Officers present not to talk about it, and we then walked off.

Q.—State the circumstances of the 19th November, beginning in the morning.

A.—The Officers, as usual, had assembled at breakfast at Major Welsh's quarters; on my arrival there, Major Welsh put a Letter into my hands, on the back of which was written, that he (Major Welsh) had discovered a plot, that we were all to be killed in ten days, and if there was any suspicion, we were instantly to be massacred—that we must keep it quietly till measures could be adopted. Immediately after breakfast Major Welsh asked me to go out visiting, to which I consented, and we went to Mr. Hepburn's house. Major Welsh took Mr. Hepburn aside, and spoke to him: after their consultation was over, we agreed to go over to Mr. Stratton's. After we had been at Mr. Stratton's a few minutes, Major Welsh and I went to Mr. Douglas's warehouse, fol-

lowed by Mr. Stratton and Mr. Hepburn, who called Major Welsh aside, and retired with him for some time; and then we returned to the Fort. On returning, Major Welsh informed me of the plans that were to be adopted, which were, that a few of the ringleaders were to be inveigled out of the Fort, to the Zillah Judge, on some pretence, and then we were to proceed to the Barracks, take possession of their arms, and act afterwards as circumstances would require. Sheik Hyder, on our return, was immediately sent for, and on his arrival at Major Welsh's quarters he appeared much confused and agitated. Major Welsh gave him a chit, and told him to proceed with it to the Magistrate, accompanied by some other Native Officers. When he went away, I went to my quarters, in order to watch when they went out of the Fort. About noon he had not gone. I then returned to the Major's quarters, and at the time saw numbers of Sepoys running about the Fort, of which I informed Major Welsh. One or two European Officers riding by at the same time, it was proposed to proceed to the Barracks forthwith. Other Officers were sent for, and when they came we proceeded to the Barracks. On reaching them we ordered the picket to fall in, prime and load; on which the Officers armed themselves with a musket and beat to arms. Then we went into the Barracks, drove a few of the men out, and took possession of the door-ways, collected all the arms, and posted an Officer (Lieutenant Wilson) with a few Hindoos over them. We then went out, and

ordered the men to fall in, and informed them of what we had discovered, and seized the whole of the Native Officers—at this time there was great confusion, and we told them that we came there *determined to die and defend ourselves**. We marched the Native Officers to the Commanding Officer's quarters, where they were confined in a small room. Myself, one or two Europeans, and a few Natives, were posted over them. Then Major Welsh and the other Officers went away. Afterward I saw the men collected on the parade, and Major Welsh was speaking to them. In the evening most of the Native Officers were marched down to be confined in a secure place, and a few remained at the Commanding Officer's quarters. The European Officers were distributed, and had charge of them that night.

Q.—Did you not observe Subadar Sheik Nutter load a musket at the Barracks?

A.—No; I saw a musket in his hand, in a loading position, when Major Welsh went up to him.

Q.—Did you see me disarm him?

A.—I did; Major Welsh took the musket from his hand.

Q.—Were you present when Mr. Sawyer told me he heard my Orderly hissing at me on the parade?

A.—I was.

Q.—Was the Orderly confined in consequence?

A.—He was.

* This is an error I am not at liberty to correct, as it stands so in the Official Copy I purchased from Mr. Marsh.

Q.—On what day was it ?

A.—To the best of my knowledge, the day after the Native Officers were confined.

Q.—On what day was it that Mr. Sawyer said my Orderly hissed at me ?

A.—The evening of the day the men were turned out of the Fort.

Q.—In what manner did I treat the Prisoners ?

A.—Perfectly well ; every thing was allowed them ; they did not complain.

Q.—Were you present when the Native Officers were put in irons ?

A.—I was.

Q.—Relate what happened.

