M.R.O. 1—30,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1188-87 Press Mis. 5

9-11

Dated 5-9-1887

Not to be folded or roughly handled

Read again letter from the Magistrate of Malabar, dated 19th August and recorded in Proceedings, 2nd September 1859, No. 1151.

No. 9. Read also the following letter from H. L. ANDERSON, Esq., Secretary to Government, Bombay; to T. PYCROFT, Esq., Chief Secretary to the Government of Madras, Fort Saint George, dated 23rd August 1859, No. 869.

I am directed by the Right Honorable the Governor in Council to forward to you, for submission to the Government of Madras, copy of a letter and of its enclosures from the Deputy Commissioner of Police, Bombay, dated the 22nd Instant, No. 578, and at the same time to state that the Moplah out-law and his companions will be detained in custody until further instructions for their disposal are received from the Government of Madras.

From C. FORJETT, Esq., Deputy Commissioner of Police; to H. L. ANDERSON, Esq., Secretary to Government, Bombay, dated 22nd August 1859, No. 578.

I have the honor to acknowledge the receipt of your letter No. 864, Secret Department, dated 20th Instant, referring to a telegram forwarded to me by Mr. Acting Secretary Ellis, also enclosing a further telegram on the same subject, and requesting an early report of my proceedings in the case.

I beg also to acknowledge the receipt of a further telegram dated 21st Instant, on the subject.

On the receipt of the telegram from Mr. Secretary Ellis, enquiry was immediately set on foot for the out-law therein named, and his followers, and they were yesterday, I beg to state, taken into custody.

The name of the out-law is Ooleewan Moosa *alias* Poluckumunel; of his identity there can be no question.

The names of the two men found with him are—

Koonia Enajee and

Koonee Moideen Bawachee.

From their own statements, herewith forwarded, and from enquiry I have instituted, I have reason to believe, that they were the only companions of the out-law on his return to Bombay. They deny that their names are Palikar Coonly Packer and Parrianoor Mamoo Moossesir, as stated in the telegram of the 21st Instant. Particulars, however, are mentioned in their statements, which will at once show whether or not they have spoken the truth.

These men as well as the out-law are now in confinement, and as they are likely to remain so for some time, I have arranged that subsistence money, at two Annas per diem, should be paid to them as the usual rate of one Anna and three Pies, paid to prisoners, who are in confinement for only a very few days, would be inadequate for men in detention for a longer period.

I beg at the same time to solicit instructions as to the disposal of these men.

I beg to return the telegrams received by me with reference to this subject.

Statements made by the two Moplahs who came to Bombay with the out-law Ooleewan Moosa.

Koonia Enajee Kootrayen.—I am a Native of Quilundee, or Kooblee Kundee, a village about 3 coss from Calicut, and am a Lascar. I am about forty years of age. My wife's name is Patma Cootee. I have two daughters; the elder named Ashuma, is about 17 years of age, and is married to my nephew Abdoola Oomer, the younger is named Kakachee, and is seven or eight years old. Any of the inhabitants of my Native village will testify to the truth of my foregoing statement. I left home on the 10th of the month Jummadeeul-akhur last year, (corresponding to 26th January 1858) and went to Elfia, a sea-port in the Travancore territory, in search of employment. I got work in an Arab vessel which called there on her way from Calcutta to Jeddah. I went in her to Jeddah, left her there, and went on to Mecca and remained there one month; then went to Medina, where I fell sick and remained about a month and a half. I returned to Jeddah, and after staying about a month there, begged a passage in a small boat to

Hodeidah, during that passage I first became acquainted with Ooleewan Moosa, who was also a passenger. At Hodeidah he and I separated. I stayed at that place 5 or 6 months, and there met, for the first time, Koonia Moideen Bawachee Ooleewan Moosa, Moideen and I were subsequently fellow passengers from Hodeidah to Bombay. We were the only Moplahs on board. I know nothing of the private affairs of either Moosa or Moideen. We arrived at Bombay about two months ago and parted on landing. I occasionally saw the others afterwards in the streets of Bombay. I have been sick and living on charity since I came to Bombay. I have nothing further to say.

22nd August 1859. (Signed) KOONIA ENAJEE KOOTRAYEN.

Koonia Moideen Bawachee.—I am a Native of Churkur Parambutt, a village about six ghurries' journey from Calicut, and am about twenty years of age. I kept a small shop and sold rice, cocoanuts, &c., at my Native place. My father, two sisters, and brother still live there. My elder sister is named Beeramah. She is married to one Serang Endayt Mahomed, a beef butcher at Calicut, any one living at Churkur Parambutt will prove the truth of my statement. I left home five months ago with one Eerole Veeram a Sea-kunnie, and embarked with him in a ship bound to Jeddah. He died on the passage, and I wishing to return home, left the ship at Hodeidah. I stayed there about one month, and there met Moosa and Enajee. I did not previously know them, neither of them is related to me. I know nothing of their private affairs. We three came in the same vessel to Bombay from Hodeidah and parted on landing. I have worked as a labourer on board ship since, and so supported myself. I have had no settled place of residence but have slept at different Mosques and Durgahs since I came to Bombay. I have no further statement to make.

Moosa, Enajee and I were the only Moplahs on board the ship during our passage from Hodeidah to Bombay.

