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MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 333 Press ~~Mis.~~

89-90

Dated 11- 3- ~~19~~1888

Not to be folded or roughly handled

89. Read the following letter from C. V. CONNIAH Chetty and others; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated March 3rd 1858.

Sir,

We have the honor to forward in a separate enclosure, a Petition to Her Majesty, regarding rial and condemnation of Soobaroya Graminy and others, in the Supreme Court of this Pre- icy, with the respectful request that the Right Honorable the Governor in Council will be ed to transmit it to the authorities in England; and in order to account for the soiled con- n of the document, to intimate that it has been sent back in this state from the Secretary to Board of Controul, with directions to return it by the local official channel: it having been er- ously supposed by the Petitioners that it should have been dispatched for presentation igh the medium of the Home Secretary of State.

(*Duplicate.*)

ıe Right Honorable Sir G. GREY, Bart., Secretary of State, Home Office, London, dated 1st November 1857.

Right Honorable Sir,

We have the honor to forward the accompanying Petition to Her Majesty the Queen, and quest you will be pleased to lay the same before Her Most Gracious Majesty.

We are,
Right Honorable Sir,
Your most obedient humble Servants,
(Signed) G. LUTCHMEENURSOO Chetty.
(„) C. V. CONNIAH Chetty, and others.

THE QUEEN'S MOST EXCELLENT MAJESTY.

The humble Petition of the undersigned Native Inhabitants of Madras.

Most Respectfully Sheweth,

That Your Majesty's humble Petitioners thus presume to present themselves at the foot of hrone, with the object of appealing to Your Royal Clemency in behalf of six of their unfor- te country-men, recently sentenced by Your Majesty's Court of Judicature in Madras to trans- ation for life. The names of these men are Soobaroya Graminy, Shunmoogum, Summundum, moo, Moonesawmy Naick and Moonesawmy Moodelly; the first named convict being the er of the second and third, and all three known and esteemed in the City of Madras as among most peaceable of its inhabitants, although unfortunately implicated in a case which resulted ıe death of a man named Narasarajoo, who had been at one time in the employ of the first ed convict, Soobaroya Graminy. The Jury which sat upon the trial returned a verdict of ty against all the six, but accompanied it with a recommendation to mercy; and, in conse- nce, the sentence of death was commuted by the Court into transportation for life.

That Your Majesty's Petitioners have always entertained entire confidence in the Courts es- lished by Royal Charter in India, and respect for their decrees; and in appearing on this oc- on as humble supplicants, would have restricted themselves to the simple request of pardon these men, as a gracious gift to their community; were it not that there are one or two nts connected with the trial which require to be presented to Your Royal and benign consi- ation: and which serve at the same time to shew that Your Majesty's Petitioners would not, this time when their fellow subjects in Bengal are suffering under outrages perpetrated by l minded disturbers of the peace, have been so infatuated as to plead in a body for the release these unhappy men, if they could conscientiously believe them to have been capable of com- tting the heinous offences of felony and murder; and to which points, in all duty and loyalty, ur Petitioners would humbly draw Your Majesty's gracious attention; they having ocured and herewith submitted attested copies of as many documents as are attainable, toge h r

with the published report of the Proceedings which took place in the Supreme Court, as it appeared in the Athenæum of the 23nd January 1857. An attested copy of the letter from the presiding Judge to the Right Honorable the Governor in Council having been refused, both by Government and the Supreme Court, Your Majesty's Petitioners have forwarded a copy of the Madras Examiner of the 3rd April 1857, the local paper in which it was printed.

That Your Majesty's Petitioners made application in the first instance to the Supreme Authority at this Presidency, beseeching His Lordship mercifully to exercise the power vested in him by Act XVIII of 1855 of the Indian Legislature, when the Right Honorable the Governor of Madras sought the advice of the very Judge who had passed the awful sentence, and as the Honorable Sir William Burton justified his decision, which he maintained did not require a reconsideration, in his letter to the Governor, His Lordship in Council dismissed the memorial of Your Petitioners. On this rejection, Your Petitioners were disposed to carry their Appeal for mercy to the Governor General of India, and made indirect inquiries in that direction, but being informed that as the power of exercising mercy was permitted by the Act to the Subordinate Governors, it could not be expected that the Governor General would interfere; Your Petitioners have at length ventured to bring their case before the paramount authority of Your Most Gracious Majesty.

That the convicts, as already enumerated, were found guilty of murdering a person whom the learned Judge presiding at the trial believed, and the Jury likewise believed—as stated in Sir William Burton's letter to the Governor—had decoyed away from his home with felonious intent; and if such had really been the case, the convicts were guilty of increasing the crime of simple murder by prefacing it with a deliberate and felonious conspiracy, entered into with the precise intention of accomplishing the murder; and Your Majesty's Petitioners humbly take the liberty to express their surprise that, a British Jury could convict prisoners of murder aggravated by felonious and deliberate conspiracy, and yet recommend them to mercy; and that a Justice of one of Your Majesty's Courts could accept such a verdict, coupled with such a recommendation, and act technically on them both; and this strange disproportion between the guilt said to be believed and the recommendation forces Your Majesty's Petitioners to the conclusion, that the Jury could not have been satisfied with the evidence, when instead of simply returning their verdict, and leaving its legal and fitting consequences in the hands of the Court, they were desirous of mitigating the severity of their verdict by the recommendation to mercy; while in order to account for the action of the Court in concurrence with the Jury, Your Majesty's Petitioners need not scruple to advert to the well known religious bias of the learned Judge, publicly exhibited against the Hindus from the very day on which he first took his seat on the Madras Bench; and to state their conviction that Sir William Burton has frequently formed his opinion rather according to the bias of his theological theories, as to their spiritual status generally, than the evidence before him, or facts within his cognizance, strong indications of which are observable in the language he employed when passing sentence,—"I wonder how you could have thought of committing such a crime, but I will tell you, you had no fear of God, and you were moved by an evil spirit."

That Your Majesty's Petitioners would submit for Your Royal consideration, the danger which might befal Your Majesty's Indian subjects, if the Judges administering Justice in Your Majesty's name were to depend so confidently on their qualification for discerning of spirits. In the opinion of many conscientious Christians, no Hindu can have the fear of God, but every one is under the influence of an evil spirit; and were this opinion to pervade the administration of criminal justice, the merciful principle of not presuming guilt in the accused, and allowing prisoners the benefit of doubts, which is the glory of Your Majesty's Courts, must be reversed in the case of Hindu prisoners; who may thus be convicted and sentenced to transportation or death, whatever may be the deficiencies or discrepancies of the evidence, as in the present instance; Sir, W. Burton, having declared in passing sentence, "I am satisfied in my conscience, and it is indeed a great satisfaction to me to feel so satisfied, that you never intended to inflict that dreadful injury which cost that man his life." Thus, the design or intention of committing the crime of wilful murder, of which the prisoners were convicted, was so entirely absent from the evidence that not only were they recommended to mercy by the Jury, but the Judge himself acquitted them of all such premeditation; and yet he was induced, by his theory of spiritual influence, to record that they had thought of committing the fatal deed at the instigation of an evil spirit.

That these antagonistic declarations of the learned Judge and Your Majesty's Petitioners to advert again to the letter addressed by His Lordship to the Right Honorable the Governor of Madras, in justification of his sentence. Sir W. Burton, acknowledged that "there were doubtless some discrepancies in the evidence for the prosecution, but none that should cause it to be discredited; the mother and the son who were the principal witnesses gave very clear testimony indeed, and were both exceedingly intelligent, calm and collected, and unshaken in their evidence. The female was contradicted on a small point by her deposition before the Magistrate, but the answer she gave led me to doubt whether that deposition was to be absolutely relied on; for I am sorry to say that the amount of the business at the Police Office, and the mode of taking depositions does not always impress my mind with the fullest confidence in their correctness; but the contradiction was not so important as to discredit her whole testimony. Again, the boy is reported in his deposition to have stated before the Magistrate, that Moonesawmy Naidoo was the person who struck the fatal blow; whereas in Court he said it was Moonesawmy Moodelly, another of the prisoners. Which was the correct version it would be useless now to enquire; the Magistrate or rather his clerk might have put down the wrong description instead of the right, and the boy might be perfectly right nevertheless. However the doubt thus imported into the case saved the life of Moonesawmy Moodelly, whom I should certainly have left for execution if there had not been some colour of doubt."

That Your Majesty's Petitioners most humbly represent that the point on which the female witness contradicted herself was nothing less, than having deposed on one occasion, that she saw the head of the deceased "covered with blood," and on the second, that she saw no blood, but only that the body was besmeared with dirt; in the first instance, she implicated the whole of the prisoners in dragging and beating the deceased; in the second, accusing only the 2nd and 3rd. The discrepancies of the son were, that he accused two different parties of the actual perpetration of the murder; naming the 5th prisoner at the Police, and the 6th in the Supreme Court. He again deposed before the Coroner, that when two of the prisoners came at night to call away his father, and he offered to go with them, his father forbad his doing so; while at the Police and in the Court he said, prisoners forbad him; the father only consenting. The boy further said before the Coroner, that he did not see Soobroya Graminy strike the deceased; while at the Police he said he saw the Graminy beat the deceased, and also heard him direct others to strike him hard. In the Supreme Court he said that the Graminy poked the deceased with a stick; the stick being the stalk of a cocoanut leaf.