A.—One of the Prisoners made a great noise in prison ; on which I went to the window to see what was the matter. The Prisoner put his hand to the window, when two or three of his comrades took hold of him ; I then returned towards the door-way. I heard a noise from the door, and informed Major Welsh of the noise, who immediately came to the prison, and finding the man making a great noise, inquired the reason of it.

Q. by the Court—What was the Prisoner's name ?

A.—Sheik Hussein, Subadar of the 7th Company. Colonel Dyce then came down, and ordered the whole to be put in irons. I opened the prison-door, went in, and laid hold of the man (Sheik Hussein), brought him out, and he called out in Moors and Malabars, and

I had some trouble in putting him in irons; he was then sent off to a separate prison. They were all then put into irons.

Q. by Prisoner—Did not we (the European Officers) prevent Colonel Dyce from putting them in irons, by a representation in the morning?

A.—Yes.

Q.—Do you know any thing of a Writer of Sheik Hyder's running away from my house?

A.—I was at Major Welsh's quarters when the Writer run off: I pursued him.

Q.—For what reason was he brought to my quarters?

A.—To give information that he had received an order from Sheik Hyder's brother*, to prevent any Letters for Sheik Hyder or his brother from being sent to the Commanding Officer's.

Q.—What did Colonel Dyce tell you about his suspicions of the Corps?

A.—Three days after the arrival of the Corps at Pallamcottah, he said he suspected something was going wrong with them.

Q.—When did he tell you so?

A.—A day or two before the Corps marched from Pallamcottah: this was about the 10th of December.

Q.—Did not Colonel Dyce tell you, after I left Pallamcottah, that he approved of my conduct, and would support me as much as he could?

* Vide Appendix, Depositions Nos X. and XI.

A.—He told me he approved of Major Welsh's conduct. I did understand in the conversation between Colonel Dyce and me, that he would support Major Welsh as well as he could.

Q.—What was my general treatment of the Corps?

A.—Major Welsh treated them kindly. I never heard any complaints of him.

Q.—Did I ever evince any want of confidence in the Corps till the 18th November?

A.—Never, to my knowledge.

Q. by the Court—Did you see the Letter you speak of, from the Aumildar to Mr. Cochrane, or only hear of it?

A.—I saw it in Mr. Cochrane's hands.

Q. by the Court—You say the whole of the Native Officers were confined: was there not one Native Officer who was not confined?

A.—The whole whom we assembled at the Barracks were confined.

Q.—Was the Native Officer who was seen loading a firelock, a prisoner at the time of his doing so?

A.—No.

Q. by the Court—Was it before or after the Prisoner had given the orders for the Corps to fall in without arms, that Sheik Nutter had the firelock?

A.—After*.

* Sheik Nutter was the first Native Officer that arrived—Can any man doubt for a moment the intention of this man, in seizing a firelock and loading it? He had his sword on at the time, and he made a dash at the

Q.—When did the Corps arrive at Pallamcottah?

A.—The end of March.

Q.—When Sheik Hussein called out in Moors and Malabars, what was it he said*?

A.—I do not recollect.

Q. by the Court—Did it appear to you to be the universal opinion of the European Settlers at Pallamcottah, Civil and Military, that the measures of precaution taken by Major Welsh were absolutely necessary for their safety?

A.—Highly so, amongst all who conversed with me on the subject.

LIEUTENANT-COLONEL DYCE *is called on his former Oath—to prove Papers, in his hand-writing, written to Major Welsh.*

Papers put in by the Prisoner :

Appendix, No. I. is then put in by the Prisoner,
being a District Order, dated
23rd July, 1806.

II. A Private Letter from Lieutenant-Colonel Dyce to the Prisoner,
is next put in by the Prisoner.

arms, which were collected in a corner, while I was busy haranguing the Corps. The arms were at this time in two corners of the Barracks. Lieutenant Wilson was at one, and the other Officers at the other. As soon as collected into one place, Lieutenant Wilson was put in charge of the whole. Native Officers do not use firelocks.

