

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 518	Press ~~Mis.~~
1-2	
Dated 21-6-1918	

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518

[Signature]

No. 1. Read the following letter from E. STORY, Esq., Commissioner of Tinnevely; to T. PYCROFT, Esq., Chief Secretary to Government, Fort St. George, dated 20th March 1858, No. 235.

SIR,

I have the honor to submit herewith, for the information of the Right Honorable the Governor in Council, an English translation of the Record of case No. 1 of 1858, on the file of the Commissioner of Tinnevely, tried and disposed of by me under Act XVI of 1857.

Zillah of Tinnevely, 1858.

Case No. 1 of 1858, on the Tinnevely Commissioner's file.

Trial for the Crime of Sedition.

Prosecutor Revd. J. Thomas, by Vakeel Aroolanunthum Pillay.

Versus

Prisoner Ramasamy Taven.

Proceedings of the Court. Trial commenced on the 6th and closed on the 18th March 1858.

The Commissioner having attentively perused and considered the documents received from the Acting Head Assistant Magistrate, No. 1 to 19, proceeds with the trial of the prisoner.

The prisoner is brought into Court by the Nazir.

The prosecutor's Vakeel also attends.

The Government Vakeel opens the trial by reading the charge.

Arraignment.—Prisoner Ramasamy Taven, you stand at the bar charged by the prosecutor with having at 12 A. M. on the 15th September 1857, in the village of Thachamoley, in the Punjamal talook, committed seditious acts and used highly seditious language tending to forward the designs of the rebels, who are waging war against the State. How say you prisoner Ramasamy Taven are you guilty of this crime or not?

Prisoner Ramasamy Taven—not guilty.

Saturday, 6th. Prosecutor's Vakeel Aroolanunthum.—The prosecutor's Vakeel Aroolanunthum Nadan, son of Elliapermal Nadan, Shanar caste, a Christian, Vakeel, aged 25 years, residing at Thutchemoley attached to the talook of Punchamal, having been caused to make the solemn affirmation required by Act No. V of 1840, the following examination takes place.

A. On the 1st of Pooratassy (15th September) last, the prisoner and 13 others painted the compound wall of the prosecutor's bungalow with red ochre, and placed idols thereon, and when questioned by Paramanenthem Obadasey, this prisoner and the others said "the Europeans have retreated; are you not aware of Europeans have been cut and murdered at the north." On mentioning the circumstance to the Curnum and Village Moonsiff, the prisoners in Commissioner's case No. 1 of the past year, they said "mind your business; prefer a complaint if you like." I presented a complaint on behalf of the prosecutor at the Police against this prisoner, and when the prisoner was apprehended and being brought under a Warrant, 42 Marravers came and struck me and one of the Warrant peons, and snatching away my handkerchief valued at 1½ Rupees, rescued the prisoner and went away. On coming to know on the following day that the prisoner was concealing himself at another place, I went with the Warrant peon and Village Moonsiff and others, and apprehended the prisoner. This is all.

A. to the prisoner's question.—Your village Pallamcoolam is at the distance of two miles from mine, but you resided at Thatchamoly and watched that village as a Cavilgar at the time the crime was committed. The 1st witness is my elder brother.

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A. to the question of the Court.—It was reported at the village that the prisoner was concealing himself at the jungles. I heard of this four days prior to the 7th of Massey (17th February) on which date I presented a petition.

Mark of AROOLANUNTHUM.

Solemnly affirmed before me in open Court, this 6th day of March 1858.

(Signed) R. G. CLARKE,

Commissioner.

Saturday, 6th. 1st witness Visoovasa Nadan.—The 1st witness Visoovasa Nadan, son of Elyapermal Nadan, Shanar caste, a Christian, cultivator, aged 35 years, residing at Thuchamoly Veeramarthandanulloor in Punjamal talook, having been caused to make the solemn affirmation required by Act No. V of 1840, the following examination takes place:

