.....துறை

குறிப்பிட்டவர் பொறுப்பிலிருக்கும் பதிவுக் கட்டினின்றும் எடுக்கப்பட்ட தாள்.

அச்சு பல்வதை வாலாயம் } எண்..... தேதி.....200

எடுத்த தேதி. (1)	எதன் பொருட்டு			தாள் எடுக்கும் எழுத்தர் அல்லது பிறெழுத்தர் சுருக்கொப்பம். (5)	திருப்பிக் கொடுத்த தேதி. (6)	பிறெழுத்தரின் சுருக்கொப்பம். (7)
	துறை. (2)	நடப்பு எண். (3)	ஆண்டு. (4)			

GCP-201-5-10,000-cps-07-3-06-(P4-9)

M.S.O. 1—22,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 573 Press ~~Mis.~~

34-35

Dated 3 — 5 — ~~19~~ 1938

Not to be folded or roughly handled

6/38

Fort St. George, Judicial Consultation, 4th May 1858.

No. 34. Read the following letter from C. V. CONNIAH Chetty and others, Madras; to the Chief Secretary to Government, Fort Saint George, dated 21st April 1858.

SIR,

We have the honor to forward herewith copies in duplicate and triplicate of the Petition transmitted with our letter of the 3rd Ultimo, agreeably to the directions contained in the Extract from the Minutes of Consultation, under date the 11th March 1858.

(For Petition—vide Judicial Consultation, 12th March 1858, Nos. 89 and 90.)

No. 35. ORDER THEREON, No. 573: dated 3rd May 1858.

Ordered to be forwarded to the Honorable the Court of Directors for presentation to Her Majesty the Queen, through the prescribed channel.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

To

The Queens 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 the Throne
with the object of appealing to Your Royal Clemency on behalf
of six of their unfortunate countrymen, recently sentenced by Your
Majesty's Court of Judicature in Madras to transportation for
life. The names of these men are Soobaroya Grammy, Shun-
mogum, Summundum Chinna, Moonsawmy, Nauk, and
Moonsawmy Modelly; the first named convict being the
father of the second and third, and all three known and
esteemed in the City of Madras as among the most peaceable
of its inhabitants, although unfortunately implicated in a
case which resulted in the death of a man named Narasoo
Rajoo, who had been at one time in the employ of the first
named convict, Soobaroya Grammy. The Jury which sat
upon the trial returned a verdict of guilty against all the
six, but accompanied it with a recommendation to mercy,
and, in consequence 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 established
by Royal Charter in India, and respect for their decrees
and in appearing on this occasion as humble suppliants

would have restricted themselves to the simple request of pardon
of these men, as a gracious gift to their community; were it not
that there are one or two points connected with the trial which
require to be presented to Your Royal and Benign consideration;
tion; and which serve at the same time to shew that Your
Majesty's Petitioners would not, at this time when their fellow
subjects in Bengal are suffering under outrages perpetrated
by evil minded disturbers of the peace, have been so infatuated
as to plead in a body for the release of these unhappy men,
if they could conscientiously believe them to have been capable
of committing the heinous offences of felony and murder;
and to which points, in all duty and loyalty, Your Petitioners
would humbly draw Your Majesty's Gracious attention; they
having procured and herewith submitted attested copies
of as many documents as are attainable, together with the
the Supreme Court, as it appeared in the Athenaeum of
the 22d 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 3d
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 declined
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 for
his home with felonious intent; and if this
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 for
the precise intention of accomplishing the murder;
and Your Majesty's Petitioners humbly take the
liberty to express their surprise that, a United Jury
could convict prisoners of murder aggravated by
felonious and deliberate conspiracy, and yet re-
commended them to mercy; and that a Justice
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 states 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. For 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

may be the deficiencies or discrepancies of the evidence, as in the present instance; Sir William Burton having declared in passing the 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 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 lead 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 left one to doubt whether the deposition was to be absolutely positive; for I am sorry to say that the amount of the boiling 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 2d and 3d. The discrepancies consequence 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, the prisoners forbad him; the father only consenting. The boy further said before the Coroner, that he did not see Soobrya 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 conse-
quences of his unaccountable oversight 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 least have granted the apparent justice of a re-trial 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 oversight 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 arguments 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 actually 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 Narosoo Rajoo; 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, Sobarsyloo, 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 staircase, 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 4th 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 Varadarajoolu; the contradictions 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 Soobaroy'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 entanglement 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 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 countrymen who are unable to speak for themselves; and most humbly pray, that, in the exercise 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.