* He called out aloud, that Sheik Hyder had been proclaimed Commandant of the Fort fifteen days before; on which all the rest attacked and struck him and called him a madman.

Appendix, No. III. Garrison Orders, 4th August, 1806.

IV. Letter which enclosed the above Orders, same date*.

V. Letter, 6th August, from Courtal-lum.

VI. Ditto, dated 7th August.

VII. Ditto, dated 9th August.

VIII. Ditto, dated 13th August.

IX. Ditto, dated 30th October.

X. Ditto, dated 7th Dec. (Nov.)

XI. Ditto, dated 13th November.

XII. Ditto, not dated.

XIII. Ditto, dated 18th.

XIV. Ditto, 20th November, 1806.

XV. Extracts from Garrison Orders, 25th November.

Q. by the Court to Lieutenant-Colonel Dyce—Had you reason to suspect the 1st Battalion 3rd Regiment of infidelity, soon after its arrival at Pallamcottah?

A.—Not then: the first cause of suspicion of insubordination in that Corps, arose from a private Letter from Major Welsh, which I thought it my duty to forward to Colonel Campbell, respecting a suspicious flag said to be hoisted on the Mosque.

The Court adjourns till Ten o'Clock To-morrow.

* Here I proposed to the Court to let the Judge-Advocate read to Colonel Dyce my Remarks on his Evidence, but was told it was unnecessary.

Saturday, February 28, 1807.

The Court assembled in pursuance of yesterday's Adjournment. Members present the same as yesterday.

CAPTAIN PEPPER *called on his former Oath.*

Q. by the Court—Whether, previous to the expelling the Hindoo Sepoys from the Garrison of Pallamcottah, at the instigation of the Native Officers, as bad and suspicious men (conceiving them connected with the 1st Battalion 23rd Regiment at Vellore, which was formed at Shanganacoile), you observed any seditious and disaffected conduct, sufficient to justify that opinion of them?

A.—No, I did not.

[The Prisoner requests it may be recorded on the Proceedings, that previous to the production of the Letters written by Lieutenant-Colonel Dyce, he had applied to that Gentleman in Court, for his consent to the production of them, and that Lieutenant-Colonel Dyce assented to it.—The Prisoner's request is granted*.]

* In explanation of this extraordinary and misplaced paragraph, I had called upon Lieutenant-Colonel Dyce as an Evidence in my favor, looking up to him as a man of honor, to state every particular, and exculpate me from blame; but on his arrival at Madras, he applied not to me, but the Adjutant-General, to let him off from attending as an Evidence (being about to embark for Europe), and said he could not conceive what right I could have to detain him; hinting at the same time, that his Evidence might not be much in my favor. This was the cause of my Trial coming on so soon, not to give me an early opportunity of vindicating my character, but to allow Lieutenant-Colonel Dyce to proceed to England. Finding that he

LIEUT. and ADJUTANT WILSON, *is next sworn.*

Q. by Prisoner—Were you present at a Court of Inquiry on the 23rd July? if you were, state what passed.

A.—I was there. The Court of Inquiry was ordered

did not appear to have any recollection of his promises, or of his personal acquaintance with me, I determined to force him, by cross questions, to acknowledge the truth of my assertions. His Letters, which I had kept by good luck as *public vouchers* (for all his orders were thus conveyed to me), were not intended to be produced, unless he should deny their purport; but the Judge-Advocate having called him the first day on the *part of the prosecution*, told the Court that he had done so on account of Colonel Dyce's being pressed for time; and that the Prisoner having thus had all the benefit of his Evidence, he hoped he might be allowed to retire. The Court agreed, and he was about to withdraw, when I addressed the President, and said I had called upon Lieutenant-Colonel Dyce in my Defence; that I had a great deal to do with him, and could not consent to his departure, unless he allowed me to produce his Letters to me on official subjects. To this he willingly assented; but not expecting my Defence to come on so soon, I had not brought the Letters in with me, and when I produced them the next day with my written Defence, the Judge-Advocate very properly said, they could not be taken until authenticated by Colonel Dyce (who was not to be found that day). Captain Pepper was therefore called in the interim. The Letters thus produced, were selected from forty or fifty still in my possession, and I was careful not to publish any one that contained any opinions on the conduct of individuals, or which could in any manner tend to injure Colonel Dyce, without tending to my own justification.