A.—On the 1st Pirattasey last (15 September), the prisoner and 13 others painted the wall of the prosecutor's bungalow at Sattancolum with white and cauvy (red ochre) and formed and kept images on it. The inspecting Catechist questioned them respecting it, they said "why do you boast of Europeans, do not you know the manner in which they suffer from cuts and stabs in the nothern country." Upon this being represented to the Mettoo peon, Curnum, Village Moon-siff and others, they said "if you prefer a complaint we will reply to it." The Catechist and the witnesses went away to the bungalow, the Catechist sent a message to Mr. Paul, through the gardener, and that gentleman sent the Vakeel Pillay to see what had occurred. The said Vakeel addressed the prisoner and others and said "can you do this in a place where Missionaries reside, would your religion agree with their religion," they spoke to him also to the same effect as they did to the Catechist. This is all that took place, this prisoner spoke like others, only he was not a principal party. I have mentioned regarding this prisoner in Commissioner's case No. 1 of the last year.

A. to Q. by the prisoner.—The distance between the bungalow wall and the Ammen pagoda will be about 2 yards, the wall in question belongs to the prosecutor, the wall was painted to the distance of 40 yards, and 80 images were placed on the said wall. 2 large images were placed touching the wall, you only poured the chunam in a small pot. I do not know whether the Ammen pagoda was built before or after the bungalow. As the prisoner was the Cavalgar of my village, I had known him.

Mark of VISOOVASA NADAN.

Solemnly affirmed before me in open Court, this 6th day of March 1858.

(Signed) R. G. CLARKE,

Commissioner.

Saturday, 6th. 2nd witness Pauckeanaden.—The 2nd witness Pauckeanaden, son of Amoor-thanayaga Moockunden, Shanar caste, a Christian, a gardener, aged about 20 years, residing at Sattancolum in Punjamal talook, having been caused to make the solemn affirmation required by Act No. V of 1840, the following examination takes place:

A. I am the gardener of the prosecutors' bungalow. I know the prisoner. On the noon of the 1st Pirattasey last (15th September), the prisoner and 13 others painted the wall of the prosecutor's bungalow with white and red earth, and formed and kept images on the said wall. I prevented the prisoner, and he said "go and report it any where." I went and reported the circumstance to the Catechist, the 1st witness came with certain others and told them "this is a place where Europeans reside, does your religion agree with theirs, can you act in this manner," they said "the Europeans in the north have been killed and they have retreated, why do you boast of Europeans, the Missionaries and Europeans are running away one after another upon receiving letters." On asking the Mettoo peon if they can act in this manner, he said "it is a fact, they have merely stated what had occurred." As the prosecutor was at Megnanapoorom, I went and informed the circumstance to Reverend Mr. Paul, at Sattancolum, and he sent the Vakeel Soobramoneya Pillay to make an enquiry. On his going and questioning them, they said "we have already told the Catechist a thousand and ten thousand times. If you wish, you may

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lodge a complaint, we will reply to it. Where have you a bungalow and garden." I went away to the garden.

A. to Q. by prisoner.—The wall was painted to the distance of 30 or 40 cubits, and images were placed on the wall all along that distance, images were not kept in other places, you had chunam in a pot and poured it with your hand. I have heard that the distance between Palumgolum and Sattancolum is 3 miles. As the prisoner is the Cavalgar of the said village, I know him. I have seen him attending to Cavul duties since 2 or 1½ years.

(Signed) PAUCKEANADEN,

Solemnly affirmed before me in open Court, this 6th day of March 1858.

(Signed) R. G. CLARKE,

Commissioner.

Memorandum.—The evidence for the prosecution being closed, the prisoner is addressed by the Court as follows:—"you have heard what the prosecutor's Vakeel and the witnesses for the prosecution have stated against you, if you have any thing to urge in your defence, now state it." The prisoner answers that he has, and states as follows:—

Saturday, 6th. Prisoner Ramasamy Taven.—Defence of the prisoner Ramasamy Taven, son of Soodalamoottoo Taven, Maravah caste, Siva sect, a Cavilgar and ploughman, aged 37 years, residing at Pallamkenaroo attached to the talook of Punjamal.

A.—I did not go to the place, nor did I say anything regarding gentlemen. I have done nothing, they unjustly accuse me, I was at Coolasagarapatam on the day in question. My witnesses to this point are Velliah Taven, son of Soobramonia Taven, and Meckoompermal, son of Chinna Moottoo Taven of the said village, 2. They should be summoned and examined.