Your Majesty's Petitioners humbly submit that these discrepancies, in evidence immediately bearing upon the manner of the deceased's death, were of the most material importance; and that they cannot but be greatly alarmed at the circumstance, that one of Your Majesty's Judges, could go to such an extreme, as to endeavour to reconcile them, and thereby to justify a verdict of wilful murder, by the gratuitous supposition that the depositions were incorrectly taken before the Magistrate; and that such a license of imagination, to the prejudice of the prisoners at the bar and the responsible authorities of the Police, should be originated and indulged by a Judge who had previously confessed that the prosecution presented a tale that was at first sight improbable. No Hindu's life or property can be secure, if improbable tales on the part of the prosecution are to be believed on evidence so full of serious discrepancies; and the accused stand confronted with the religious theory of the Judge, that they are without fear of God and moved by an evil spirit; because they are unable to produce a legal refutation of the improbable tales laid to their charge.

That this attempt to reconcile the prevaricating evidence of the two principal witnesses is the more astonishing to Your Majesty's Petitioners, as it is introduced in order to support a verdict and sentence, otherwise not borne out by the evidence, by imputing grave and entirely unsubstantiated negligence and delinquency to the Police authorities, on a question of life and death, since it relates to the blow supposed to have occasioned the death of the deceased; and it is deeply to be lamented that these discrepancies were not properly pointed out and argued upon by the Counsel for the prisoners, whose failure of duty in this respect, entailed upon them the bitter consequences of his unaccountable over-sight and remissness.

That Your Majesty's Petitioners, in their appeal to the Governor of the Presidency, necessarily laid great stress upon these documents, as telling in favor of the prisoners; and they

had hoped that when this neglect of the Counsel was brought to notice by the Petition, the Judge, when referred to, would at the least have granted the apparent justice of a retrial to men on whom, to use his own words, he had passed an awful sentence "by which their wives became widows, their children orphans, and themselves dealt with as dead men;" but Sir W. Burton, seems to have used the Counsel's over-sight as a means chiefly to dispose of and frustrate the appeal to mercy, "because," as he observed in his letter maintaining the propriety of the sentence, "a great deal of the argument" they—the Petitioners—submit, "is taken from documents, which were not in evidence in the case, and cannot legally be imported into the consideration of it." "I may point out" continues Sir William, "as instances of this, the depositions before the Magistrate (except those small portions given in evidence) and the depositions before the Coroner, neither were in evidence. I transmit herewith to Your Lordship my notes of what actally appeared in evidence, they shew the whole case and cannot be disputed." The learned Judge does not insinuate that the arguments, for which these documents afforded the grounds, were either false or frivolous, or could not have been maintained; but he says that because the documents had not been put in evidence on the trial, they could not subsequently be taken into consideration; and thus the unfortunate prisoners, by default of their own Counsel, were prevented from obtaining a more equitable verdict with a milder sentence corresponding; and the Judge's notes, complete as to what came before the Court, but incomplete as regards the entire case for the prisoners, by the technicalities of the law, effectually shut out all remedy for the mismanagement and its disastrous consequences.

That Your Majesty's Petitioners do not mean to represent before the foot of the Throne that all the convicts were entirely innocent, touching the death of the poor man Narasarajoo; but there were two statements concerning his death put forward respectively by the prosecution and the defence, each supported by its own evidence, but neither very satisfactorily; although one of the witnesses for the prosecution, Soobaroyaloo, rather confirmed the statement of the defence, in respect to the non-implication of the 1st prisoner in the violent conduct of the rest. The statement for the prosecution affirmed that, two of the prisoners called up the deceased from his bed, inveigled him into an empty house, and charging him there with theft dragged him down stairs and with rough usage accomplished his murder. The statement for the defence averred that deceased had himself entered the 1st prisoner's house, from which being scared away, he passed over the roofs of the adjoining houses and took shelter in the empty one in which the pursuit detected him; whence, as an escaping thief, he was dragged into the street; and that the rough treatment to which he was thereby subjected together with the state of intoxication in which he was at the time, occasioned his death without intention on the part of the captors, who did not deny the violence committed by them under the conviction that they were dealing with a thief, and it is equally indisputable that he died in consequence of the maltreatment, though whether that lamentable accident was occasioned by a blow given with an instrument of some kind or other, or by the collision of his head with the stair case, down which he was dragged seems to be uncertain. But the question, on which the guilt of wilful murder, preceded by conspiracy depends, is whether deceased was really decoyed with felonious intent by two of the prisoners; or whether he had not unlawfully entered the 1st prisoner's house in the dead of the night, and fled away on being alarmed by some of the residents. In the former case the prisoners were undoubtedly guilty of conspiracy and premeditated murder. In the latter, allowance being made for the provocation given, and the use of no deadlier weapons of offence by the prisoners than cocoanut branches, their guilt would amount at most to mitigated manslaughter.

That the sole evidence of deceased being aroused up from his sleep, is the boy Vurdarajaloo; the contradiction in whose testimony have been already noticed; and the suspicion with which the assertions of such a witness should be received are heightened by the extreme improbability of the two prisoners calling aloud to the deceased while standing openly in the street, if their object was to prefer a false accusation of burglary and theft against him; neither is it at all credible that men having such an intention, would be so infatuated as to ask the father to accompany him in the presence and hearing of his son; it is far more probable that deceased who for several previous nights had been sleeping on the outer pial of his house, a place whence he could easily pass unobserved into the street, unlawfully entered Soobaroya's dwelling at a late hour, either to steal property as made out in the defence or with the equally illegal object suggested by the prosecution.

That Your Majesty's Petitioners most humbly represent, that, the allegation of the felonious inveiglement was not proved, the evidence of the prevaricator; the son of the deceased, being alone and unworthy of credit; and as to the intention to commit the crime, the Judge declared from the bench, that he wholly and satisfactorily disbelieved its existence; and Your Majesty's Petitioners are humbly of opinion that the verdict of guilty of wilful murder was as little sustained by the evidence, as the severe sentence passed thereon was warranted by the mitigated nature of the actual offence. That the convicts were justly punishable for maltreating the deceased is undoubted, but, their guilt, even as established by the evidence in the absence of the Magistrate's deposed, but, their guilt, even as established by the evidence in the absence of the Magistrate's depositions, was not so heinous as to call for the punishment of penal servitude for life.

That under the strong conviction that the case of the unfortunate convicts was seriously damaged by the learned Judge's theological theories interfering with the impartial administration of justice, Your Majesty's Petitioners throw themselves on Your Royal Clemency and Mercy in behalf of their country-men who are unable to speak for themselves; and most humbly pray, that, in the excreise of Your Royal Prerogative, you will confer a free pardon on them, and permit them to return to their disconsolate families.

And Your Majesty's Petitioners as in duty bound

Shall ever Pray.

Madras.
31st *October* 1857.

(Signed) CONNORE IYAHSAWMY MOODELLIAR,
(,,) C. CONNIAH CHETTY,
(,,) S. VENCATAKISTNAMAH NAIDOO,
and others.

MADRAS, to Wit. } Information of witnesses severally taken and acknowledged on the behalf of our Sovereign Lady the Queen touching the death of Nursoo Rajoo, in the Hospital at Vepery within the limits of Madras, on the eighth day of October in the year of our Lord one thousand eight hundred and fifty-six, before me, John Urquhart, Esq., Her Majesty's Coroner for Madras, on an inquisition then and there taken on view of the body of the said Nursoo Rajoo then and there lying dead as follows to wit. Ramachendra Rajoo being duly sworn in the Tamil language deposeth and saith, I am a peon in the service of the Land Customs Collector, I live at Choolay. I know the deceased, he is my elder brother, his name is Nursoo Rajoo, he was about 35 years of age. Deceased now seen by me with the Coroner and Jury was a Bill Collector and lived at Choolay, he was in the service of Soobaroy Graminy now present, he used sometimes to get his meals from Soobaroy Graminy. For the last two months deceased has not been in the service of Soobaroy Graminy and he was warned he told me not to come to Soobaroy Graminy's house, I do not know any thing about the cause of the death of the deceased. I heard the man Soobaroy Graminy now present threaten to beat the deceased about one and a half months ago, but I did not see any beating at that time, Soobaroy only pushed him by the neck, I never saw any beating, my brother was passing Soobaroy Graminy's door when this pushing took place; Soobaroy Graminy lives few doors from my house. When he pushed the deceased he said "never more come into this house, take care of your life also." Deceased was going in at Soobaroy Graminy's gate when this happened, my brother had some money due to him by Soobaroy Graminy and asked him for it as he was passing the gate, Soobaroy went into the house and immediately returned, my brother was then on the pial of Soobaroy Graminy's house and Soobaroy pushed him out. The deceased was suspected of seducing Soobaroy's wife, I believe Soobaroy sent for me and told me this the 2nd day after this pushing took place. I last saw the deceased alive the day before yesterday morning at 10 o'clock, he was then in the house quite well, he got some money from me to go to the bazar to buy food for the house, he went away immediately. I did not see him again until 2 o'clock yesterday afternoon when I saw him lying here dead where the body now lies. I did not see any thing of the deceased, nor hear any noise from the time I last saw my brother alive. I do not know any thing more, when my brother first saw Soobaroy on the day of the pushing my brother was in the street, then he went up the steps to the pial where Soobaroy was and when Soobaroy went into the house he went on the pial.