The insertion of this paragraph at this late period, proceeded from my expressing surprize at not finding any mention of it in the fair Copy of the Proceedings; and apprehending that people who were not present at the time, might suppose I had acted with indelicacy towards Colonel Dyce, to whom I certainly am greatly indebted for the authentic intelligence he from time to time communicated, and the suspicions he instilled into my mind, without which we should have been coolly butchered in our beds, unprepared and unresisting.—J. WELSH.

by Colonel Dyce, consisting of the European and the Native Officers as deliberative Members, to report on those men of the Corps, who were, supposed by any means suspicious. The result was, that about 160 men of the Corps were provisionally dismissed the Service, and their dismissal was subsequently approved of by Government.

Q.—What reason was assigned for turning out these 160 men?

A.—I believe it was because they had belonged to the 6th Extra Battalion, from which some drafts had been sent to the 2nd Battalion 23rd Regiment, and which Corps had been raised at Shanganacoile.

Q.—Were there any other reasons assigned by the Native Officers?

A.—Yes, there were—want of caste; want of stature.

Q.—Were any suspicions of their fidelity mentioned by the Native Officers?

A.—Yes, I believe there were; I cannot speak positively.

Q.—Were any men conducting Deserters into the Garrison, abused by the Sepoys?

A.—I did not myself hear them abused; I only heard that they were abused.

The Judge-Advocate objects to the latter part of this Answer, on the ground of what the Witness heard not being Evidence.

The objection is over-ruled by the Court.

Q.—Did you observe any strange Facqueers in the Fort, after the Vellore business?

A.—I did, one in particular.

Q.—Did I send Guards out to apprehend Mutineer Deserters from Vellore?

A.—Yes.

Q.—Did they ever bring in one man?

A.—Yes, several: none that I know of were Deserters from Vellore.

Q.—Did my Sepoys ever bring in any man?

A.—They brought in Deserters. I am not certain they were Deserters from Vellore.

Q.—What number of Mutineers were brought in by other people?

A.—I do not exactly recollect the number, but a large party were brought in by Mr. Cochrane's Peons.

Q.—Did you observe any blood at the church on the 16th November?

A.—No.

Q.—Were you at the church on the 16th November?

A.—No.

Q.—State the occurrences of the 19th November.

A.—On going to Major Welsh's quarters in the morning, he communicated his suspicions to me; and said that he was going to take prompt and effectual measures for the general safety. A little after this I returned home, and was called about an hour afterwards to Major Welsh's house, when all the Officers of the Corps present proceeded to the Barracks, and

seized the arms of the men. A small party of Hindoos, on whose fidelity most could be relied, was formed under my orders, and placed over the arms, with directions from Major Welsh, not to allow a musket, or any arms, to be taken away, except at the expence of our lives. Whilst I was in the Barracks, the Corps was ordered to assemble on the general parade.

Q.—Were you present when a Letter from a Sepoy at Travancore was read to Messrs. Stratton, Hepburn, and myself, on the morning of the 20th November; and what was the subject of that Letter?

A.—I was: it was from a Sepoy in Travancore to his sister at Madura, which mentioned that he would not be in the Service in the space of a month or two, and that he would then go and rejoin her at Madura.

Q.—Was there nothing further in that Letter?

A.—There was, but I do not exactly recollect.

Q.—Did you copy my Letters to Trichinopoly, Columbo, and Quilon, on the 19th and 20th of November?

A.—I did.

Q.—Were Messrs. Stratton and Hepburn present when I wrote them?