Mark of RAMASAMY TAVEN.

Taken before me in open Court, this 6th day of March 1858.

(Signed) R. G. CLARKE,

Commissioner.

Examination resumed on the 10th March.

Wednesday, 10th. Prisoner Ramasamy Taven. Q.—Of the two witnesses cited by you, one is reported to be sick and the other is in attendance, what say you respecting this?

A.—I beg that Arreapoottra Taven, son of Naguppa Taven of the said Coolasagarapatam, may be summoned instead of the witness who is sick, and examined.

Mark of RAMASAMY TAVEN.

Taken before me in open Court, this 10th day of March 1858.

(Signed) R. G. CLARKE,

Commissioner.

Examination resumed on the 18th March 1858.

Thursday, 18th. Prisoner Ramasamy Taven.—I went to Coolasagarapatam to get money for jaggery. I left my village on Monday the 14th September which was the day preceding the 1st Pirattasey (15th September,) and reached the above village at 10 o'clock on the morning of that day, it is at the distance of 10 or 12 Indian miles. At about the 20th Indian hour, (2 P. M.) on the evening of that day, I asked my 1st witness in his house for money for jaggery, he told me on that day and on the next day, that he will get and give it; but on the 3rd day he said that he will get it for me 4 or 5 days afterwards, on the same day, which was Wednesday, I set out from the said place and arrived at my village at sun-set, the 2nd witness has seen me in the house of the 1st witness, he saw me on the 14th referred to above, he saw me on the following day also at 8 o'clock in the morning in the house of the 1st witness, the females of the said house were then present, the 1st witness returned from abroad, when I applied for money on the first day, the 1st witness and the females of his house only were present. I asked money for 2 bales of jaggery, he told me to stop, I told him that I will execute a document, pledging Palmira trees for the amount. I did not fix the term, when I saw the 2nd witness on the 14th, the 1st wit-

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ness and the females of his house were present. It was then 2 or 4 o'clock in the evening. On the 14th and 15th, the 2nd witness came to call the 1st witness for watching the bankshall, the 2nd witness asked me on the 14th, as to where I came. I told him that I came to ask money for jaggery. On the 15th, the 2nd witness asked me if I did not get the money for jaggery, I told him that I did not. I have known the said 2 witnesses since 10 or 15 years; during which period I have borrowed money for jaggery and repaid it, but I do not recollect the amount.

Mark of RAMASAMY TAVEN.

Taken before me in open Court, this 18th day of March 1858.

(Signed) E. STORY,
Commissioner.

Thursday, 18th. Prisoner's 1st witness, Velliataven.—The prisoner's 1st witness Velliataven son of Erooluppa taven, Condicottay Marava caste, Siva sect, a Cauvilgar, aged about 45 years, residing at Coolasagarapatam in Punjamal talook, having been caused to make the solemn affirmation required by Act No. V of 1840, the following examination takes place:

A.—I have looked at the prisoner, I have known him since a long time. I have had no dealings with him at any time, and on any account. The prisoner applied to me for money for dealing in jaggery; but I did not give it to him, even then or at any other time. I at first promised to pay him. He applied to me 7 or 8 months ago, he came and made the request at the 15th Indian hour (12 o'clock,) I promised to get it for him, he applied to me on the following day also soon after day-break. I know the prisoner's 2nd witness, on the first day the prisoner applied to me, the 2nd witness came to my house, I and the prisoner were together. It was then 10 o'clock. The 2nd witness did not come to my house on the following day. I did not hear the 2nd witness say anything to the prisoner when he came the first day. It was noon when the prisoner came to my house on the 1st occasion, as soon as he came, he applied to me for money for dealing in jaggery, he wanted it for purchasing 1 bale of jaggery.

Memo.—The prisoner has no question to put.

(Signed) VELLIEN.

Solemnly affirmed before me in open Court, this 18th day of March 1858.

(Signed) E. STORY,
Commissioner.