(Signed by the Native Inhabitants of Madras)

Madras
31st October 1857

Madras to Wit. Informations of Witnesses severally taken and aknowledged on the behalf of our Sovereign Lady the Queen touching the death of Nurseo 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 Nurseo 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 Cholay. I knew the deceased; he is my elder brother; his name is Nurseo 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 Cholay; he was in the service of Soobaroya Graminy now present. He used sometimes to get his meals from Soobaroya Graminy. For the last two months deceased has not been in the service of Soobaroya Graminy, and he was warned, he told me, not to come to Soobaroya Gramany's House. I did not know any thing about the cause of the death of the deceased. I heard the man Soobaroya 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. Soobaroya only pushed him by the neck. I never saw any beating. My brother was passing Soobroya Graminy's door when this pushing took place. Soobaroya Graminy lives five 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 Soobaroya Graminy's gate when this happened. My brother had some money due to him by Soobaroya Graminy and asked him for it as he was passing the gate. Soobaroya went into the house and immediately returned. My brother was then on the pial of Soobaroya Graminy's house and Soobroya pushed

him out. The deceased was suspected of seducing Soba-
roya Graminy's wife. I believe Soobaroya sent for me and
told me this the second day after this fighting 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 Soobaroya on the day
of the fighting my brother was in the street. When he went
up the steps to the pial where Soobaroya was and when
Soobaroya went into the house he went on the pial.

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

(Ramachendra Rajoo his Mark)
A True Interpretation
H. Mahomed Esoof
Sworn Interpreter.

Before me
D. Urquhart
Coroner.

James Kellie Esquire being duly
sworn deposeth and saith. I am surgeon to the second
district and reside in Kilpauk. 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 occiput
joins the parietal bone 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 dont believe the bruise could have been
caused by a fall. I do 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 the 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 today.

The above information
was taken and acknowledged
on the day year and at the
place first abovementioned.

J. Kellie
Surgeon 2d. District.

Before me
D. 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. Soobarya 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 third 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 third house, and went into the house. I went into the second house into the back yard. There was no person residing in the third house. I went into second 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 third house and the people there cried out "we have got one thief". Then I entered the third 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 Shunmogum, kicked the deceased in 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 shoulder and dragged him down stairs by the hair. The name of this man is Summundrum. Another of the men now present named Moonesawmy 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 down stairs the men now present made him stand up; he was unable to stand and fell down gently. He did not bear himself then it was that Moonesawmy Naidoo said he was pretending not to be able to stand and struck him on his hip. I did not see him receive any blows on his head. The man Moonesawmy Modelly was pulling at his arms of the deceased. Moonesawmy Naidoo, Shunmogum and Summundrum had

had sticks, the other two had not. Soobarya Graminy was present with the stick and torch. My brother was breathing hard and was speachless; these men carried him to Soobarya Graminy's gate. I heard Soobarya 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 Gannah. Deceased was not able to walk; he was carried. Soobarya Graminy's sons Shunmogum and Summundrum went to the Gannah also. The son of the deceased went to the Gannah. When deceased was dragged out of the 3d house, there was nothing brought with him, but when the deceased was carried to Soobarya Graminy's gate, Soobarya went into his own house and brought out a Chembo 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 brother 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 Soobarya Graminy. I do not know why he left Soobarya's employ. Shunmogum the son of Soobarya 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 two months ago. The other son of Soobarya Summundrum, 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: Soobarya Graminy had the key of the front door of the 3d 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 the house. There was a large crowd with Soobarya when he entered the house. I do not know who they were. I saw no torch but Soobarya'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