A.—They were, when the Letters were written to Columbo and Quilon; I don't know whether they were when the Letter was written to Trichinopoly.

Q.—Did Messrs. Stratton and Hepburn see those to Columbo and Quilon prior to their dispatch?

A.—Yes.

Q.—Were my Butler and Ramaswamy publicly confined, after Colonel Dyce's arrival?

A.—They were*.

Q.—Were you present when *Aga Nuzzer Ally*† visited Colonel Dyce at my house?

A.—Yes.

Q.—Did he say any thing about a *Facqueer*?

A.—Yes, and Mr. Fisher too; as Mr. Fisher spoke in English I understood him better.

Q.—What did Mr. Fisher say?

A.—Mr. Fisher said that they met a *Facqueer* near the Travancore gate, who grossly insulted *Aga Nuzzer Ally*, and said that he was sent by the Prophet to destroy thousands—supposed to mean Europeans.

Q.—You were long Adjutant of the Corps while I commanded it—what was my general conduct and treatment of the Corps?

A.—Major Welsh universally conducted himself with the greatest humanity to the Corps, and paid great attention to their interests and comforts.

Q. by the Court.—When you took charge of the *Se-poy*s' arms on the morning of the 19th November, was there any appearance of resistance on the part of the *Sepeys* to deliver up their arms‡?

A.—I did not observe any myself.

* Vide my Note, Court of Inquiry.

† Brother to the Persian Ambassador.

‡ No arms were delivered up.

Q.—Did you read the Sepoy's Letter from Travancore, and in what language was it?

A.—It was in the Malabar language: I could not read it.

Q.—By whom was it read?

A.—By the Vakeel of the Battalion, and a Writer of the Post-Office.

Q.—By what channel was it received at Pallamcottah?

A.—By the common Tappall.

Q. by the Court—Did you observe the Subadar whom Major Welsh disarmed, with a musket in his hand?

A.—No, I did not.

Q. by the Court—Did you know any thing of a Havildar having knocked down a Sepoy in the Barracks, whilst the Corps was disarming there on the 19th November?

A.—I only heard so.

Q. by the Prisoner—Do you know whether any of my guards ever brought in any Mutineer Deserter from Vellore?

A.—No, I do not recollect.

LIEUT. DUMAS, 1st Battalion 3rd Regiment, sworn.

Q.—Were you present at a Court of Inquiry on the 23rd July? State the particulars of what passed there.

A.—I was not.

Q.—Do you know any thing of a strange flag flying at the Mosque?

A.—I saw it.

Q.—Describe it, and when it was hoisted.

A.—I cannot speak exactly to the date—I cannot describe it.

Q.—Do you know of any strange Facqueers arriving in the Fort?

A.—I have heard of them.

Q.—Do you know of any blood at the church on the 16th November?

A.—I heard the Clergyman say so.

The Judge-Advocate-General objects to the last Answer of the Witness, as being hearsay Evidence. .

Q.—Were you at the church on the 16th November, and what passed there?

A.—I was not there; I was ill.

Q.—Were you present at the evening parade of the 18th November? and relate what passed.

A.—I was present at the evening parade the day before the men were put in arrest: the European Officers remarked after parade was over, that the men did not pay the usual attention they formerly paid to their duty.

Q.—State the occurrences of the 19th November, when I disarmed the Corps, beginning from the morning.

A.—On that morning Major Welsh sent me out to Mr. Stratton's; about an hour and a half before (as he told he) he had sent Sheik Hyder with a note to Mr. Stratton's, and Major Welsh told me it was his in-