Thursday, 18th. Prisoner's 2nd witness, Arreakarapoottren.—The prisoner's 2nd witness Arreakarapoottren, son of Nagguppataven, Condia Cottay, Marava caste, Siva sect, a Cavilgar, aged about 40 years, residing at Coolasagarapatam in Punjamal talook, having been caused to make the solemn affirmation required by Act No. V. of 1840, the following examination takes place:

A.—I have looked at the prisoner, I know him since the last 10 or 15 years. I know the prisoner's 1st witness also since the last 10 or 15 years. I saw the prisoner on one occasion in the 1st witness' house. It was on Monday the 29th Avany, as I received Cavil hire on that day I remember the date and day of the week. I know the other days of the week, I saw the prisoner at 9 o'clock after sun-set. He spoke nothing to me, nor did I tell him any thing.

Mark of ARREKARAPOOTTREN.

Solemnly affirmed before me in open Court, this 18th day of March 1858.

(Signed) E. STORY,
Commissioner.

(True translation.)

(Signed) E. STORY,
Commissioner.

Fort St. George, Judicial Consultation, 27th April 1858.

Sentence.—1. The prisoner pleaded not guilty, and pleaded an alibi, to prove which he called and examined two witnesses. These witnesses have altogether failed in establishing the prisoner's plea.

2. This prisoner was fully mentioned in the evidence in Commissioner's case No. 1 of 1857; the present evidence is the same as then adduced, and it fully convicts the prisoner of the charge brought against him.

3. The 1st and 2nd prisoners in case No. 1 were Cavilgars, and were each sentenced to one year's imprisonment with hard labor in irons, under Section XI, Act XVI of 1857.

4. The present prisoner is also a Cavilgar and is therefore similarly sentenced.

(Signed) E. STORY,
Commissioner.

18th March 1858.

(True Copy.)

(Signed) E. STORY,
Commissioner.

Prosecutor's Vakeel's complaint.—Translation of a complaint presented to Vycoonthanatha Pillay, the division Police Ameen of Padookaput, by Aroolanunda Nadan, son of Elliapermaul Nadan, of Thutchenmoly, attached to the above division, Vakeel on behalf of Revd. Mr. Thomas.

The Hindoo inhabitants of Thutchenmoly painted the western wall of the Mission bungalow situated at the aforesaid village with white and red stripes, and placed idols of the shape of a bird's head, and used seditious language towards the State, respecting which a complaint was presented on the 15th September 1857, and of the defendants that were concerned in the matter, Village Moonsiff Vunnamoothookaryaulen 1, No. Curnem Ramasawmyapillay 2, Mettoo peon Chockuppa Naicken 3, Vellia Taven 4, Ramasawmy Taven 5, Moottoosawmy Taven 6, Ramaliganauthy 7, Peramamoottoo Chetty 8, and Soobramanien Chetty 9, have been sentenced by the Zillah Court. As the remaining 5 individuals, viz., Paramaseven chetty 1, Vellien pillay 2, Sunkeralingom pillay alias Samoovail pillay 3, Volymoottoo pillay 4, and Ramasawmy Taven of Palumgolum 5, are to be apprehended through a Warrant and punished. I pray that you will kindly file this petition, issue a Warrant for the said 5 individuals and cause their apprehension and punishment. (Concludes with complements).

(Signed) VYCOONDANADA Pillay,
Police Ameen.

16th February, 1858.

Prosecutor's Vakeel Aroolanunthum.—Translation of a deposition given on solemn affirmation before the Acting Head Assistant Magistrate of Tinnevely, on the 5th March 1858, by Aroolanunthum, son of Elyapermal Nadan, Shanar caste, a Christian, a Vakeel of Revd. Mr. Thomas, aged 25 years, residing at Voodooovarum in Punjamal talook.

Q. What is your complaint against the prisoner now present, state it?

A. On the 15th September last, this prisoner Ramasawmy and 14 others of his party, white-washed the wall of the bungalow of Revd. Mr. Thomas at Tachamoly, Sattancolum, poured red earth over it, and formed and placed idols; and on being questioned respecting it by the inspecting Ceteclist, they used aspersions saying "are there Europeans here, they are running away, the leaving bungalows built by them, are you not aware of the war that is going on in the north." This prisoner also was present at the time, the Mettoo peon also was favorable to him. The Village Moonsiff and Curnum, to whom the matter was represented, said "is it false that European gentlemen are being stabbed and cut, it is known to all, you may prefer a complaint to any authority you may choose." Afterwards all were at the same place and were attending to their work. When we took a Warrant for apprehending this prisoner, they rescued him away in a mob, we afterwards took him into custody on the following day.

