

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1406-07	Press ~~Mis.~~
	44.47	
Dated	29-10-1918	1857

Not to be folded or roughly handled •

Dr
1406

Fort St. George, Judicial Consultation, 29th October 1857.

Read the following papers.

No. 44. From the Honorable SIR CHRIS. RAWLINSON, Chief Justice of Her Majesty's Supreme Court, Madras; to the Right Honorable the Governor in Council, &c., &c., &c., Fort Saint George, dated 13th October 1857.

MY LORD,

The enclosed petition has been sent in to me, for the purpose of its being forwarded to your Lordship.

I think it is a fit case for your Lordship's consideration, and is one in which I should remit the remainder of the prisoner's sentence, had I the power.

(Signed) CHRIS. RAWLINSON,

To the Right Honorable GEORGE FRANCIS ROBERT LORD HARRIS, Governor in Council, Fort Saint George, Madras.

The Queen on the prosecution of Paroondavee against Kistnasawmy, for an assault.

The humble memorial of Kistnasawmy, imprisoned prisoner in the common Goal of Madras.

SHEWETH,

That your Lordship's memorialist, on the 16th January 1855, having been before his Lordship, Sir W. W. Burton, Knight, the late Puisne Justice, tried in the first Sessions holden in the said year, and been found guilty by the Jurors, and your Lordship's memorialist having been sentenced to be imprisoned for the term of two years, and to find sureties for his good behaviour himself 500 Rupees, his two sureties in 250 Rupees each, for 1 year, more to be computed from the end of the said first two years, the prosecutrix is the wife of your memorialist, and not stranger.

That your Lordship's memorialist computed his two years' imprisonment in the Sessions held in the present month of January 1857, and he is after that date further imprisoned for sureties, and that is now nine months above running, your Lordship's memorialist is unable to find sureties, and abide the sentence of Her Majesty's Court. Consequently, having appealed to His Lordship the Chief Justice for the discharge of his person without sureties, His Lordship in reply to the said appeal, recommended your Lordship's memorialist to apply to Government on the case under explanation, that the Government has full power to discharge your memorialist, as the Court have no power after the sentence, but all power rest with Government, and as the Court have entirely disposed the appeal by recommendation to Government, his imprisonment computes in January 1858, and for this short time of imprisonment your memorialist appeals to Government for mercy.

Wherefore your Lordship's memorialist humbly solicits the Government will be graciously pleased to grant the mercy sought, and order and direct the discharge of your memorialist from prison without sureties, as he having computed his two years of imprisonment for the crime, and nine months above, he is sufferer for want of sureties which he is unable to provide, and solicits the Government mercy and forgiveness, and as in duty bound,

Your poor memorialist,
Will ever pray,

Her Majesty's Goal, Madras, }
13th October 1857.

இஷ்வரன்,
Imprisoned prisoner in Her
Majesty's Criminal Goal.

at of Palace
Sept 30

Here entered
Jm

Fort St. George, Judicial Consultation, 29th October 1857.

No. 45. From Colonel J. C. BOULDERSON, Commissioner of Police; to F. MALTBY, Esq., Acting Chief Secretary to Government, Fort Saint George, dated 17th October 1857, No. 140.

SIR,

With reference to the petition herewith returned, which accompanied your Official Memorandum, dated 14th Instant, Judicial Department, I have the honor to state that the petitioner was tried and convicted for having committed an aggravated assault on the person of his wife, he struck her a violent blow with a rice-beater, on the back of her neck, she was knocked down senseless, and was covered with blood when removed by the Police to the Hospital, she was in a very precarious state, she however subsequently recovered, after having been laid up 4 weeks. The prisoner fled after committing the assault, but he was eventually apprehended and tried. It will be seen from copy of the letter from the Sheriff, herewith forwarded, that the "prisoner has behaved himself peaceably and quietly, since his confinement."

(Signed) J. C. BOULDERSON,
Commissioner of Police.

No. 65.

The Queen on the prosecution of Paroondavee, }
against Kistnasawmy, } For an assault.

From JOHN FINDLY McKENNIE, Esq., Sheriff of Madras; to Colonel J. C. BOULDERSON, Commissioner of Police, Madras.

SIR,

In reply to your letter of the 15th Instant, I beg to say that the above named prisoner has behaved himself peaceably and quietly since his confinement in Her Majesty's Criminal Gaol.

Sheriff's office, Madras, }
17th October 1857. }

(Signed) J. McKENNIE,
Sheriff.

(A true Copy.)

(Signed) J. C. BOULDERSON,
Commissioner of Police.

No. 46. ORDER THEREON, No. 1406; dated 27th October 1857.

Under the provisions of Act XVIII of 1855, and on the recommendation of the Chief Justice of Her Majesty's Supreme Court, the Right Honorable the Governor in Council is pleased to remit the unexpired portion of Kistnasawmy's sentence of imprisonment. He will be accordingly released from Jail.

Ordered that the following letter be despatched.

No. 47. From Government; to the Honorable Sir C. RAWLINSON, Kt., Chief Justice of H. M. Supreme Court of Judicature at Madras, dated 27th October 1857, No. 1407.
HONORABLE SIR,

In reference to your letter of 13th October 1857, we beg to inform you that, under the provisions of Act XVIII of 1855, we have remitted the unexpired portion of Kistnasawmy's sentence of imprisonment.

(Signed) HARRIS.
(") P. GRANT.
(") W. ELLIOT.

Ed. E. Cartledge.

Judicial Department.

No. 1406

Extract from the Minutes of Consultation

Dated 27th October 1857.

Read the following Letters

From the Honorable Sir C. Rawlinson (See entry 13th Oct 57 No. -)
From the Commissioner of Police (See entry 17th Oct 57 No. 140)

Under the provisions of Act XVIII of 1855 and on the recommendation of the Chief Justice of H. M. Supreme Court, the Right Honorable the Governor in Council is pleased to remit the unexpired portion of Kistnasawmy's sentence of imprisonment. He will be accordingly released from Jail.

Ordered that the following

letter be despatched

To Sir C. Rawlinson Kt. (See entry 13th Oct 57)
Copy to Commr of Police Disptd 30th

Judicial Department

No 1407

To The Honble Sir G. Rawlinson Kt.
Chief Justice of H.M. Supreme Court
of Judicature at
Madras

Honble Sir,

In reference to your
letter of 18th Oct/57, we beg to
inform you that ~~we have~~
under the provisions of Act
XVIII of 1855 ^{we have} recalled the un-
-expired portion of Kistna-
sawny's sentence of impris-
-onment.

We have
[Signature] - Harris
P. Frank
W. Elliot

Fort St. George }
27th October 1857 }

Sept 30th

Recd

Justices to the King & Council
1857-58 - Para 28

By the Secy 29th Oct
Judicial 1857 Oct 29th

W. H. M. S.

Enbaad Moins of Bonds

29th October 1857

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Just to the Eng. 23 March
No. 2 of 1838. Price 28

By the Cons-29 4 Oct
Judicial-1837 Sep 21

No. 1107

To the Hon. Mr. L. Paulsen M.
Chief Justice of N. M. Supreme Ct.
of Independence

29 October 1837

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14077