The above information was taken and acknowledged on the day, year and at the place first above-mentioned, the contents having been previously explained by the sworn Interpreter.

(Signed) ಕಾಮಚಿಲ್ಲರಾಜು.

A true Interpretation,

(Signed) T. MAHOMED ESOOF,
Sworn Interpreter.

Before me,

(Signed) J. URQUHART,
Coroner.

James Kellie, Esq., being duly sworn, deposeth and saith, I am Surgeon to the 2nd District and reside in Kilpaulk, I have seen the body of the deceased along with the Coroner and Jury, I heard the witness Ramachendra Rajoo identify the body as that of his brother. The body was that of a man about 30 years of age, he has a harelip on the upper lip. Deceased was admitted into Hospital here yesterday morning about 6 o'clock. I saw him between 7 and 8 o'clock yesterday morning, he was suffering then from all the symptoms of compression of the brain, insensibility, sterterous breathing and dilated pupil, on the head there were marks of violence, one bruise on the left side of the back of the head about the size of a four anna piece, another on the right side of the head and also on the back of the same size and character, and another where the occipit joins the parietal bones about the same size. These bruises appeared all to be caused by the same instrument, this instrument must have been some small blunt or knobbed instrument. I do not believe the bruises could have been caused by a fall. I do not think, the bruises could have been produced by the deceased being knocked down by a carriage. I am of opinion that the deceased must have received several blows. No fracture could be discovered. The skin was not broken only bruised. The deceased died about 2 o'clock yesterday afternoon in this Hospital in spite of the means usually adopted to recover him. I examined the body by order of the Coroner this morning. The head was slightly swelled in the neighbourhood of the bruises observed before death both elbows were slightly injured as if the deceased had fallen upon them or as if he had been beaten, the skin was bruised, the bones were not broken. There were marks on the arms as if his arms had been bound by a rope or bandage in front and a little above the elbow joint as if he had been bound. On removing the skull cap the left parietal bone was found fractured, and immediately under the fracture a clot of blood nearly half the size of a man's fist was found on the membranes of the brain. There was no other fracture under any of the other bruises, nor any other clot of blood. I inspected the organs of the chest and abdomen and found the organs all healthy, I consider the cause of death to be the clot of blood under the fracture of the left parietal bone, pressing on the brain. The injury was necessarily fatal. The stomach had no smell of toddy.

The above information was taken and acknowledged on the day, year and at the place first above-mentioned.

(Signed) J. KELLIE,
Surgeon 2nd District.

Before me,

(Signed) J. URQUHART,
Coroner.

Gopaul Rajoo being duly sworn in the Tamil language deposeth and saith, I am employed in the Mint. I live in the house with the first witness and the deceased. I am the youngest brother of the deceased. On Monday last about 12 o'clock at night I was sleeping in the house.

Soobaroy Graminy now present came to the door opposite mine with a torch in his hand and beat the door and cried out that "robbers were there with torches in their hands." On this noise I awoke and came out into the street, and asked him what was the matter, he said there was a thief in the 3rd house from mine upstairs and that he also had lost some jewels, he had a stick in his hand about 4½ feet long and the thickness of his hand. I said send for some Police peons, he did not do this but got over the pial of the 3rd house and went into the house, I went to the 2nd house into the backyard. There was no person residing in the 3rd house. I went into the 2nd house to prevent the escape of the thief because there was a way to escape by the back. I could see the light of the torch in the 3rd house and the people there cried out "we have got one thief." Then I entered the 3rd house by the front door and saw one of the men now present named Chinniah dragging the deceased down the stairs with his feet up and his head down, the arms of the deceased were tied with the rope now produced a little above the elbows. One of the men now present named Shunmoogum, kicked the deceased on his hip two or three times after using a bad word, and said to me this is your brother; another of the men now present laid hold of the hair of the deceased and kicked him on the shoulders and dragged him downstairs by the hair, the name of this man is Summundum. Another of the men now present named Moonoosawmy Naidoo had a cane of bamboo an inch thick and 4½ feet long with which he gave deceased a blow on his hip. After deceased was brought downstairs the men now present made him stand up, he was unable to stand and fell down gently. He did not hear himself, then it was that Moonoosawmy Naidoo said he was pretending not to be able to stand and struck him on the hip. I did not see him receive any blows on his head. The man Moonoosawmy Moodelly was pulling at the arms of the deceased. Moonoosawmy Naidoo, Shunmoogum and Summundum had sticks, the other two had not. Soobaroy Graminy was present with the stick and torch. My brother was breathing hard and was speechless, these men carried him to Soobaroy Graminy's gate. I heard Soobaroy order his servants to go for the Police peons and I went into my house. The Police came and I followed the deceased half way to the tannah. Deceased was not able to walk, he was carried. Soobaroy Graminy's sons Shunmoogum and Sammundum went to the tannah also. The son of the deceased went to the tannah. When deceased was dragged out of the 3rd house, there was nothing brought with him, but when the deceased was carried to Soobaroy Graminy's gate, Soobaroy went into his own house and brought out a chemboo and three other pots and laid them before the deceased, and said he had stolen them. I did not see the deceased again alive, I was taken up with my mother who was sick with purging, I do not know any thing more. The deceased was not employed at present, he was two months ago employed by Soobaroy Graminy, I do not know why he left Soobaroy's employ. Shunmoogum the son of Soobaroy Graminy said "your brother has no sense at all, he has been very ungrateful here, you teach him manners, I shall take care he shall not go unpunished," when I asked what he meant, he did not tell me. This was within 2 months ago. The other son of Soobaroy, Summundum used to abuse the deceased also and said "brother your brother is a very ungrateful man, I shall try to punish him severely," I do not know the cause of offence given by the deceased, I do not know any thing more. Soobaroy Graminy had the key of the front door of the 3rd house and opened it when I was there, there was another door at the side of this door leading to the privy and always open. I do not know what deceased was doing in this house. There was a large crowd with Soobaroy when he entered the house. I do not know who they were, I saw no torch but Soobaroy's torch. The men who kicked had no shoes on.

The above information was taken and acknowledged on the day, year and at the place first above mentioned the contents having been previously explained by the sworn Interpreter.

(Signed) ಸುಬ್ಬರಾಜು.

A true Interpretation,

(Signed) T. MAHOMED ESOOF,
Sworn Interpreter.

Before me,

(Signed) J. URQUHART,
Coroner.