(Gopaul Rajoo in Tamil)
A True Interpretation
P. Mahomed Casim
Sworn Interpreter

Before me
P. Urquhart
Coroner

Vurderayoolo being duly sworn in the Tamil language deposeth and saith. I live with my father. He supports me. I live in Cholay. I know the deceased. He is my father. Last Monday night about 9 O'clock my father went and slept on the pyal 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 Moonesawmy 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 Soobaroya Graminy call out from pyal of his own house, "Chinnoo, Chinnoo". I knew his voice because I am in his shop. Then my father prepared to go to Soobaroya Graminy's house and was tying his waist cloth. Chinnoo and Moonesawmy now present said "why do you this, the master is here, 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 Moonesawmy and I fell asleep. After a short time I heard a noise crying out "torch light robbers, torch light robbers". Then the witness Gopaul Royer, 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 pyal of which my father had slept, and there I saw my father's arms tied behind his back, and Chinnoo, Summundum, and Moonesawmy were dragging my father down the staircase head foremost. Shunmogum now present was kicking him on his two sides of the chest. Whilst they were bringing my father down stairs, Moonesawmy Naicken 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 his 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 Shunmogum were beating him with the middle part of a Cocanut leaf in the chest and arms. Then they brought him to the pyal 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, Shunmogum and Moonesawmy to Soobaroya Graminy's house; after taking him there Moonesawmy Naicken 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 untied the knot of the rope tying his arms. Then Summundum gave deceased slaps with his hand on both cheeks saying "you have been robbing away all the things from this house". About this time Police Jallian, No 14, came from Veeren's Garden Jaunah, having been sent for by Soobaroya Graminy. Soobaroya Graminy and Shunmoogum and Summundum told the Jallian that deceased was drunk, water was dashed in his face, and the Jallian tried to make him stand up. He was not able, and then the Jallian 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 Soobaroya 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 Soobaroya Graminy's servant, Moonesawmy Modelly and Moonesawmy Naicken are neighbours. Soobaroya Graminy was there all the time and walking up and down with his cane in his hand calling out "bring him out". I heard Soobaroya Graminy call the deceased by name after he came out of the house and was near Soobaroya Graminy's house. I did not hear him named before this, Soobaroya having known the deceased before this time. He was Soobaroya's servant. Shunmogum, Summundum, Chinnoo, and Manoosawmy Modelly and Moonesawmy Naicken all knew the deceased. Since these two months, Soobaroya discharged the deceased from his service on suspicion of something. I do not know what. I was a servant in the bazaar of Soobaroya 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 Soobaroya's house his wife gave sweetmeats and told me to give some to my father also. After deceased was in the Jaunah Shunmogum and Summundum brought the four pots now seen and gave them to the Peons. I remained in the Jaunah 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 1 O'clock on

Tuesday last afternoon. When I saw the deceased on Monday evening lying down he was sober. We were both awake and speaking together on Monday night. The people of Sooboroya Graminy had five torches. They are not here now. I saw no robbers; my father never was accused of stealing. Sooboroya Graminy did not prevent deceased from being beaten. The house where they were dragging deceased down stairs was empty; it belonged to a man named Venkytan. Sooboroya Modelly 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 Vepery Hospital the contents having been previously explained by the Sworn Interpreter.

Before me
J. Urquhart
Coroner

(Veerderajoloo)
A True Interpretation
G. Mahomed Esoof
Sworn Interpreter

Ameerdum being duly sworn in the Tamil language deposeth and saith. I am a tetel merchant and live in Cholay. Moonoosawmy Modelly now present is my sister's husband. About 10 or 11 O'Clock I went to bed in my house in the street where Soobaroya Graminy's house is. On Monday night last I went to sleep about 11 or half past 11. On the same night Shunmogum, Sunmuenthum, Chinno and Moonesawmy Modelly 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 11th day of October 1856 at the Vepery Hospital the contents having been previously explained by the Sworn Interpreter.

Before me
J. Urquhart
Coroner

The mark – of Ameerdum
A true Interpretation
G. Mahomed Esoof
Sworn Interpreter

Vadoovoo. being duly sworn in the Tamil language deposeth and saith. I am living with a man who is a Punkah-puller. I live in Cholay in the street where Sooboroya Graminy's house is, in the same house with the last witness. About half past 11 or 12 on Monday night last Shunmogum, Sunmuenthum, Chinna and Moonoosawmy Modelly and the deceased came into the house passed through the Verandah and went upstairs. I did not see him 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 down stairs 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 half 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 Sooboroya Graminy's wife and the deceased together in the house. They used to stand and talk together in the street sometimes.

The above information was taken and acknowledged on the 11th day of October One thousand eight hundred and fifty six at the Vepery Hospital the contents having been previously explained by the sworn Interpreter.