Fort St. George, Judicial Consultation, 27th April 1858.

Q. Look at the prisoner now present. Was he concerned in the case which was formerly committed to the Commissioner's Court by the Magistrate?

A. This prisoner was concerned in the said case, he was at the said place, I saw him.

Mark of AROOLANUNTHUM, Vakeel.

Solemnly affirmed before me, March 5th, 1858.

(Signed) H. AMES,
Actg. Head Assist. Magistrate.

1st witness Vesoovanadan.—Translation of a deposition given before Vycoonthanatha Pillay, the Division Police Ameen of Padookapattoo, on the 25th February 1858, or 15th Mausey Andoo 1033, by Vesoovanadan, son of Eliapermaulnadan, Shanar caste, Christian, a cultivator aged 35 years, residing at Thutchenmoly Veeramarthandanulloor.

I have looked at the defendant Ramasawmy Taven, of Pulamgolum, who is now before the Cutcherry, he is one of the defendants who are charged with having formed earthen idols and placed them on the wall of the bungalow garden at Tachamoly Voodoovarum and painted the said wall with white and red earth, and with having, on being questioned about it, used seditious language towards the State and the Missionaries at 12 o'clock at noon of the 15th September 1857. He is the individual whom I have mentioned as Ramasawmy Taven of Pulamgolum, in the deposition formerly given by me as a witness in this matter. He is one of the defendants in the said matter. I have referred to him also formerly.

Witnesses.
(Signed) CHOCKALINGUM PILLAY,
No. Curnum of Rendoosollanulloor.
(„) VYTHIANATHIEN,
Ag. No. Curnum of Coolasaigarapatam.
(„) VYCOONTHANATHA PILLAY,
Police Ameen.

Translation of a deposition given on solemn affirmation before the Acting Head Assistant Magistrate of Tinnevely, on the 5th March 1858, by Vesoovanadan, son of Elliapermaulnadan, Shanar caste, a Christian, cultivator, aged 35 years, residing at Veeramauthandanulloor attached to Thutchenmoly in Punjamaul talook.

Q.—You have heard the deposition which was now read over. Is it the same you gave before the Police?

A.—Yes. It is the same I gave?

Q.—Look at the prisoner who is now present, in what case was he concerned?

A.—He was among the individuals who placed earthen idols on the compound wall of the bungalow belonging to the Revd. Mr. Thomas at Meignanapooram, on the 15th September 1857, and who white-washed the said wall, and he aspersed the Missionaries and gentlemen by stating that they are likely to run away. There were certain others with him at the time. There were 14 others.

Solemnly affirmed before me, March 5th 1858.

Mark of VESOOVASANADAN.

(Signed) H. AMES,
Actg. Head Assistant Magistrate.

2nd witness Paukeenathen.—Translation of a deposition given before Vyconthanatha Pillay, Police Ameen of Padookaput, on the 25th February 1858 or 15th Mausy Andoo 1033, by Paukeanathen, son of Amoorthanaigamooockunden, Shanar caste, a Christian, a gardener of the garden attached to the Mission bungalow, aged about 20 years, residing at Sattancolum.

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I have looked at Ramasamy Taven of Pulamgolum, who is now before the Cutcherry, he is one of the defendants who formed earthen idols and placed them on the wall of the bungalow garden at Tachamoly Voodoovarum, and who painted the said wall with white and red earth and who, on being questioned about it, used seditious language towards the State and the Missionaries at 12 o'clock at noon of the 15th September 1857, he is the individual whom I have named in the deposition which I have formerly given in this matter, as Ramsawmy Taven of Pulamgolum, he is one of the defendants.

Witnesses.
(Signed) CHOCKALINGUM Pillay,
No. Curnum of Rendoosollanulloor.
(„) VYTHIANATHIEN,
Acting No. Curnum of Coolasaigarapatam.
(„) VYCOONTHANATHA Pillay,
Police Ameen.

2nd witness Packeenathen.—Translation of a deposition given on solemn affirmation before the Acting Head Assistant Magistrate of Tinnevely, on the 5th March 1858, by Packeenathen, son of Amoothanoyagamoochundem, Shanar caste, a Christian, gardener, aged 20 years, residing at Sathaunkolum in Punjamall talook.