Vurderajooloo being duly sworn in the Tamil language deposeth and saith, I live with my father, he supports me, I live in Choolay, I know the deceased, he is my father, last Monday night about 9 o'clock my father went and slept on the pial opposite to my house. I found him there sleeping at ½ past 9 o'clock Monday night. I went and slept with him. After a long time I do not know how long but it was still dark, the two men Moonoosawmy and Chinnoo came and awoke my father calling out "Rajah Rajah come master is calling you," my father said "it is dark now I shall come in the morning," then I heard Soobaroy Graminy call out from the pial of his own house "Chinnoo Chinnoo," I knew his voice because I am in his shop. Then my father prepared to go to Soobaroy Graminy's house and was tying his waist cloth, Chinnoo and Moonoosawmy now present said "why do you this, the master is near, come and listen to him a word and then come away," I asked my father to allow me to go with him. He refused to allow me, he went away with Chinnoo and Moonoosawmy and I fell asleep. After a short time I heard a noise crying out "torch light robbers, torch light robbers," then the witness Gopauloo Rajoo my uncle came and awoke me saying "they are beating your father and catching him, run run." I immediately ran to the house next the one on the pial of which my father had slept and there I saw my father's arms tied behind his back and Chinnoo Summundum, and Moonoosawmy were dragging my father down the staircase head foremost, Shunmoogum now present was kicking him on his two sides of the chest. Whilst they were bringing my father downstairs Moonoosawmy Naicker now present took the large stick about an inch thick and six feet long which he had in his hand and struck the deceased on the back of his head after abusing the deceased and his caste and saying "he robbed, he robbed," after that they brought him out to the yard of the house and Summundum and Shunmoogum were beating him with the middle part of a cocoanut leaf in the chest and arms, then they brought him to the pial of the street and then Chinnoo shoved him by his back saying "go away," my father then fell down on his face on the ground and Chinnoo fell upon him. Then the deceased was dragged by Chinnoo, Shunmoogum and Moonoosawmy to Soobaroy Graminy's house, after taking him there, Moonoosawmy Naicker took him by the hair of the head, lifted him up and throwing him down after giving abuse to his mother and caste and saying "how do you rob, how do you rob." Then I undid the knot of the rope tying his arms. Then Summundum gave deceased slap with his hand on both cheeks saying you have been robbing away all the things from this house, about this time the Police Talliar No. 14 came from Veeren's garden tannah, having been sent for by Soobaroy Graminy, Soobaroy Graminy and Shunmoogum and Summundum told the talliar that deceased was drunk, water was dashed in his face, and the talliar tried to make him stand up. He was not able and then the talliar and another pariah man carried away my father to the station, when they brought him to the station, I went also, the clock struck one when they brought the deceased there to the station. When I went to the house on first hearing that my father was beaten I saw Soobaroy Graminy now present standing with a light in his hand and a cane, at the door. I did not see him strike the deceased. He was crying out "bring him out, bring him out," Chinnoo is Soobaroy Graminy's servant, Moonoosawmy Moodelly and Moonoosawmy Naicker are neighbours. Soobaroy Graminy was there all the time and walking up and down with his cane in his hand calling out "bring him out." I heard Soobaroy Graminy call the deceased by name after he came out of the house and was near Soobaroy Graminy's house, I did not hear him named before this. Soobaroy Graminy knew the deceased before this time. He was Soobaroy's servant. Shunmoogum, Summundum, Chinnoo and Mooncosawmy Moodelly and Moonoosawmy Naicker all knew the deceased. Since these 2 months, Soobaroy discharged the deceased from his service on suspicion of something. I do not know what. I was a servant in the bazaar of Soobaroy Graminy. I have not been in his shop since the day my father was beaten. I do not know the cause of the dismissal of my father, but when I used to go during the last month and a half to Soobaroy's house, his wife gave me sweetmeats and told me to give some to my father also. After deceased was in the tannah, Shunmoogum and Summundum brought the four pots now seen and gave them to the peons. I remained in the tannah all night, my father never recovered his senses. He was breathing hard, he never spoke from the time I heard he was being beaten, and went to see him, I came here to Hospital with him about dawn on Tuesday last, and saw him die at 10 o'clock on Tuesday last afternoon, when I saw the

deceased on Monday evening lying down, he was sober, we were both awoke and speaking together, on Monday night the people of Soobaroy Graminy had 5 torches, they are not here now, I saw no robbers. My father never was accused of stealing, Soobaroy Graminy did not prevent deceased from being beaten. The house where they were dragging deceased downstairs was empty, it belonged to a man named Venetytan, Soobaroy Moodelly keeps the key of it, I do not know how people got in that night.

The above information was taken and acknowledged on the eleventh day of October, one thousand eight hundred and fifty-six, at the Vepery Hospital, the contents having been previously explained by the sworn Interpreter.

(Signed) வரதராலு.

A true Interpretation,

(Signed) T. MAHOMED ESOOF,
Sworn Interpreter.

Before me,

(Signed) J. URQUHART,
Coroner.

Amardum being duly sworn in the Tamil language deposeth and saith, I am a betel merchant and live in Choolay, Moonoosawmy Moodelly now present is my sister's husband, about 10 or 11 o'clock I went to bed in my house in the street where Soobaroy Graminy's house is, on Monday night last, I went to sleep. About 11 or half past 11 on the same night Shunmoogum, Summundum, Chinnoo and Moonoosawmy Moodelly all came to my house. I saw them, it was moonlight, they made a noise and I awoke, they went through the yard of the house, and upstairs and then I heard a noise as of a chemboo falling. They did not say any thing as to the cause of their coming to my house. I do not know any thing more.

The above information was taken and acknowledged on the eleventh day of October, one thousand eight hundred and fifty-six, at the Vepery Hospital, the contents having been previously explained by the sworn Interpreter.

The × Mark of AMARDUM.

A true Interpretation,

(Signed) T. MAHOMED ESOOF,
Sworn Interpreter.

Before me,

(Signed) J. URQUHART,
Coroner.

Vadoovoo being duly sworn in the Tamil languge deposeth and saith, I am living with a man who is a punkah puller. I live in Choolay in the street where Soobaroy Graminy's house is, in the same house with the last witness. About half past 11 or 12 on Monday night last, Shunmoogum, Summundum, Chinnoo and Moonoosawmy Moodelly and the deceased came into the house, passed through the verandah and went upstairs. I did not see them again, the deceased was walking with them, they were saying "po po" to the deceased and shoving him all the way and holding him by the hand. They did not come downstairs again, my house door is bolted inside, I do not know how these men came in, I did not speak to them. The next house to mine is empty; any one could get from my house to this empty house without coming down again. After ½ an Indian hour after they went upstairs. I heard a noise as of a chemboo falling. I do not know any thing more. I never saw Soobaroy Graminy's wife and the deceased together in the house.

They used to stand and speak together in the street sometimes.

The above information was taken and acknowledged on the eleventh day of October, one thousand eight hundred and fifty-six, at the Vepery Hospital, the contents having been previously explained by the sworn Interpreter.

The × mark of VADOOVOO,

A true Interpretation,

(Signed) T. MAHOMED ESOOF,

Sworn Interpreter.

Before me,

(Signed) J. URQUHART,

Coroner.

Vadoovoo being examined on her former oath deposeth and saith, I saw no torches, I never saw any men that night at all. I do not know any thing about this case. I swore because the Darogah beat me. The Darogah is here. I do not know the value of an oath.

The above information was taken and acknowledged on the thirteenth day of October, one thousand eight hundred and fifty-six, at the Coroner's Office, Beach, the contents having been previously explained by the sworn Interpreter.

The × Mark of VADOOVOO,

A true Interpretation,

(Signed) T. MAHOMED ESOOF,

Sworn Interpreter.

Before me,

(Signed) J. URQUHART,

Coroner.

Mungatha being duly sworn in the Tamil language deposeth and saith, I am not employed, my daughters support me. I live in the house of my daughter the last witness, I do not know any thing about the cause of Nursoo Rajoo's death. I did not see any thing about it. I was in the house all last Monday night, and my son Moonoosawmy Moodelly now present was with me, about ½ past 10 o'clock we went to sleep all in one room, after we were asleep we were awakened about 10 or 11 o'clock by a noise as of a brass vessel falling upstairs. We all awoke and I awoke Moonoosawmy Moodelly my son who was asleep on a plank in the verandah, we all ran out into the street, and Moonoosawmy Moodelly went with us into the street and went and awoke some people who were sleeping on the pial opposite my house. I do not know who they were, my son did not go into the house again, ten or twelve people went into my house, I do not know any of them, my son only drove them in but did not go himself, the crowd went upstairs and returned without any thing or any one, none of the men now present were among them. I did not see any of these men there. I can swear they were not there that night. I do not know any thing more, I saw no crowd except the people who went into my house, I was in the street till 12 o'clock at night, I then went into the house opposite mine and went to sleep, I was afraid to enter into my house. I know Nursoo Rajoo the deceased, I did not see him at all that night. There were no brass pots upstairs in my house, so far as I know, my house is the second house from Soobaroy Graminy's house, on the same side of the street. The house between Soobaroy Graminy's and mine has people in it. The house on the other side of my house is empty, I saw no torches. I, the two last witnesses and Moonoosawmy Moodelly were all in the house sleeping.

The above information was taken and acknowledged on the thirteenth day of October, one thousand eight hundred and fifty-six, at the Coroner's Office, Beach, the contents having been previously explained by the sworn Interpreter.

The × Mark of MUNGATHA.

A True Interpretation,

(Signed) T. MAHOMED ESOOF,

Sworn Interpreter.

Before me,

(Signed) J. URQUHART,

Coroner.