Before me
J. Urquhart
Coroner

The mark × of Vadoovoo
A true Interpretation
G. Mahomed Esoof
Sworn Interpreter

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 13th day of October 1856 at the Coroner's Office Bench, the contents having been previously explained by the sworn Interpreter.

Before me
J. Urquhart
Coroner

The mark × of Vadoovoo
A True Interpretation
G. Mahomed Esoof
Sworn Interpreter

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 Narsoo Rajoo's death. I did not see any thing about it. I was in the house all last Monday night, and my son Moonoosawmy Modelly now present was with me. About half 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 Modelly my son who was asleep on a plank in the Verandah. We all ran out into the street. Moonoosawmy Modelly went with us into the street and went and awoke some people who were sleeping on the pyal opposite my house. I do not know who they were. My son did not go into the house again. I saw a 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. They went into the house opposite mine and went to sleep. I was afraid to enter into my house. I know Narsoo 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 Sooboroya Graminy's house on the same side of the street. The house between Sooboroya 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 Modelly 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 Coroners Office Beach, the contents having been previously explained by the sworn Interpreter.

Before me
J. Urquhart
Coroner.

The mark × of Mungatha
A true Interpretation
J. Mahomed Casim
Sworn Interpreter.

Soobaroyloo Naick being duly sworn in the Tamil language deposeth and saith. I am a bark hawker. I live at Cholay in the street where Sooboroya Graminy's house is, the fourth house from Sooboroya Graminy's house on the north side. There is no empty house between Sooboroya's house and mine. I live on the same side of the street as Sooboroya does. Last Monday night about 12 O'clock at night Sooboroya Graminy came to me and awoke me in my house. I got up, opened the door and asked what he wanted; he said "robbers came and entered you had better come a little". I came out in about 10 Minutes; opposite the house of the last witness I saw a large crowd assembled. Moonesawmy Modelly now present said "they are in, they are in, I have seen, I have seen." I then heard a cry "he is going away towards the other side". I saw nothing. I did not then hear any one say who was "going away." I went away towards the back yard of my house and watched as that was the only way any one could get down. I did not see any one there. I heard then a noise "one robber is caught" and then I came and many other people who are not present came into the street. All the crowd cried out "dorrajah, dorrajah". Then Sooboroya Graminy who was standing near Moonesawmy Modelly's house, cried "dont do any thing to him, bring him here, bring him here". When I first saw the deceased he was in the street. I knew it was Narsoo Rajoo, when I first heard a cry "dorrajah" he was so called from a harelip. When I saw him in the street he was tied by his arms with a rope, he was then near Moonesawmy Modelly's house, opposite the house next his house, deceased was breathing hard; he did not speak. I did not see any one strike him. I do not know any thing more. All the people took deceased opposite to Sooboroya Graminy's house. In the street Chinnoo had hold of him. I did not see any one else. He was surrounded by a crowd. I did not see any one beating deceased. I did not see any one with sticks. I am short sighted and cannot see properly. I then went away. I know Narsoo Rajoo. He was a man of good character and used to work hard and earn for himself. I never heard of his stealing before. He used to drink occasionally. I saw him 10 or 12 days before his death under the influence of liquor, but he could take care

of himself. I only made it out by the smell. There is an empty house in the street two doors from Sooboroya Graminy's house and next to the house of the last witness on the other side from my house. I do not know of any quarrel between deceased and Sooboroya or any one. Used to see the deceased going and doing Sooboroya's business. I do not know whether he was employed by him or not. When I saw Nurso Rajo with his arms tied I was about 2 yards from him. I knew him perfectly. I saw the three large vessels now produced lying in the street opposite Sooboroya Graminy's house. They were there before the deceased was brought up opposite Sooboroya's house. I do not know to whom these vessels belong. When I saw the deceased in the street there was one large light composed of a 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 hundred and fifty six at the Coroner's Office Beach, the contents having been previously explained by the Sworn Interpreter.

Sooboroya Naick
A true Interpretation
J. Mahomed Ebsoff
Sworn Interpreter.

Before me
J. Urquhart
Coroner.

Parasooram 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 Sooboroya Graminy's about 10 houses more towards the South. About 10 or ½ past 10 O'Clock on Monday night last I took my supper and came out into the street opposite my own house on the pyal. The son of the man Sooboroya now present, Shunmoogum, now pointed out by me, came to me and enquired if Nurso Rajo 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

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 Nurso Rajo's, I am tenant in his house. Deceased used to sleep in the house and also in the pyal 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 Vardarajoolo the son of the deceased that night. The 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 pyal.