tention, as soon as Sheik Hyder was out of the way, to draw the Corps out on the parade, and tell them what he had heard of the mutiny; and to tell them, if it was their intention to put their European Officers to death, to do it openly, and not as cowards. He sent me out at this time to Mr. Stratton's, to know whether the Subadar went out to Mr. Stratton's, and to see whether he was there. When I got there, I asked Mr. Stratton whether he had arrived; he said that he had not. On my return, I met in a bye street behind the Barracks, Sheik Hyder, the head Subadar, the Subadar of the 3rd Company, and the Havildar Major: when they saw me, they dispersed, and ran different ways*. I immediately went and informed Major Welsh of it, who afterwards asked the advice of the Officers, what was to be done: some said, it was best to go and disarm the men; others said not. Afterwards we went up in a body to the guard at the Barracks, and secured the arms of the guard close by the Barracks first. There was a large crowd about the place. I heard somebody, I don't know who, cry out, that there was a firelock snapped. I don't recollect any thing further.

Q.—Was an Orderly of mine put in irons?

A.—Yes.

Q.—For what?

* Would not innocent men have met an Officer, and paid him the usual compliments? Mr. Light, my brother-in-law, was with Lieutenant Dumas in the same baudy. Not knowing of my Trial, he had gone to Europe, *via* Ceylon, before it came on.

A.—For making use of abusive language to Major Welsh.

Q.—Did you apprehend any Facqueers after this, and how many?

A.—Mr. Gore, who was Officer on Guard, seized one.

Q.—What was my general treatment of the Corps?

A.—I have always heard that the Prisoner was much liked in the Corps; I never heard the contrary.

Q.—Did I ever show a want of confidence in them, till after the evening parade of the 18th November?

A.—Never, that I saw.

Q. by the Court—Was there any resistance on the part of the Sepoys, on their arms being taken from them on the morning of the 19th November?

A.—I saw none.

Q. by the Prisoner—What number of Sepoys were in the Barracks when their arms were seized, exclusively of the guards?

A.—I cannot say: there were partitions between the Barracks; I could not see.

Q.—At what hour did we proceed to the Barracks on the 19th November?

A.—I believe between eleven and twelve in the morning.

Q. by the Court—Did you make any observation on parade on the evening of the 18th November, respecting the conduct and unsteadiness of the Battalion?

A.—Yes, I saw that they did not pay the attention they ought to have done.

LIEUTENANT GORE is sworn, and the Charges read over to him.

Q. by the Prisoner—Were you present at a Court of Inquiry on the 23rd July? State the particulars.

A.—I don't know the date of it; there was a Court sat in Major Welsh's house, to ascertain whether there were any suspicious persons in the Corps; as there were some drafts lately received from Shanganacoile, where the *Battalion* who behaved so ill at Vellore* was likewise raised. After inquiry, there were found to be a certain number, I don't recollect how many, reckoned suspicious persons, and discharged accordingly.

Q.—Who urged their being discharged?

A.—I understood from every body, that it was Subadar Sheik Hyder, he having stated that they were not to be depended upon.

Q.—Do you know any thing of a strange flag at the Mosque after this? and describe it.

A.—I know there was a strange flag hoisted, as it was the subject of conversation; but the colour and the flag itself I do not recollect.

* As this circumstance is mentioned in every Evidence, I think it necessary to state, that the Native Officers of our Corps had led us to believe that the 2nd Battalion 23rd Regiment Native Infantry (a very young Corps raised to the southward), was solely culpable in the massacre; and Government, by a hasty statement to the same effect, confirmed this fallacy. It has now been clearly ascertained, that the 1st Battalion 1st Regiment (one of the oldest Corps in the Service), was the principal, and the other only auxiliary in that atrocious affair.

Q.—Do you know of any Letter, received by Mr. Cochrane from Shevlapatoor—what was it?

A.—I do; I was one morning at breakfast at Mr. Cochrane's, who told me that he had received a Letter from Shevlapatoor, informing him that a Detachment of Europeans was expected from Madura. Captain Pepper wrote a chit from Mr. Cochrane's, stating that he had intelligence, to Major Welsh.

Q.—Do you know of any strange Facqueers appearing in the Fort?

A.—I know of one, who I frequently perceived begging at the Officers' quarters.