Q. You have heard the deposition which was now read over. Is it the same you gave before the Police?

A. Yes.

Q. Look at the prisoner who is now present, in what case was he concerned, state it?

A. He placed earthen idols on the western compound wall of the bungalow belonging to the Reverend Mr. Thomas, at Thutchenmoly Oodoovaura Veeramarthaundanelloor, attached to Megnanaporem, on the 1st Peruttasy (15th September 1857,) and he painted the wall with white and red stripes, and when he was questioned regarding it, he used seditious language towards the State and aspersed the Missionaries and Europeans. There were certain others also with him at the time. I have referred to him in my former deposition. I saw him in the gang.

(Signed) PACKEENATHEN.

Solemnly affirmed before me, March 5th, 1858.

(Signed) H. AMES,
Acting Head Assistant Magistrate.

Prisoner Ramasamy Taven.—Translation of a declaration given before Vycoonthanatha Pillay, Police Ameen of Padookaput, on the 25th February 1858, or 15th Mausy Andoo 1033, by Ramasamy Taven, son of Soodalamoottoo Taven, Marava caste, Siva sect, a Cavulgar and cultivator, aged 37 years, residing at Sadyenkinaroo, attached to Pulamgolum.

I heard the complaint preferred by Aroolanumtha Nadan, Vakeel, on behalf of Reverend Mr. Thomas, of Megnanapooram, and the depositions of witnesses, in support of it read over. I did not, as stated therein, paint the bungalow at Tachamoly with white and red earth, and form and keep earthen idols; nor did I, on being questioned respecting it, use seditious language towards the State and the Missionaries. They have thus vainly accused me through some enmity.

Mark of RAMASAWMY TAVEN.

Witnesses.
(Signed) CHOCKALINGUM PILLAY,
No. Curnum of Rendoosollanulloor.
(Signed) VYTHIANATHIEN,
Acting No. Curnum of Coolasaigarapatam.

Fort St. George, Judicial Consultation, 27th April 1858.

Examination resumed immediately.

Q. Were you previously charged with any crime and punished?
A. No. I was not.

Witnesses.
(Signed) CHOKALINGUM PILLAY,
No. Curnum of Rendoosollanulloor.

() VYTHIANATHIEN,
Acting No. Curnum of Coolasaigarapatam.

(Signed) VYCOONTHANATHA PILLAY,

Police Ameen.

Mark of RAMASAMY TAVEN.

Prisoner Ramasamy Taven.—Translation of a declaration given before the Acting Head Assistant Magistrate of Tinnevely, on the 5th March 1858, by Ramasawmy Taven, son of Soodalymoottoo Taven, Marav caste, Siva sect, a cultivator, aged 35 years, residing at the village of Sadyenkenur in Punjamal talook.

Q. You have heard the deposition which was now read over. It is come to knowledge therefrom that you placed earthen idols on the compound wall of the bungalow belonging to the Reverend Mr. Thomas of Meignanapoorum, and painted the wall with white and red stripes, and used seditious language towards the State. What say you to this?

A. I did not go to the place in question, nor did I act as above. I reside at the distance of more than 3 miles from Meignanapoorum. I went to Koolasaigarapatam on the day in question to obtain money for purchasing jaggery.

Given before me, March 5th, 1858.

Mark of RAMASAWMY.

(Signed) H. AMES,

Acting Head Assistant Magistrate.

Report of the Acting Head Assistant Magistrate of Tinnevely, to the Acting Commissioner of Tinnevely, appointed under Act XIV of 1857.

No.	Name of the Prisoner.	Charge.	Date of charge.	Date of apprehension.	Name of the Prosecutor.	Name of the witnesses.	List of Documents.
8	Ramasamy Taven.	For seditious acts and for using highly seditious language tending to forward the designs of the rebels who are waging war against the State, at 12 A. M., on the 15th September 1857, in the village of Tachamoly in the Punjamal talook	16th February 1858.	do. 20th do.	Revd. J. Thomas of Meignanapoorum, by his Vakeel Aroolannunthun.	Vesoovasanadan 1. Pauckeenauthen 2.	1 Deposition given by the prosecutor's Vakeel 1 2 Do. do. do. 1st witness 1 3 Do. do. do. 2nd do. 1 4 Do. do. do. Defendant 1 5 Urzee addressed by the Police Ameen of Padookaputt in Punjamal talook 1, with its enclosures 15 16

Remarks.—The Police Ameen forwarded the parties on the 25th February 1858. They arrived on the 4th March, the Acting Head Assistant Magistrate having been on Circuit.