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 Parasooraw Pillay
A true Interpretation
J. Mahomed Ebsoff
Sworn Interpreter.

Before me
J. Urquhart
Coroner.

Sooboroya 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 Sooboroya Graminy lives, the first house in the street. On Monday night last, about 12 O'Clock, I was asleep in my house. Sooboroya Graminy asked me and some others came and knocked at my door, I awoke and came there. Sooboroya Graminy said to 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 the pyal 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 Sooboroya Graminy. After a quarter of an hour I was seated on my pyal 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 post. I did not see any one struck. I do not know any thing more. I know Narsoo 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.

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.

Before me
J. Urquhart
Coroner

S. Soobarroya Modelly
A True Interpretation
S. Mahomed Esoof
Sworn Interpreter.

Ragoje Row being duly sworn in the Tamil language deposeth and saith. I am a Police Jalliar, No 14, attached to Cholay 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 Chembor, he is there now, come". I went to Singa Ummen Covil street and saw a large crowd. I went into the crowd. The deceased was laid in the street opposite Soobarroya Gramny's house in this street. Soobarroya said "this is the robber who robbed". At this time Monesawmy Modelly and Shunmoogum were present. I found the deceased with the piece of rope now produced and these four vessels lying beside him. Deceased was senseless. I did not then see any marks of violence on the deceased. Soobarroya Gramny 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 Jalliar took deceased to the station. He was barely 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 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.

Before me
J. Urquhart
Coroner

The mark × of
Ragoje Row
A True Interpretation
S. Mahomed Esoof
Sworn Interpreter.

Parthasarathy being duly sworn in the Tamil language deposeth and saith. I am a Police Jalliar, No 31, attached to Cholay Darogah Tannah. I was in my station Monday night last at about 10 O'clock morning when Ragoje 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.

Before me
J. Urquhart
Coroner

Parthasarathy
A true Interpretation
S. Mahomed Esoof
Sworn Interpreter.

Ramachendra 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.

A True Interpretation
J. Mahomed Esq.
Sworn Interpreter

Before me
J. Urquhart
Coroner.

(True Copies)
Fredrick Arme
Deputy Clerk of the Crown.

Madras to Wit. The deposition of Soobammah & 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 Esqr. one of Her Majestys Justices of the Peace in and for the Town of Madras aforesaid, in the presence and hearing of Sooboroya Graminy, Shunmoogum, Summenthum, Chinno, Moonesawmy Modelly and Moonesawmy Naidoo of Madras Labourers charged before me the said Justice with having on the night of Monday the 6th October 1856, in Cholay of Madras, assaulted one Nurson Rajoo, the son of the said Soobammah, and feloniously wilfully and of their malice aforethought did then and there strike beat and kick the said Nurson Rajoo, and thereby caused the death of him the said Nurson Rajoo:—

The said Soobammah saith as follows—

I am a widow. I live in Cholay of Madras. The late Nurson Rajoo was one of my sons aged about 30 years. He lived with me. He was in the employ of the 1st Prisoner Sooboroya

Sooboroya Graminy as a domestic servant for about 2 years on a salary of five Rupees per mensem. Prisoner Sooboroya Graminy lives in the same street in which I live; his house is situated on the opposite side 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 Nurson Rajoo being dragged by six men, viz. the 1st Prisoner Sooboroya Graminy, the 2d Shunmoogum, the 3d Summundum the 4th Chinno, the 5th Moonesawmy Modelly 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 Sooboroya Graminy and poured upon my son's head. By this time Samuel Rees came and lifted up my son, but his head fell. They took him to the Samah; 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.

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
Soobammah.

Before me
T. G. Clarke
Justice of the Peace.

Madras to Wit. The Deposition of Varadarajoolo a boy aged about twelve years, taken on Solemn Affirmation in the presence and hearing of the Prisoners Sooboroya Graminy, Shunmoogum, Summundum, Chinnoo, Moonesawmy Modelly and Moonesawmy Naidoo.