Q.—Do you know of my sending any guards out to apprehend Mutineer Deserters from Vellore?

A.—Yes; there were guards sent out, and I recollect Major Welsh's once saying, he would contribute towards a reward, if any of his men brought prisoners of consequence. Major Welsh specified one man, whose name I don't exactly recollect.

Q.—What was the result?

A.—I never heard of any being brought by the Sepoys.

Q.—Did Mr. Cochrane's people bring any?

A.—They did.

Q.—Do you know of the Sepoys abusing the Collector's people who brought them in?

A.—I was not present when they were abused.

Q.—Do you know of any blood at the church on the 16th November?

A.—Mr. Ringletaube showed me the spot where it had been.

Q.—What passed at the evening parade on the 18th November?

A.—The men of the Battalion, it struck me, were more inattentive and careless in their movements than ever I had seen them. A Peon brought to Major Welsh a packet; the Sepoy next me seemed alarmed, and elbowed the man next him, whether intentionally or not, I cannot be positive.

Q.—What passed after the Officers fell out?

A.—Lieutenant Perkins and myself observed how extremely ill the men had behaved in manœuvring: he said they seemed as if they were all drunk. Major Welsh told him that was not a proper place for such observations, and desired him not to repeat them, as they would be overheard.

Q.—State the occurrences of the 19th November, when I disarmed the Corps, beginning from the morning.

A.—In the morning, when I came out of my quarters to go to Major Welsh's, I met Mr. Light and Mrs. Welsh going towards Mr. Light's new house; he (Mr. Light) asked me to join them. After we had entered the house, he (Mr. Light) called me into another room, and informed me, that there had been a plot discovered for murdering all the European Officers of the Battalion who were in Garrison, in ten days; and if it was known to be discovered, it would most probably be put in execution immediately. We afterwards went to Major Welsh's house, where the Officers were assembled to breakfast. During breakfast, Major

Welsh wrote on the back of a Letter, that he had discovered a plot to murder us all in ten days. After breakfast he went with Captain Pepper out to Mr. Hepburn's and Mr. Stratton's, to consult with them (as I understood). On his return he informed us, that as it seemed the general opinion, that to proceed to the Barracks and take the conspirators by surprise, would be the best plan, he was determined upon it. I returned to my quarters, to make some arrangements before we went to the Barracks; during which, I saw Major Welsh and all the other Officers present (except Lieutenant Perkins, who was with me), come out of Major Welsh's house, and go down the road to the Barracks. We immediately ran out of the house to join them: we did not overtake the party till just after they had reached the Barracks. I perceived the Barrack guard under arms—a little after this they loaded; whether by order or not, I don't know. Major Welsh and all the other Officers, except Lieutenant Perkins, went into the Barracks, where the arms were. We remained with the Barrack guard, which was drawn up in front of the Barracks, facing outwards. Lieutenant Perkins remained at one flank of the guard, and myself at the other. I was walking up and down, close to it. During this, I thought I heard a firelock snapt, and I turned immediately round, when I perceived a Non-Commissioned Native Officer knock a Sepoy down. I asked him why he did so? his answer was, The man was playing with his firelock without orders. The

man fell with the firelock under his leg, in such a manner that I could not see the lock and pan. At this moment I was called into the Barracks, to take charge of one of the doors. After the arms of the Sepoys were collected at one end, and Lieutenant Wilson, with a party of Hindoos and Pariah Sepoys, placed in charge, we came out of the Barracks. In the door-way, Subadar Sheik Nutter came up to me, and requested I would not let Major Welsh shoot him. I asked him why he should be afraid of Major Welsh hurting him? he said, Major Welsh had a loaded musket in his hand, and he might shoot him. I replied, if he had conducted himself properly, he might be confident neither Major Welsh, nor any one else, would injure him. Having armed the Hindoo men, and the Drummers and Pariahs, we went round to all the gates, beginning with the Travancore gate. On our arrival there, we formed a party of Hindoos, in command of whom Major Welsh left Captain Wilson, with orders to take charge of the gate, with certain orders; next the main gate, where Major Welsh left me with a party of Hindoos, with directions to defend the post with my life. Before he left the gate, he gave into my charge the Facqueer I before mentioned, and then passed on. While I was in charge of this gate-way, Mr. Stratton, the Judge, Mr. Hepburn, the Collector, Mr. Douglas, the Deputy Commercial Resident, Mr. Hanbury, the Assistant Collector, with some Malabar-men's families, passed in and out. In the