Soobaroyloo Naick being duly sworn in the Tamil language deposeth and saith, I am a Book wker. I live at Choolay in the street where Soobaroy Graminy's house is, the 4th house from obaroy Graminy's house on the north side. There is no empty house between Soobaroy's house l mine, I live on the same side of the street as Soobaroy does. Last Monday night about 12 lock at night Soobaroy Graminy came to me and awoke me in my house. I got up, opend the or and asked what he wanted, he said "robbers came and entered, you had better come a little," ame out in about 10 minutes; opposite the house of the last witness I saw a large crowd assemd. Moonoosawmy Moodelly, now present said, "they are in, they are in, I have seen, I have n," I then heared a cry "he is going away towards the other side," I saw nothing, I did not en hear any one say who was "going away." I went away towards the back yard of my use and watched as that was the only way any one could get down. I did not see any one ere, I heard then a noise "one robber is caught" and then I came and many other people o are not present came into the street, then the crowd cried out "durrajah rrajah," then Soobaroy Graminy who was standing near Moonoosawmy Moodelly's use cried, "don't do any thing to him, bring him here, bring him here." When first saw the deceased he was in the street. I knew it was Nursoo Rajoo, then I st heard the cry, "durrajoo" he was so called from a harelip; when I saw him in the ect he was tied by his arms with a rope. He was then near Moonosawmy Moodelly's house, posite the house next his house deceased was breathing hard. He did not speak, I did not any one strike him. I do not know any thing more. All the people took deceased opposite to obaroy Graminy's house in the street, Chinnoo had hold of him. I did not see any one else. He s sorrounded by a crowd. I did not see any one beating deceased. I did not see any one with ks. I am short sighted and can't see properly. I then went away. I knew Nursoo Rajoo, was a man of good character and used to work hard and earn for himself. I never heard of stealing before. He used to drink occasionally, I saw him 10 or 12 days before his death ler the influence of liquor but he could take care of himself. I only made it out by the smell. ere is an empty house in the street, two doors from Soobaroy Graminy's house and next to the se of the last witness on the other side from my house. I do not know of any quarrels been deceased and Soobaroy or any one. I used to see the deceased going and doing Soobaroy's iness. I do not know whether he was employed by him or not, when I saw Nursoo Rajoo h his arms tied I was about 2 yards from him. I knew him perfectly. I saw the large three of vessels now produced lying in the street opposite Soobaroy Graminy's house. They were re before the deceased was brought up opposite Soobaroy's house. I do not know to whom se vessels belong. When I saw the deceased in the street, there was one large light composed large wick in a pot of oil. I do not know who carried it.

The above information was taken and acknowledged on the thirteenth day of October, one thousand eight hundered and fifty-six, at the Coroner's Office, Beach, the contents having been previously explained by the sworn Interpreter.

(Signed) [illegible].

A true Interpretation,

(Signed) T. MAHOMED ESOOF,
Sworn Interpreter.

Before me,
(Signed) J. URQUHART,
Coroner.

Parsooram Pillay being duly sworn in the Tamil language deposeth and saith, I am a Sepoy, I live in the house of the deceased on the opposite side of the street from Soobaroy Graminy's about 10 houses more towards the south. About 10 or half past 10 o'clock on Monday night last, I took my supper and came out into the street opposite my own house on the pial. The son of the man Soobaroy now present, Shunmoogum now pointed out by me came to me and enquired if Nursoo Rajoo was in the house. I said he was not. Then Shunmoogum requested me if he came to send him to his house. After that I went in and slept. I do not know any thing more. I last saw deceased alive at 8 o'clock last Monday night. He then took his meals in the house. I am no relation of Narsoorajoo's, I am a tenant in his house. Deceased used to sleep in the house and also in the pial of his house. I do not know where he went that night. He was sober at 8 o'clock at night last Monday. I did not see Vurdarajooloo the son of the deceased that night. Deceased was a sensible good man. I never heard of his stealing. I do not know of any quarrel he had with any one. I do not know whether the deceased was ever in the habit of lying on the opposite pial.

The above information was taken and acknowledged on the thirteenth day of October, one thousand eight hundred and fifty-six, at the Coroner's Office, Beach, the contents having been previously explained by the sworn Interpreter.

The ∪ mark of PARSOORAM Pillay.

A true Interpretation.

(Signed) T. MAHOMED ESOOF,
Sworn Interpreter.

Before me,
(Signed) J. URQUHART,
Coroner.

Soobaroy Moodelly being duly sworn in the Tamil language deposeth and saith, I am a writer in the Accountant General's Office, I live in the street where Soobaroy Graminy lives, the first house in the street. On Monday night last about 12 o'clock I was a sleep in my house, Soobaroy Graminy and some others came and knocked at my door, I awoke and came there. Soobaroy Graminy asked me "there is a house you have in mortgage, robbers have been entering my house and have gone into this empty house; they are there now." Then I went to pial of my house and saw a number of people standing opposite to the empty house with torches, the one I had in mortgage and of which I had the key. Then I gave the key to Soobaroy Graminy, after a quarter of an hour I was seated on my pial and I saw the robber led by two people holding his arms along the street. I did not see who the robber was, it was dark and a large crowd, there was one light as they passed my house, I did not go to the empty house. I did not leave my pial. I did not see any one struck. I do not know any thing more. I know Nursoo Rajoo. He was a poor man, he used to earn for a fanam or two a day. Up to this day he was honest. I do not know of any quarrels between the deceased and any one. Police peons were passing with this robber when they passed my house. I do not know of any way any one can get into this empty house except by the locked door.

Fort Saint George, Judicial Consultation, 12th March 1858.

The above information was taken and acknowledged on the thirteenth day of October, one thousand eight hundred and fifty-six, at the Coroner's Office, Beach, the contents having been previously explained by the sworn Interpreter.

(Signed) S. SOOBAROY.

A true Interpretation.
(Signed) T. MAHOMED ESOOF,
Sworn Interpreter.

Before me,
(Signed) J. URQUHART,
Coroner.

Ragojee Row being duly sworn in the Tamil language depcseth and saith, I am a Police Talliar, No. 14, attached to Choolay Darogah Tannah. On the 6th of this month about a quarter to one in the night, the man Chinniah now present came and told me "a man has robbed my master of a chemboo, he is there, now come." I went to Sungle Ummen Covil street and saw a large crowd, I went into the crowd, the deceased was laid in the street opposite Soobaroy Graminy's house in the street. Soobaroy said "this is the robber who robbed." At this time Moonoosawmy Moodelly and Shunmoogum were present. I found the deceased with the piece of rope now produced and these 4 vessels lying beside him. Deceased was senseless. I did not then see any marks of violence on the deceased. Soobaroy Graminy had a torch in his hand composed of a piece of rag rolled up on a small stick. I did not see any one with sticks. I and another Talliar took deceased to the station. He was hardly able to walk. He could not speak. His breath had the smell of liquor about it, deceased did not vomit whilst I was with him, deceased did not fall during the time we were taking him to the Tannah. He did not receive any injury in the tannah whilst I remained with him. I went to bed at 3 o'clock, and got up at 5 o'clock. The Darogah examined the deceased in my presence and I went with the deceased to Hospital at Vepery. I saw marks on both of his arms, he had a mark on his forehead also. Deceased never spoke. I left the deceased at 2 A. M.

The above information was taken and acknowledged on the thirteenth day of October, one thousand eight hundred and fifty-six, at the Coroner's Office, Beach, the contents having been previously explained by the sworn Interpreter.

The × mark of RAGOJEE ROW.

A true Interpretation,
(Signed) T. MAHOMED ESOOF,
Sworn Interpreter.

Before me,
(Signed) J. URQUHART,
Coroner.

Parthasarathy being duly sworn in the Tamil language deposeth and saith, I am a Police Talliar, No. 31, attached to Choolay Darogah Tannah. I was in my station Monday night last at about 1 o'clock morning when Ragojee Row the last witness brought the deceased into the Tannah and laid him down, he was not breathing hard. He was drunk. I could smell liquor about him. I had charge of deceased till he went to Hospital at 5 o'clock morning. He never spoke. He got no fall in the Tannah. I did not before know the deceased.

The above information was taken and acknowledged on the thirteenth day of October, one thousand eight hundred and fifty-six, at the Coroner's Office, Beach, the contents having been previously explained by the sworn Interpreter.

(Signed) [illegible].

A true Intrepretation.
(Signed) T. MAHOMED ESOOF,
Sworn Interpreter.

Before me,
(Signed) J. URQUHART,
Coroner.

Ramachundra Rajoo being examined on his former oath deposeth and saith, I was on duty at the salt pans on Monday night last.

The above information was taken and acknowledged on the thirteenth day of October, one thousand eight hundred and fifty-six, at the Coroner's Office, Beach, the contents having been previously explained by the sworn Interpreter.

(Signed) రామచంద్రరాజు.

A true Interpretation.

(Signed) T. MAHOMED ESOOF,
Sworn Interpreter.

Before me,

(Signed) J. URQUHART,
Coroner.

(True Copies)

(Signed) FREDK ORME,
Deputy Clerk of the Crown.

MADRAS, to Wit. } The Deposition of Soobbammah of Madras widow, taken on solemn affirmation this 31st day of October in the year of our Lord one thousand eight hundred and fifty-six, before me Thomas George Clarke, Esquire, one of Her Majesty's Justices of the Peace in and for the Town of Madras aforesaid in the presence and hearing of Soobooroya Graminy, Shunmoogum, Summundum, Chinnoo, Moonesawmy Moodelly, and Moonesawmy Naidoo of Madras labourers, charged before me the said Justice with having on the night of Monday the 6th October 1856, in Choolay of Madras, assaulted one Narasoo Rajoo, the son of the said Soobbammah and feloniously, wilfully and of their malice aforethought did then and there strike, beat and kick the said Narasoo Rajoo, and thereby caused the death of him the said Nurasoo Rajoo.