The said Veradarajoolu saith as follows-

I am the son of the deceased Nurseo 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 pyal 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 pyal every night. On a Monday night when I was sleeping with my father on the pyal, I do not know the hour but it was midnight, I saw the 1st and 5th Prisoners, Chinnoo and Monnesawmy Modelly, near the pyal and heard them call for my father "Rajah, Rajah". My father got up and asked what they wanted. Chinnoo said that his master (Soobarroya Graminy) wanted him, and as my father was about tying his cloth, Chinnoo said never mind the cloth; at this time Soobarroya Graminy from the outer pyal of his own house called out "Chinnoo, Chinnoo;" upon this my father Chinnoo and Monnesawmy Modelly left the place. I followed Chinnoo and Monnesawmy Modelly, both told me to go back to my place and sleep. My father also desired me to return, at this time I also saw Soobarroya Graminy standing on the outer pyal of his house, and also his two sons the Prisoners Shunmogum and Summunthum standing in the street. I returned to the pyal and fell asleep. Some time afterwards, I dont 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, I 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 Monnesawmy Modelly.

Shunmogum and Sushmunthum with sticks were pushing him along. The sticks were cocoanut leaf ribes; 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 Shunmogum, Summundum, and Chinnoo; and Monnesawmy Modelly 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. Monnesawmy Naick also had a stick of the thickness of my arm and with it, when my father was lying 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 Soobarroya 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 Shunmogum, Summundum, Chinnoo, Monnesawmy Modelly and Monnesawmy Naidoo and Soobarroya Graminy followed them. He was dragged to the street door of the house of Soobarroya Graminy. Soobarroya Graminy went inside, brought some brass articles, and left them by the side of my father. The articles now shewn me are the same; Soobarroya 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 no body would do it, I myself let the rope and untied it; after this Soobarroya Graminy struck at my fathers side with the cocoanut ribs, and Monnesawmy Naidoo laid hold of my father's hair and twarled him round and round and threw him down, after doing this, he abused my father and said that his (Monnesawmy Naidoo's) hands were full of blood and filth, saying this he went into his own house, which is close to Soobarroya Graminy's. Shunmogum 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 Soobarroya 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, Narraine 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. He then called for some water and dashed it at my father's face and then he was removed to the Gannah. 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 Shunmogum and

Summunthum. I gave the Pew the cord by which my fathers arms were pinnioned. After this I heard the clock strike one. I remained all the time at the Gannah with my father; the Pews 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 1856, the contents having been
explained by the sworn Interpreter.

Varadarajooloo

Before me
H G Clarke
Justice of the Peace

Madras to Wit. The Deposition of Ramachendra Rajoo of Madras Inhabitant, taken on Solemn Affirmation in the presence and hearing of the Prisoners Sooboroya Gramany, Shunmoogum, Summundum, Chinnoo, Monnesawmy Moodelly and Monnesawmy Naidoo.

The said Ramachendra Rajoo saith as follows:

I am a Peon in the salt pans. Prosecutrix Soobbamonah is my mother. The deceased Narsoo Rajoo was my elder brother; he lived with my mother and myself. I know the six Prisoners now present, named respectively Sooboroya Gramany, Shunmoogum, Summundum, Chinnoo, Monnesawmy Naidoo and Monnesawmy Moodelly. My deceased brother Narsoo Rajoo was in the employ of the 1st Prisoner Sooboroya Gramany for about two years. Sooboroya Gramany 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 Narsoo Rajoo 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 noon I saw my brother lying dead in the Vepery Hospital. Two months before he died, he was discharged by Sooboroya Gramany from his service; about fifteen days after he was discharged, one morning when I was on the outer pyal in the street cleaning my teeth, I saw my brother going to attend the calls of nature. He met the Prisoner Sooboroya Gramany threatened him saying; "if you speak more I will strike and kill you", upon this my brother went away. On the following day the 2d Prisoner Shunmoogum, who is the son of the 1st Prisoner, met me as I was going to the Salt Pans. he was in the bandy; he stopped the bandy; he told me, that my brother (the deceased Narsoo Rajoo) 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 3d Prisoner Summundum is also the son of the 1st Prisoner Sooboroya Gramany; 4th Prisoner Chinnoo is the bandy driver of the 1st Prisoner.

Taken in Solemn Affirmation
at Madras aforesaid the 31st day of
October 1856, the contents having been
explained by the sworn Interpreter.