evening, Lieutenant Perkins came down with Mr. Light and a party, to relieve me ; and Captain Wilson brought me an order from Major Welsh, to deliver charge to Lieutenant Perkins. After delivering charge, I went to Major Welsh's house, and saw most of the Native Officers in a side-room of Major Welsh's verandah, Major Welsh conversing with them : Captain Pepper, with a party, had charge of them. A short time afterwards, Major Welsh took their swords, and set them all at liberty but four, whom I understood he kept as sureties. A short time afterwards, the rest of the Native Officers were confined in the General Stores, where Captain Pepper and Lieutenant Dumas were placed on duty. Major Welsh's Butler, after dinner, having declared that there was another man who was present at a conference he had overheard, and who was not confined in Major Welsh's house, Major Welsh, myself, and the Butler, went down to the General Stores for him to point out the man, as he could not inform us what his name was. When we arrived there, he pointed to Subadar Secunder Cawn, of the 6th Company, whom we brought up to Major Welsh's house, who confined him in the same godown with his Tindall, whom he had been informed was also concerned. There was a padlock wanting to the door : I turned about to one of Major Welsh's servants to procure one ; during which Major Welsh remained conversing with the Prisoners in Hindoostanee. I heard one mention Sheik Hyder's name, saying he had

said something ; I did not hear what it was—he was also using the word *Feringhee*. At that moment I asked Major Welsh what the man had said ; he replied, that he had informed him “ he heard Sheik “ Hyder once declare in the Mosque, that the European Officers must all be murdered.” Major Welsh observed, that the man seemed to think nothing of what he had said. I went to Major Welsh’s verandah, and mentioned the circumstance to the Rev. Mr. Ringletaube, informing him that some confession might be drawn from the prisoner.

Q.—Was an Orderly of mine put in irons afterwards, and for what ?

A.—There was an Orderly of Major Welsh’s put in irons ; his crime was verbally given to me by Captain Pepper, for behaving in a seditious manner, in bissing Major Welsh, his Commanding Officer, and for saying, “ You may command, but you shall see who will “ obey.” I put him in irons, and gave him in charge to Lieutenant Perkins.

Q.—What was my general treatment of the Corps ?

A.—That of the greatest kindness—I have heard Major Welsh express the greatest confidence in his men.

The Court adjourned till Eleven o’Clock Monday morning.

Q.—How many days did the flag continue to fly at the Mosque ?

A.—It was flying several days, till the Corps was disarmed.

Q.—Which flag are you speaking of ?

A.—Both flags.

Q.—Was the flag of Cawder Wallie hoisted after or before the green flag ?

A.—The flag of Cawder Wallie was flying before the green flag was hoisted.

Q.—Which flag was hoisted first ?

A.—The green flag was hoisted first.

Q.—What was the Bazar news, when the green flag was flying ?

A.—I heard nothing in particular.

Q.—Was there any report that alarmed the Natives at this time ?

A.—I did not hear any.

Q.—Was there a report of Europeans coming at that time ?

A.—The Natives were in the habit of saying that some Europeans were coming ; it was a Bazar report.

Q.—Was there any news concerning Vellore ?

A.—It was a Bazar report, that a Battalion had mutinied at Vellore.

Q.—What was said to be the reason of that mutiny ?

A.—That a new-pattern turban was ordered to be put on all Battalions, which was the cause of the mutiny.