(True Translations and Copy.)

Tinnevely, }
5th March 1858. }

(Signed) E. STORY,

Commissioner.

L. S.

Fort St. George, Judicial Consultation, 27th April 1858.

List of the untranslated documents in Commissioner's case No. 1 of 1858.

No. 2. A Vakalutnamah.

No. 6. A Warrant and a Return thereto.

No. 7. A Summons to the witnesses and a Return thereto.

No. 8. Warrant peon's report to the effect that certain individuals rescued a person who was apprehended under the Warrant.

No. 9. A report of the Village Moonsiff and Mettoo peon regarding the rescue of a person who was taken into custody under a Warrant.

No. 9 B. Report of do. regarding the transmission of a prisoner to the talook.

No. 10. A List to the effect that the records of later period do not shew that the prisoner was formerly punished.

No. 11. Do. shewing the date of apprehension of the prisoner and forwarding him and others to the Acting Head Assistant Magistrate.

No. 12. Do. shewing that batta was not paid to the prisoner.

No. 13. Diary of the Police officer to the effect that the case should be forwarded to the Acting Head Assistant Magistrate in view to its being committed for trial before the Commissioner.

No. 14. Urzee of the Police Ameen forwarding the case to the Acting Head Assistant Magistrate.

No. 15. Report of the case.

(Signed) E. STORY,
Commissioner.

No. 2. ORDER THEREON, No. 518: dated 21st April 1858.

1. With the above letter, the Commissioner of Tinnevely submits a translation of the record of case No. 1 of 1858, on his file. In this case the prisoner is charged "with having committed seditious acts and having used highly seditious language." He has been convicted, and is sentenced to one year's imprisonment with hard labor in irons, under Section 9, Act XVI of 1857.

Extract Minutes Consultation, 29th March 1858, No. 412.
2. It has been already pointed to the Commissioner, in a former case No. 1 of 1857, that this Act has not been put in force in this Presidency; but that offences of this description clearly come under the provisions of Act XIV of 1857. He should be careful in future to avoid similar misquotations.

3. Government also observe that the indictment in this case is drawn up in such general terms as to render it barely possible for any one to plead to it. The indictment should not only specify the place and time at which the offence was committed, but it should also definitely aver the seditious acts and words charged against the prisoner.

4. After a full and attentive consideration of the record of this case, Government concur in the conclusion come to by the Commissioner in regard to the guilt of the prisoner; but under present circumstances they resolve to mitigate the sentence, under Act XVIII of 1855, Section 1, to six months' imprisonment, at the termination of which Ramasawmy Taven will be required to find good security for good behaviour in future.

(Signed) T. PYCROFT,
Chief Secretary.

6
Zillah of Tinnevely.

1850.

Case No. 1 of 1850 on the Tinnevely
Commissioner's file.

Trial for the Crime of Sedition

Prosecutor Versus Prisoner.

Rev. J. Thomas by
Vakeel Aroolannantham.

Ramasamy Iyengar

Pillay.

Proceedings of the Court.

Trial commenced on the 6th and closed
on the 18th March 1850.

The Commissioner having attentively
perused and considered the Documents
received from the Acting Head Assistant
Magistrate No. 1 to 19 proceeds with the
Trial of the Prisoner.

The Prisoner is brought into Court
by the Nazir.

The Prosecutor's Vakeel also attends.

The Government Vakeel opens the

Trial by reading the charge.

Arraignment.

how is it
Hottell
for anyone

Arraignment.

Prisoner

Ramasamy taven. you must stand at the bar. charged as by the Prosecutor with having been present at a duel at 12 A.M. on the 15th Septem-ber 1857 in the village of Thachamoley in the Pungaval Talook committed Seditious acts and used highly seditious language tending to forward the designs of the rebels, who are waging war against the state. Now say you Prisoner Ramasamy taven are you guilty of this crime or not?