Ramachendra Rajoo

Before me
H 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 Sooboroya Gramany, Shunmoogum, Summundum, Chinnoo Monnesawmy Moodelly and Monnesawmy 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 Narsoo 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 pyal 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 pyal of the opposite house with his son Varadarajoo. 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 Sooboroya Gramany, with a light in his hand, knocking at the street door of the opposite house; there was a large crowd in

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 Soobaroya Graminy then went and sat on the pyal 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 Narsoo Rajoo was caught; upon this I immediately came to the street and went to the pyal, where my brother Narsoo Rajoo used to sleep; he was not there, but his son was: I then saw Soobaroya 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 Shunmoogam, Summundum, the bandy driver Chinnoo and Monnesawmy Modelly. Shunmoogum kicked my brother and with a stick in his hand shoved him along. Sammundum also had a stick, he was kicking and shoving my brother with the stick; the sticks were of the thickness of five finger, and about four feet in length, Chinnoo with his knee likewise kicked my brother. Monnesawmy Modelly also gave him a blow. Monnesawmy Naidoo got hold of my brother's hair, and was saying [illegible] 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 pyal of the house of the Prisoner Soobaroya Graminy. By this time the Gallias 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 thirty first day of October One thousand Eight Hundred and fifty six, the contents having been explained by the sworn Interpreter.

The mark × of
Gopaula Rajoo

Before me
J. G. Clarke
Justice of the Peace.

Madras to Wit. The Deposition of Parasooraina Pillay of Madras Inhabitant, taken on Solemn Affirmation in the presence and hearing of the Prisoners Soobaroya Graminy, Shunmoogum Summundum, Chinnoo, Monnesawmy Modelly and Monnesawmy Naidoo.

The said Parasooraina Pillay saith as follows:
I am a Peon in the Sessions Depy, and live in the same house in which the deceased Narsoo Rajoo lived. I have resided in that house for about seven or eight months. On Monday night, I do not exactly know the number of days, about 10 O'clock the 2d Prisoner Shunmoogum came to the house. I was sitting in the street Pyal, and asked me whether Narsoo Rajoo was in the house or not. I told him that he had taken his rice and gone out. He asked me to tell Narsoo Rajoo to come to his house, but since that night, I have seen nothing more of Narsoo Rajoo. 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 marks × of
Parasooraina Pillay

Before me
J. G. Clarke
Justice of the Peace

Madras to Wit. The Deposition of Soobarayloo Naick of Madras Inhabitant, taken on solemn affirmation in the presence and hearing of the Prisoners Soobaroya Graminy, Shunmoogum, Summundum, Chinnoo, Monnesawmy Modelly and Monnesawmy Naidoo.

The said Soobarayloo Naick saith as follows:
I am a Book Hawker, and live in Choolay of Madras. I have known the deceased Narsoo Rajoo from his infancy. On a Monday, about 26 days ago, about 12 O'clock at night, Prisoner Soobaroya 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. Sooboroya 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 Chinno 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.

Soobroyalu Naick.

Before me
G. G. Clarke
Justice of the Peace

Madras to Wit. The Deposition of James Kellie of Madras Esquire, taken on oath in the presence and hearing of the Prisoners Sooboroya Graminy Shunmoogum, Summundum, Chinno, Moonesawmy Moodelly and Moonesawmy Naidoo.

The said James Kellie saith as follows:

I am a Surgeon of 2d District, and in charge of the Vepery Hospital. A native Nursoo Rajoo, apparently of the age of 28 or 30, upper lip marked by hair lip, was admitted in 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 dialated 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 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 turnour a little more than an inch in diameter was discovered on the vortex 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. 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 palm of my hand, seteriated 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.

J. Kellie
Surgeon, 2d District.

Before me
G. 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 Sooboroya Graminy, Shunmoogum, Summundum, Chinno, Moonesawmy Moodelly, and Moonesawmy Naidoo.