The said Soobbammah saith as follows :—

I am a widow. I live in Choolay of Madras, the late Narasoo Rajoo was one of my sons, aged about thirty years, he lived with me, he was in the employ of the 1st prisoner Soobboroya Graminy as a domestic servant for about 2 years on a salary of five Rupees per mensem. Prisoner Soobboroya Graminy lives in the same street in which I live, his house is situated on the opposite line about four or five doors away. About 23 or 24 days ago on a Monday night, about 8 o'clock, my son was in the house, I as usual gave him his supper, he was then quite well as he partook of his supper, after this I saw him leave the house and go into the street, the same night about 12 o'clock there was a noise and a large crowd in the street, and from what I heard I went into the street, I saw my son the deceased Narasoo Rajoo being dragged by six men viz., the 1st prisoner Soobboroya Graminy, the 2nd Shunmoogum, the 3rd Summundum, the 4th Chinnoo, the 5th Moonesawmy Moodelly and the 6th Moonesawmy Naidoo. I saw them also strike my son with thick sticks and they left him in the street speechless, his head was covered with blood, after this two large brass pots of water were brought from the house of the 1st prisoner Soobboroya Graminy and poured upon my son's head, by this time Tannah peons came and lifted up my son; but his head fell, they took him to the tannah, from thence he was removed to the Vepery Hospital, I went there next day, I saw my son, he could not speak, he was lying almost dead. I remained in the Hospital with him, he died the same morning about 11 o'clock. I was with him at the time.

Fort Saint George, Judicial Consultation, 12th March 1858.

Taken on solemn affirmation at Madras aforesaid the day and year first above written, the contents having been explained by the sworn Interpreter.

The + mark of SOOBBAMAH,

Before me,

(Signed) T. G. CLARKE,
Justice of the Peace.

MADRAS, to Wit. } The Deposition of Vurdarajooloo, a boy aged about twelve years, taken on solemn affirmation in the presence and hearing of the prisoners Soobooroya Graminy, Shunmoogum, Summundum, Chinnoo, Moonesawmy Moodelly and Moonesawmy Naidoo.

The said Vurdarajooloo saith as follows :—

I am the son of the deceased Narasoo Rajoo. My father died about 25 days ago in the Vepery Hospital, on the night before his death I was sleeping with my father on the pial of the house situated opposite to the one in which my father used to live, four or five days before his death we used to sleep on that pial every night, on a Monday night when I was sleeping with my father on the pial I do not know the hour but it was midnight, I saw the 4th and 5th prisoners Chinnoo and Moonesawmy Moodelly near the pial and heard them call for my father "Rajah Rajah," my father got up and asked what they wanted, Chinnoo said that his master (Soobboroya Graminy) wanted him and as my father was about tying his cloth, Chinnoo said never mind the cloth, at this time Soobboroya Graminy from the outer pial of his own house called out "Chinnoo, Chinnoo," upon this my father, Chinnoo and Moonesawmy Moodelly left the place, I followed Chinnoo and Moonesawmy Moodelly, both told me to go back to my place and sleep, my father also desired me to return, at this time I also saw Soobooroya Graminy standing on the outer pial of his house and also his two sons the prisoners Shunmoogum and Summundum standing in the street, I returned to the pial and fell asleep, some time afterwards, I don't know how long, I was awoke by noise of "gang robbers, gang robbers," at the same time my uncle Gopaula Rajoo came to me and from what he said went to the adjacent house, there was a large crowd and plenty of lights, I saw my father tied up and being dragged from upstairs of the house by the prisoners Chinnoo and Moonesawmy Moodelly, Shunmoogum and Summundun with sticks in their hands were pushing him along, the sticks were cocoanut leaf ribs, my father was speechless, he felt clammy, I cant say whether it was blood or water, my father was dragged into the street and there he was struck several times with the sticks by Shunmoogum, Summundum and Chinnoo; and Moonesawmy Moodelly had also a stick as thick as my arm with which he struck my father 2 or 3 blows, at this time my father was on the ground with his arms tied and his head down, Moonesawmy Naick also had a stick of the thickness of my arm and with it, when my father was lying as already stated, gave him a severe blow on his head, making use at the time towards my father of obscene abuse, the blow was a very severe one, just as my father received it, his head and body turned round. On seeing this I went towards my father crying out "Nina Nina" (Father, Father,) but he could not speak, I was also shoved and struck by whom I do not know. All this time the prisoner Soobboroya Graminy was present calling out "bring the fellow forward, strike him well, strike him well," he had a large earthen lamp in his hand lighted, Chinnoo kicked my father three times with his knee and fell upon him, after this my father was dragged by his feet by Shunmoogum, Summundum, Chinnoo, Moonesawmy Moodelly and Moonesawmy Naidoo, and Soobboroya Graminy followed them, he was dragged to the street door of the house of Soobboroya Graminy. Soobboroya Graminy went inside, brought some brass articles and left them by the side of my father, the articles now shewn me are the same. Soobboroya Graminy then called out "here is the thief, here is the thief." I cried out to my father and asked the people to loosen the string by which his arms were tied and as nobody would do it, I myself bit the rope and untied it, after this Soobboroya Graminy struck at my father's side with the cocoanut ribs, and Moonesawmy Naidoo laid hold of my father's hair and twisted him round and round and threw him down, after doing this he abused my father and said that his (Moonesawmy Naidoo's) hands were full of blood and filth, saying this he went into

his own house, which is close to Soobboroya Graminy's. Shunmoogum then began to kick my father and Summundum thumped my father about his face, all the time abusing him. By this time the Police Officers came, just as they came Soobboroya Graminy ordered two large pots of water to be brought from his house, Chinnoo brought the water in two large brass pots and they were poured upon my father, there was a woman named Narrinee standing by, she was asked to wash him, she refused saying he was covered with blood and filth. It was Chinnoo then that washed him, the peon called for some water and dashed it at my father's face and then he was removed to the Tannah. I followed crying after him, at the time they were carrying him his head and hands were hanging, the brass articles were brought to the tannah by the prisoners Shunmoogum and Summundum. I gave the peon the cord by which my father's arms were pinioned, after this I heard the clock struck one. I remained all the time at the tannah with my father, the peons endeavoured to revive my father by administering smoke from burnt rags, between 5 and 6 o'clock in the morning he was taken to the Vepery Hospital, he died about 1 o'clock that day, never recovered his senses and never spoke a word, before he died I opened his eyes, I found them fixed, on the following day Wednesday I was present when the Doctors opened his body and examined it.

Taken on solemn affirmation at Madras aforesaid this 31st day of October 185⁷, the contents having been explained by the sworn Interpreter.

(Signed) ಪರಪರಾಜು.

Before me,

(Signed) T. G. CLARKE,

Justice of the Peace.

MADRAS, to Wit. } The Deposition of Ramachundra Rajoo of Madras Inhabitant, taken on solemn affirmation in the presence and hearing of the prisoners Soobbaroya Graminy, Shunmoogum, Summundum, Chinnoo, Moonesawmy Moodelly and Moonesawmy Naidoo.

The said Ramachendra Rajoo saith as follows:—

I am a peon in the salt pans. The prosecutrix Soobbamah is my mother. The deceased Narasoorajoo was my elder brother, he lived with my mother and myself. I know the six prisoners now present, named respectively Soobbaroya Graminy, Shunmoogum, Summundum, Chinnoo, Moonesawmy Naidoo, and Moonesawmy Moodelly, my deceased brother Narasoorajoo was in the employ of the 1st prisoner Soobbaroya Graminy for about two years. Soobbaroya Graminy lived in the same street with us on the opposite side six doors away, on the morning of Monday the 6th October about 8 or 9 o'clock I saw my brother Narasoorajoo alive in the house, he was then in good health, I was not at home that night, but on the following day about 2 o'clock at noon I saw my brother lying dead in the Vepery Hospital. Two months before he died, he was discharged by Soobbaroya Graminy from his service, about fifteen days after he was discharged, one morning when I was on the outer pial in the street cleaning my teeth, I saw my brother going to attend the calls of nature, he met the prisoner Soobbaroya Graminy and asked him for the balance of his pay, the prisoner Soobbaroy Graminy threatened him saying "if you speak more I will strike and kill you," upon this my brother went away, on the following day the 2nd prisoner Shunmoogum, who is the son of the 1st prisoner, met me as I was going to the salt pans, he was in a bandy, he stopped the bandy, he told me that my brother (the deceased Narasoorajoo) was treacherous, that he was in the habit of speaking with his (Shunmoogum's) females, that he would kill him and that I should advise my brother. The 3rd prisoner Summundum is also the son of the 1st prisoner Soobbaroya Graminy, 4th Chinnoo is the bandy driver of the 1st prisoner.

Taken on solemn affirmation at Madras aforesaid this 31st day of October 1856, the contents having been explained by the sworn Interpreter.

(Signed) రామచెంద్రరాజు.

Before me,

(Signed) T. G. CLARKE,

Justice of the Peace.

MADRAS, to Wit. } The Deposition of Gopaula Rajoo of Madras Inhabitant, taken on solemn affirmation in the presence and hearing of the prisoners Soobbaroya Graminy, Shúnmoogum, Summundum, Chinnoo, Moonesawmy Moodelly and Moonesawmy Naidoo.