Prisoner

Ramasamy taven — not guilty

5th Saturday

The Prosecutors Vakiel — Prosecutors

Vakiel

Aroolanunthum Nadan son of
Elliapermal Nadan, Shanar caste,

a

No. 15.

The Chief Secretary
to Government

Sir,

With reference to Extract from Minutes of Consultation in Public Department marginally noted, relative to the mortality returns of the Presidency, I have the honor to forward, for submission to the Right Honorable the Governor in Council, six copies of the mortality report for 1855.

* Received from the
Pres 18th instant.

2. Agreeably to the order of Government (300) three hundred copies were printed, and I solicit instructions as to their distribution.

3. The registration is being continued, but as observed at the close of the report, there is reason to believe, that little more than one half of the total number of deaths during the year have been reported,

reported; It is requisite therefore
that the attention of the authorities
concerned should be specially drawn
to the subject. It is also desirable
that a census of the population should
be taken, distinguishing Hindoos,
Mahomedans, Eurasians and Europeans.
I am not aware of any objection
as likely to be made to such a measure
being effected, save probably ^{on the part of} the
Mahomedans, and which on a
proper explanation might be
overcome. If the amount of population
were ascertained accurately, tables of a
more valuable nature than now presented,
could be readily framed - as it is however, the
most unhealthy localities of the Presidency
are clearly pointed out in the tables
now given.

Office of Director General
Med. Department
St. James's Place
20th March 1858.

I have the honor to be
Sir
Your most obed^t Servant
J. N. M. M. M.
Director General
Medical Department

Exd. J. H. B.

Judicial Department.

N^o 518

Extract from the Minutes of Consultation

Dated 21st April, 1858.

Read the following Letter from
the Commissioner of Penitentiaries
(Here enter 20th March/58 No 235)

1. With the above letter the
Commissioner of Penitentiaries submit
a translation of the record of case
No 1 of 1858 on his file. In this
case the prisoner is charged with
"having committed seditious acts"
"having used highly seditious language"
"as he has been convicted,
and is sentenced to one year's
imprisonment with hard labor
in irons under sec. 9, Act XVI of
1857.

2. It has been already pointed
to the Commissioner, in a former
case No 1 of 1857, that this Act has

Utho. 29th March
1858 No 412.

PC 28th March/58 No 456

In by 5th June 1858
Judicial Department

No 422.

To the
The Honorable
The Secretary
Government

Date 20th March
No 224

No 225

Forwarding our copies
of the Quarterly Report
for 1858 and stating that
we have done so to their
satisfaction.

296 March
1858 "

not been put in force in this Presi-
dency; but that offences of this de-
scription clearly come under the
provisions of Act. XIV of 1857. He
should be careful in future to avoid
~~similar~~ misquotations.

3. Government also observe
that the indictment in this case
is drawn up in such general
terms as to render it ^{hardly} possible
for any one to plead to it. The
indictment should not only
specify the place and time at
which the offence was committed
but it should also definitely
aver the seditious acts and
words charged against the
prisoner. ~~It was further improp-~~
~~er on the part of the Commission-~~
~~ers to use no evidence against~~
~~the prisoner, the statements having~~
~~reference to him which had been~~
~~made by witnesses in another~~
~~case inasmuch as he had not~~
~~an opportunity~~
~~had of presenting a proper explanation.~~

4. After a full and attentive
consideration of the record of the

10
case, Government concur in
the conclusion come to by the
Commissioner in regard to the
guilt of the prisoner; but in
present circumstances they
to mitigate the sentence, under
Act XVIII of 1855, Sec 1, to six
months imprisonment, at
the termination of which Ka-
masany taken will be required
to find good security for good
behaviour in future.

D. H. 14/6/58

Copy to Court of Miranpur. } D. H. 14/6/58

Sh. P. H.

Judicial Letter to Congress
7th Sept 1858
Perwell.

In Hq. & Cons. 27th April.
Judicial 1858 Department

No. 578

Extract Mins. Cons.

Dated 27th April 1858

27th April 1858

142.

142.

15-2/12
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