(Signed) KOONIA ENAJEE KOOTRAYEN
for KOONIA MOIDEEN BAWACHEE.

22nd August 1859. (Signed) C. FORJETT,
Deputy Commissioner of Police.

(True Copies.)

(Signed) H. L. ANDERSON,
Secretary to Government.

No. 10. ORDER THEREON, 5th September 1859, No. 1186.

Resolved that the Government of Bombay be requested to forward the Moplah Ulaven Moota to the Zillah Jail at Honore, and that he be tried before the Session Judge of that Zillah under Section VI, Act XXIII, 1854, for returning within the limits of the Continent of India. The prosecution will be conducted by the Government Vakeel of the Court and the Magistrate of Malabar will furnish him with full instructions and will send to Honore witnesses necessary for identifying the Moplah, and to prove the execution of the Deed entered into by him on his quitting Malabar in 1858.

2. The Session Judge will report direct to Government the result of the trial, with any sentence that he may pass, and will await the Orders of Government for the disposal of Ulaven Moota—whether he be convicted or acquitted of the charge on which he is to be tried—guarding him meanwhile with the utmost vigilance in reference to his known desperate character.

3. The Government of Bombay will be requested to forward the Moplah to Honore by sea if practicable. If it be necessary to send him by land, they will be requested to despatch him under a strong guard and with every precaution against escape.

4. Copies of the depositions given by his two companions will be forwarded to the Magistrate of Malabar, and he will be requested to state whether there be any grounds for proceeding against these men. Meanwhile the Bombay Government will be requested to detain them in custody.

(Signed) PYCROFT,
Chief Secretary.

Proceedings of the Madras Government, Judicial Department, from 3rd to 9th September 1859.

No. 11. To the Secretary to the Government of Bombay, dated Fort Saint George, 5th September 1859, No. 1187.

I have the honor to acknowledge receipt of your letter, 23rd August last, No. 869, and under the orders of the Honorable the Governor in Council, to request that the Government of Bombay will issue orders directing the Moplah out-law, Ulaven Mootah, therein referred to, to be forwarded to Honore—North Canara—to the charge of the Zillah Judge of that station, before whom he will be tried under Section VI, Act XXIII, 1854, for returning to India. It is desirable that he should be sent by sea, if practicable. If it be necessary to send him by land, he should be despatched under a strong guard and with every precaution against escape. I have to request further that it may be intimated by telegraph when the Moplah will start from Bombay, and whether by sea or land.

2. With respect to his two companions, I have to request that they may be detained in custody pending further advice.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Clifton 26th

My dear Sir Ross

You mentioned
Grand Lodge wished
the Masonic Lodges
returned from "retirement"
under the ad-
vice of the
Grand Lodge as
that the same is
followed Good

Judicial Department

Proceedings of the Madras Government

Read again letter from the Magistrate of Malabar — Dated 19th and recorded in the Proceedings of 27th August 1859 No. 1151.

Read also the following letter from the Secretary to Government of Bombay.

(Here enter 23rd August 1859 No. 869)

Order thereon 5th September 1859 No. 1186.

Resolved that the Government of Bombay be requested to forward the Moplah Maraen Noor to the Zillah Jail at Tanore, and that he be tried before the Sessions Judge of that Zillah under Section VI ~~Act XXIII~~ 1854 for returning within the limits of the continent of India — The prosecution will be conducted by the Government Vakeel of the

the Court and the Magistrate of Malabar will furnish him with full instructions and will send to Honore witnesses necessary for identifying the Moplah and to prove the execution of the deed entered into by him on his quitting Malabar in 1888.

2 The Sessions Judge will report direct to Government the result of the trial with any sentence that he may pass, and will await the orders of Government for the disposal of Ulavan Moota - whether he be convicted or acquitted of the charge on which he is to be tried - guarding him meanwhile with the utmost vigilance in reference to his known desperate character.

3 The Government of Bombay will be requested to forward the Moplah to Honore by sea if practicable. If it be necessary to send him by land, they will be requested to despatch him under a strong guard and with every precaution against escape.

4 Copies of the depositions given by his two Companions will be forwarded to the Magistrate of Malabar and he will be requested to state whether there be any grounds for proceeding against them or not - meanwhile the Bombay Government will be requested to detain them in custody.

To The Magistrate of Malabar
" Sessions Judge of Honore
" Hoydar ed Ulawlut

} Dispatch

Proceedings of Govt 9 Sept
Judicial 1859 Sept
No. 1186
Proceedings of Govt

Dated 5 Sept/59

6 Judicial.

No. 1187.

The Secretary to the Govt. of Bombay.

Sir

I have the honor to acknowledge receipt of your letter, 23d August last No. 869, & under the orders of the Hon'ble the Governor in Council, to request that the Govt. of Bombay will issue orders directing the Moplah Outlaw, Ulaveen Mootah, therein referred to, to be forwarded to Honore by Sea, if practicable. If it be necessary to send him by land, he should be despatched under a strong guard & with every precaution against escape. I have to request further that it may be intimated by telegraph when the

North Canara - to the charge of the Zillah Judge of that Station before whom he will be tried under Sect VI. Act XXIII. 1854 for returning to India. It is desirable that he should be sent

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by sea or land.

2. With respect to his two companions, I have to request that they may be detained in custody pending further advice

Fort St George
5th Sept 1857

J P