The said Gopaula Rajoo saith as follows:—

I am a filer in the Mint, I am brother to the last witness, the prosecutrix is my mother. The deceased Nursoo Rajoo was my eldest brother, he lived with us in the same house, on a Monday, I do not know how many days ago, about 8 o'clock at night, I saw my brother, he was then on the outer pial of the house, in the street. He appeared to be well, we spoke with each other, for a few days before this, he was in the habit of sleeping on the outer pial of the opposite house with his son Varada Rajoo. On that night he was sleeping there, I slept inside the house, about 12 o'clock that night I heard a noise, I opened the street door, I came into the street, I saw the first prisoner Soobbaroya Graminy with a light in his hand, knocking at the street door of the opposite house, there was a large crowd in the the street, I asked him what was the matter, he said that some thieves had entered his house and stolen certain brass articles, and that the thieves were concealing themselves in the upstairs of an empty house there, I told him to bring a peon, he, the prisoner Soobbaroya Graminy, then went and sat on the pial of that empty house, and the crowd entered the next house, I also went in, there was a light upstairs, I heard a cry that Nurasoo Rajoo was caught, upon this I immediately came to the street and went to the pial, where my brother Narasoo Rajoo used to sleep, he was not there, but his son was. I then saw Soobbaroya Graminy opening the door of the empty house and the crowd followed him inside, I also went in, I found my brother there pinioned, and being dragged down by the prisoners Shunmoogum, Summundum, the bandy driver Chinnoo, and Moonesawmy Moodely, Shunmoogum kicked my brother and with a stick in his hand shoved him along, Summundum also had a stick, he was kicking and shoving my brother with the stick, the sticks were of the thickness of five fingers, and about four feet in length, Chinnoo with his knee likewise kicked my brother, Moonesawmy Moodelly also gave him a blow, Moonesawmy Naidoo got hold of my brother's hair and was saying "bring the fellow out," and made use at the same time of very obscene language. My brother was dragged into the street by the prisoners and taken to the street pial of the house of the prisoner Soobbaroya Graminy. By this time the talliars came, my brother was speechless, there was no blood on his person, next morning I went to the tannah station and from what I was told there, I went to the Vepery Hospital, I found him lying in a state of insensibility, his head was swollen. On the same day he died.

Taken on solemn affirmation at Madras aforesaid, this 31st day of October 1856, the contents having been explained by the sworn Interpreter.

The + mark of GOPAULA RAJOO.

Before me,

(Signed) T. G. CLARKE,

Justice of the Peace.

MADRAS, to Wit. } The Deposition of Parasoorama Pillay of Madras Inhabitant taken on solemn affirmation in the presence and hearing of the prisoners Soobooroya Graminy, Shunmoogum, Summundum, Chinnoo, Moonesawmy Moodelly and Moonesawmy Naidoo.

The said Parasoorama Pillay saith as follows:—

I am a pensioned Sepoy and live in the same house in which the deceased Narasoorajoo lived. I have resided in that house for about seven or eight months. One Monday night, I do not exactly know the number of days, about 10 o'clock the 2nd prisoner Shunmoogum came to the house, I was sitting in the street pial, and asked me whether Narasoorajoo was in the house or not, I told him that he had taken his rice and gone out. He asked me to tell Narasoorajoo to come to his house, but since that night I have seen nothing more of Narasoorajoo, I believe he is dead.

Taken on solemn affirmation at Madras aforesaid this 31st day of October 1856, the contents having been explained by the sworn Interpreter.

The + mark of PARASOORAMA PILLAY.

Before me,

(Signed) T. G. CLARKE,

Justice of the Peace.

MADRAS, to Wit. } The Deposition of Soobboroyaloo Naik of Madras Inhabitant, taken on solemn affirmation in the presence and hearing of the prisoners Soobboroya Graminy, Shunmoogum, Summundum, Chinnoo, Moonesawmy Moodelly and Moonesawmy Naidoo.

The said Soobboroya Naik saith as follows:—

I am a book hawker and live in Choolay of Madras. I have known the deceased Narasoo Rajoo from his infancy. On a Monday, about 26 days ago about 12 o'clock at night prisoner Soobboroya Graminy came and called me saying that thieves had entered his house. I went into the street with him, there was a large crowd, shortly afterwards I heard a cry that a thief was caught and that the thief was Rajoo. Soobboroya Graminy on hearing this called out "bring him forward, bring him forward" "do not do any thing to him." There was a large crowd, I went up and saw the deceased Rajoo lying on the ground groaning with his arms tied behind. Prisoner Chinnoo was standing beside him, I did not see any of the other prisoners there.

Taken on solemn affirmation at Madras aforesaid this 31st day of October 1856, the contents having been explained by the sworn Interpreter.

(Signed) கப்பரையர் நயனி.

Before me,

(Signed) T. G. CLARKE,

Justice of the Peace.

MADRAS, to Wit. } The Deposition of James Kellie of Madras Esq., taken on oath in the presence and hearing of the prisoners Soobaroy Graminy, Shunmoogum, Summundum, Chinnoo, Moonesawmy Moodelly, and Moonesawmy Naidoo.

The said James Kellie saith as follows:—

I am Surgeon of the 2nd district and in charge of the Vepery Hospital, a man Narasoo Rajoo apparently of the age of 28, or 30 upper lip marked by harelip, was admitted into the Hospital on the morning of the 7th October 1856, at half past 6 o'clock. I saw him between 7 and 8 o'clock when he was suffering from all the symptoms of compression of the brain viz. perfect insensibility, deep sterterous breathing, pupils dilated and insensible to light, and convulsive movements of the hands and feet. On examining him the following marks were discovered, five small bruises on the back of the left elbow, and one on the right elbow joint. A bruise on the middle of each arm above the elbow joint as if these members had been tied by a rope, and a small bruise on the right toe of the right foot. After the head was shaved a small bruise on the left side of the head a little above the parietal bone was observed and puffy tumour a little more than an inch in diameter was discovered on the vertix or back part of the head, the inner angle of the right eye was slightly blackened, he lived until about half past 2 o'clock that afternoon and expired—he died of all the symptoms of compression of the brain. I examined the head, a quantity of dark blood was extravasated under the scalp at the back part of the head and under the seat of injury. On

removing the skull cap I found a large clot of blood about half the size of the plam of my hand situated between the bone and the membrane of the brain, there was no indication of any disease of the brain. I also examined the chest and abdomen and found all the organs perfectly healthy. The immediate cause of death was the extravasation of blood upon the brain, the result of a severe blow upon the head inflicted by some heavy stick or instrument.

Taken on oath at Madras aforesaid this 1st day of November 1856.

(Signed) J. KELLIE,

Surgeon 2nd District.

Before me,

(Signed) T. G. CLARKE,

Justice of the Peace.

MADRAS to Wit. } The deposition of Racojee Row of Madras Inhabitant, taken on solemn affirmation in the presence and hearing of the prisoners Soobbaroya Graminy, Shunmoogum, Sammundum, Chinnoo, Moonesawmy Moodelly and Moonesawmy Naidoo.

The said Racojee Row saith as follows:—

I am a Talliar of Police, No. 14, stationed at the Darogah's Tannah in Choolay. On the morning of Tuesday the seventh October 1856, at about 1 o'clock the prisoner Chinnoo and a man named Moonesawmy came to the Tannah and from what Chinnoo said I immediately went to the house of the prisoner Sooboroya Graminy with Doorvasun Talliar and Khader Saib, Lance Naick, I saw a large crowd in the street near Soobboroya Graminy's house, I also saw the prisoners Sooboraya Graminy, Shunmoogum and Moonesawmy Moodelly in the crowd. The deceased Narasoo Rajoo was then lying in the street opposite to the house of Soobboroya Graminy and the brass articles and the coir string now produced were lying by him. Soobboroya Graminy then charged the deceased with stealing the brass articles from his house, and said that he the deceased pretends to be speechless, at this time the prisoner Moonesawmy Moodelly came forward and said that he found the brass articles on the terrace of his house, Soobboroya Graminy then said that the deceased Narasoo Rajoo hid himself in the upstairs of an empty house, which was four doors away from his own house, and that he, his two sons, Shunmoogum and Summundum, and his bandy driver Chinnoo went and brought him out. Soobboroya Graminy had at this time in his hand a small lighted torch. As the deceased was said to be drunk, I got a brass pot of water and dashed it at his face to revive him, shortly afterwards I and another Talliar Doorvasun lifted up the deceased Narasoo Rajoo and conveyed him, supporting him in our arms, to the Tannah, it was dark at the time and no marks of violence on his person were visible to us. At about 5 o'clock the same morning I discovered some marks on the arms of the deceased, all this time the boy Varadarajooloo, the son of the deceased was at the Tannah, he came with us to the Tannah, and gave me the coir string. I found the arms and forehead of the deceased swollen, and by order of the Darogah, I removed him to the Vepery Hospital, at about half-past 5 o'clock in the morning, I went again to the Hospital at half past 2 o'clock the same afternoon, were I found Narasoo Rajoo lying dead. On information I proceeded to the house of the prisoner Soobboroya Graminy, and apprehended him as well as his son Shunmoogum and Moonoosawmy Moodelly and brought them to the Tannah.

