M.R.O. 1—39,000—16-10-53.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1559 Press Mis.

53-54

Dated 16—11— 1953

Not to be folded or roughly handled

No. 53. Read the following letter from H. AMES, Esq., Commissioner of North Canara; to T. PYCROFT, Esq., Chief Secretary to Government, Fort St. George, dated Sircee, 2nd November 1859, No. 478.

I have the honor to submit, for the consideration and Orders of Government, copy of a sentence passed by me under Act XIV of 1857, on one prisoner connected with the recent disturbances in these parts.

No. 7 of 1859.

Prosecutor. Her Majesty's Government.

Prisoner. Phondu.

Witnesses.

1. Antoni Soojah.
2. Gopala.
3. Phondu.
4. Mangomadoo.
5. Avoomalik.

Charge, Dacoity.—Charged with having been willingly an armed member of Sidi Bastian's gang from the month of March 1859, till the 15th July 1859.

Further charged with having at Veranoli, on the 8th April 1859, taken part in attacking the house of the 1st witness when property worth 56 Rupees 2 Annas was carried off.

Remarks.—The prisoner pleads not guilty to both counts.

The first three witnesses state that the prisoner belonged to their village "Veranoli." He disappeared some time in March last, while employed in feeding cattle. On the night of the 8th April the Bund came to Veranoli, beat and ill-treated three witnesses and according to 1st witness' statement plundered his house. All three witnesses then recognised the prisoner who was one of the gang, free, and armed with a musket. The first witness asserts that the prisoner gave him two blows on the back with the butt of his musket. This the prisoner acknowledged before the Committing Officer, but now denies. The 4th and 5th witnesses who were taken prisoners by the Bund on the 6th April 1859, depose to the prisoner having been one of the gang and armed, they also say he was present at the attack on the Yellapoor Moonsiff on the 7th April 1859.

The prisoner was apprehened on the 15th July, armed, and in company with another armed Bundman, while endeavouring to escape into the Goa territory after Lieutenant Drever's attack upon the Bund of the 5th July. The prisoner asserts that he was carried off forcibly by the Bund and that he remained with them, carrying a musket under compulsion till apprehended. The circumstances under which he was apprehended as above detailed render this statement very improbable; the prisoner has, moreover, been previously known as a man of bad character.

I consider both charges proved.

Sentence.—Under the powers of the Commission issued to me under Section VII, Act XIV of 1857, the prisoner Phondu is hereby sentenced to (2) two years' imprisonment with hard labour.

(Signed) H. AMES,
Commissioner.

Commissioner's Court, Sircee, 2nd November 1859.

No. 54. ORDER THEREON, 16th November 1859, No. 1559.

Government confirm the sentence of two (2) years' imprisonment with hard labor, passed by the Special Commissioner in North Canara, against the prisoner Phondu.

(Signed) T. PYCROFT,
Chief Secretary.

Judicial Depart.

No. 1852.

From
S. Ames Esq.
Commissioner of North Canara.
Dated 2d November 1869.

For Orders

Submitted
Whitehead.
10 Nov 1869

Secretary

Secretary

No. 1559 16 November 1859

Govt. confirm the sentence of Two 2 years imprisonment with hard labor passed by the Special Commissioners in North Canara, against the prisoner, Phondu.

J P

The Special Commissioner
North Canara.
Superintendent of Jails.

under Act

XIV of 1857, on one prisoner connected with the
recent disturbances in these parts.