The said Racojee Row saith as follows:

I am a Jallear of Police, No 14, stationed at the Darogah Tannah in Choolay. On the morning of Tuesday the 7th October 1856, at about 1 O'clock the Prisoner Chinno and a man named Moonesawmy came to the tannah, and from what Chinno said, I immediately went to the house of the Prisoner Sooboroya Graminy with Doorwasum Jallear and Khader Saib Lance Naick. I saw a large crowd in the street near Sooboroya Graminy's house. I also saw the Prisoners Sooboroya Graminy, Shunmoogum and Moonesawmy Moodelly in the crowd. The deceased Nursoo Rajoo was then lying in the street opposite to the house of Sooboroya Graminy, and the brass articles and the coir string now produced were lying by him. Sooboroya Graminy, 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. Sooboroya Graminy then said that the deceased Narsoo 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 Candy driver Chinnoo went and brought him out. Sooboroya 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 Pallear Doorvasum lifted up the deceased Narsoo 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. At this time the boy Varadarajoolo, 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, where I found Narsoo Rajoo lying dead. On information I proceeded to the house of the Prisoner Sooboroya Graminy and apprehended him as well as his son Shunmoogum and Moonesawmy 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
Moonesawmy.

Before me
J 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 Sooboroya Graminy, Shunmoogum, Summundum, Chinnoo, Moonesawmy Moodelly and Moonesawmy Naidoo.

The said Moonesawmy saith as follows:

I am a Pallear 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 Narsoo Rajoo. I arrested him near the Darogah's tannah in Cholay about 4 O'clock in the evening. Chinnoo said "I myself, Shunmoogum, Summundum and Moonesawmy Moodelly beat Narsoo 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 (Narsoo Rajoo) on the head. Narsoo 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.

Moonesawmy.

Before me
J 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 Sooboroya Graminy, Shunmoogum, Summundum Chinnoo, Moonesawmy Moodelly and Moonesawmy Naidoo.

The said Cader Saib saith as follows:

I am a Police Lance Naique No 5, stationed at Coonnata Covil Tannah in Cholay 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 Sooboroya Graminy Sooboroya and his son the Prisoner Shunmoogum and the Prisoner Moonesawmy Moodelly were standing in the street in front of the house. There was a crowd. The deceased

Narsoo Rajoo was lying on the ground and the brass articles and the Cow string now produced were beside him. I alliars Pragojee Row and Doorvasum were present. Sooboroya Graminy, Shunmoogum and Moonesawmy Modelly all three said that Narsoo Rajoo was one of the thieves who had entered his (Sooboroya Graminy's) house and that they had caught him (Narsoo Rajoo) and that the others had ran away. Narsoo Rajoo was speechless. The Pallias lifted him up and took him away towards their tannah, and I went on my rounds.

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

Cader Saib.

Before me
H G Clarke
Justice of the Peace

Madras to Wit. The Deposition of Lingappew of Madras Inhabitant, taken on Solemn affirmation in the presence and hearing of the Prisoners Sooboroya Graminy, Shunmoogum, Swammundum, Chinnoo, Moonesawmy Modelly and Moonesawmy Naidoo.

The said Lingappew saith as follows:

I am a Police Pallias, No 46, Stationed at Cholay 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 Cholay; shortly afterwards Prisoner Moonesawmy Naidoo attended the tannah. I took him into Custody.

Taken on Solemn affirmation at Madras aforesaid this first day of November One thousand Eight hundred and fifty six, the contents having been explained by the Sworn Interpreter.

Lingappew.

Before me
H. G Clarke
Justice of the Peace.

Madras to Wit. Sooboroya 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 any defence here. I shall reserve my defence for the Supreme Court.

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

The mark × of
Sooboroya Graminy

Before me
H 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 any defence here. I shall reserve my defence for the Supreme Court.

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

Shunmoogum

Before me
H. 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 3d day of November 1856, the contents having been explained by the sworn Interpreter

Before me

J. G. Clarke
Justice of the Peace

Summundum

Madras to Wit. Chinnor 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 3d day of November 1856, the contents having been explained by the sworn Interpreter

Before me

J. G. Clarke
Justice of the Peace

The mark × of
Chinnor

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 3d day of November 1856 the contents having been explained by the sworn Interpreter.

Before me

J. G. Clarke
Justice of the Peace

Moonesawmy Moodelly

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Madras to Wit. Moonesawmy Naido 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 3d day of November 1856 the contents having been explained by the sworn Interpreter.

Before me

J. G. Clarke
Justice of the Peace

Moonesawmy

(True Copies)
Fredk Orme
Dep. Clerk of the Crown

No 573

Orders to be forwarded to the Honble the Court of Directors for presentation to Her Majesty the Queen thro' the prescribed channel.

Fort St George,
30 May 1858

C. No. 89-90
12/3/58

See from H. Court
No. H 6 1858