Taken on solemn affirmation at Madras aforesaid this 1st day of November 1856, the contents having been explained by the sworn Interpreter.

The mark of 8 RACOJEE ROW.

Before me,

(Signed) T. G. CLARKE,

Justice of the Peace.

MADRAS, to Wit. } The deposition of Moonesawmy of Madras Inhabitant, taken on solemn affirmation in the presence and hearing of the prisoners Soobroya Graminy, Shunmoogum, Summundum, Chinnoo, Moonesawy Moodelly and Moonesawmy Naidoo.

The said Moonesawmy saith as follows :—

I am a Talliar Naick of the Madras Police No. 5, stationed at Kilpauk Tannah. On the evening of Tuesday the 7th October 1856, on information I apprehended the prisoner Chinnoo as one of the parties who had beaten and caused the death of Narasoo Rajoo. I arrested him near the Darogah's Tannah in Choolay about 4 o'clock in the evening, Chinnoo said "I myself, Shunmoogum, Summundum and Moonesawmy Moodelly tied Narasoo Rajoo upstairs. I was "holding the string behind, while the other three were beating him, as we got to the street door "Moonesawmy Naick took a stick from my hand and struck him (Narasoo Rajoo) on the head, "Narasoo Rajoo fell down the steps and I fell upon him."

Taken on solemn affirmation at Madras aforesaid this 1st day of November 1856, the contents having been explained by the sworn Interpreter.

(Signed) முனிசாமி.

Before me,

(Signed) T. G. CLARKE,
Justice of the Peace.

MADRAS, to Wit. } The deposition of Cader Saib of Madras Inhabitant, taken on solemn affirmation in the presence and hearing of the prisoners Soobaroya Graminy, Shunmoogum, Summundum, Chinnoo, Moonesawmy Moodelly and Moonesawmy Naidoo.

The said Cader Saib saith as follows :—

I am a Police Lance Naigue No. 5, stationed in Coonnata Covil Tannah in Choolay of Madras. On the night of Monday the 6th October 1856, about half past 12 o'clock on information I went to the house of the prisoner Soobroya Graminy, Soobaroya Graminy and his son the prisoner Shunmoogum and the prisoner Moonesawmy Moodelly were standing in the street in front of the house. There was a crowed. The deceased Narsoo Rajoo was lying on the ground and the brass articles and the coir string now produced were beside him. Talliars Ragojee Row and Doorvassum were present. Soobroya Graminy, Shunmoogum and Moonesawmy Moodelly all three said that Nursoo Rajoo was one of the theives who had entered his (Soobroya Graminy's) house and that they had caught him (Nursoo Rajoo) and that the other had ran way, Nursoo Rajoo was speechless. The Talliars lifted him up and took him away towards their Tannah, and I went on my rounds.

Taken on solemn affirmation at Madras aforesaid this 1st day of November 1856, the contents having been explained by the sworn Interpreter.

(Signed) قادر صاحب

Before me,

(Signed) T. G. CLARKE,
Justice of the Peace.

MADRAS to Wit. } The deposition of Lingappen of Madras Inhabitant, taken on solemn affirmation in the presence and hearing of the prisoners Soobaroya Graminy, Shunmoogum, Summundum, Chinnoo, Moonesawmy Moodelly, and Moonesawmy Naidoo.

The said Lingappen saith as follows:—

I am a Police Talliar No. 46, stationed at the Choolay Darogah's Tannah, on the morning of Wednesday the 8th October 1856, by order of the Darogah, I apprehended the prisoner Summundum at his house in Choolay. Shortly afterwards, prisoner Moonesawmy Naidoo attended the Tannah, I took him into custody.

Taken on solemn affirmation at Madras aforesaid this 1st day of November 1856, the contents having been explained by the sworn Interpreter.

(Signed) சுப்பராயன்.

Before me,

(Signed) T. G. CLARKE,
Justice of the Peace.

MADRAS to Wit. } Sobbaroya Graminy the above named prisoner being asked by me the said Justice whether he hath any thing to say in answer to the charge against him and being told that what he says will be taken down and may be used against him on his trial saith as follows:—

I decline making my defence here, I shall reserve my defence for the Supreme Court.

Taken and acknowledged at Madras aforesaid this 3rd day of November 1856, the contents having been explained by the sworn Interpreter.

The mark of × SOOBBAROYA GRAMINY.

Before me,

(Signed) T. G. CLARKE,
Justice of the Peace.

MADRAS to Wit. } Shunmoogum the above named prisoner being asked by me the said Justice whether he hath any thing to say in answer to the charge against him and being told that what he says will be taken down and may be used against him on his trial saith as follows:—

I decline making my defence here, I shall reserve my defence for the Supreme Court.

Taken and acknowledged at Madras aforesaid this 3rd day of November 1856, the contents having been explained by the sworn Interpreter.

(Signed) சண்முகம்.

Before me,

(Signed) T. G. CLARKE,
Justice of the Peace.

MADRAS to Wit. } Summundum the above named prisoner being asked by me the said Justice whether he hath any thing to say in answer to the charge against him and being told that what he says will be taken down and may be used against him on his trial saith as follows:—

I decline making my defence here, I shall reserve my defence for the Supreme Court.

Taken and acknowledged at Madras aforesaid this 3rd day of November 1856, the contents having been explained by the sworn Interpreter.

(Signed) சம்பந்தம்.

Before me,

(Signed) T. G. CLARKE,
Justice of the Peace.

MADRAS to Wit. } Chinnoo the above named prisoner being asked by me the said Justice whether he hath any thing to say in answer to the charge against him and being told that what he says will be taken down and may be used against him on his trial saith as follows :—

I decline making my defence here. I shall reserve my defence for the Supreme Court.

Taken and acknowledged at Madras aforesaid this 3rd day of November 1856, the contents having been explained by the sworn Interpreter.

The mark × of CHINNOO,

Before me,

(Signed) T. G. CLARKE,
Justice of the Peace.

MADRAS to Wit. } Moonesawmy Moodelly the above named prisoner being asked by me the said Justice whether he hath any thing to say in answer to the charge against him and being told that what he says will be taken down and may be used against him on his trial saith as follows :—

I decline making my defence here. I shall reserve my defence for the Supreme Court.

Taken and acknowledged at Madras aforesaid this 3rd day of November 1856, the contents having been explained by the sworn Interpreter.

(Signed) மூனிசாமி முதலி.

Before me,

(Signed) T. G. CLARKE,
Justice of the Peace.

MADRAS to Wit. } Moonesawmy Naidoo the above named prisoner being asked by me the said Justice whether he hath any thing to say in answer to the charge against him, and being told that what he says will be taken down and may be used against him on his trial saith as follows:—

I decline making my defence here. I shall reserve my defence for the Supreme Court.

Taken and acknowledged at Madras aforesaid, this 3rd day of November 1856, the contents having been explained by the sworn Interpreter.

(Signed) மூனிசாமி.

Before me,

(Signed) T. G. CLARKE,
Justice of the Peace.

(True Copies.)

(Signed) FREDK. ORME,
Deputy Clerk of the Crown.

No. 90. ORDER THEREON, No. 333 ; dated 11th March 1858.

As the Petition to Her Majesty the Queen, received with the above letter, should have been submitted in triplicate, the Petitioners will be called upon to furnish two more copies of it.

(Sidned) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

No 333

As the Petition of the Queen received with the above letter should have been submitted in triplicate, the Petitioners will be called upon to furnish two more copies of it.

Fort St George
11 March, 1858.

Copy to C. V. Comiah chetty & others. } Dispd 15

February 1857 ... 1725 1/2
1858 ... 2 ... 2 ... 2 ... 39
13th Oct 11 ... 64 ... 25

Petition forwarded with Letter to the Hon'ble Court 5th May No 6 of 1858 with 10 Plans.

Resp to ct 11 of 1858.

In Dy to Com: 12 Bracelets
Judicial. 1858. Depth

From C. V. Cornish. Chief Mag & addl. — Burdwan.

2/36
R/11 March 1858.

8/11/18.
Rules

Forward a Petition to Her Majesty the Queen, praying the Sale and Condemnation of Soobanoya Dassee and others in the Supreme Court Sunday and requesting its transmission. —

8/490.

Write an order

Ex. By to Com: 12th Bracelets
Judicial. 1858. Depth

From C. V. Cornish. Chief Mag & addl. — Burdwan.

2/36
R/11 March 1858.

8/11/18.
Rules

Forward a Petition to Her Majesty the Queen, praying the Sale and Condemnation of Soobanoya Dassee and others in the Supreme Court Sunday and requesting its transmission. —

8/490.

Write an order