

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	277	Press
		~~Mis.~~
Dated	21—2—	19 1867

Not to be folded or roughly handled

277/67

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*Proceedings of the Madras Government, Judicial Department,
21st February 1867.*

No. 186. Read the following letter from the Honorable W. HOLLOWAY, Judge of the High Court of Judicature, Madras, to His Excellency the Governor of Fort Saint George in Council, &c., &c., &c.; dated—February 1867.

At the February Sessions of the High Court, Moonichee was convicted by the Jury of the murder of her infant child; the evidence was of the most conclusive character, but the Jury, after delivering their verdict, recommended the prisoner to mercy.

2. I am unable to say, although I am inclined to think, that the object of the Jury was to save the woman, whom they believed to have been actuated by sorrow and want, from a sentence of capital punishment.

3. The sentence passed upon her was transportation for life. I do not myself see any ground for further mitigation; and I make this communication solely on account of the recommendation of the Jury.

No. 187. To the Honorable W. HOLLOWAY, Judge of the High Court of Judicature, Madras; dated Fort Saint George, 21st February 1867, No. 277.

In acknowledging the receipt of your letter of the 12th instant, I am directed to inform you, that the Governor in Council does not see any grounds for mitigating the sentence of transportation for life passed by you upon Moonichee.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Jud. Dept.

N:311-

From the Acting Advocate General
2/12 February 1867.

N:334

From the Honorable W. Holloway
Judge of the High Court - Madras.
2/ February 1867.

For Orders.

I do not see grounds for mitigation
in this case. If the woman were in
want she could at the present
time at least have got food at
one of the relieving houses. As
the Judge does not support the
recommendation of the Jury and
as a compromise with the misde-
eds of bad example, I would not
accord to it. JPR over

passed by you upon
Mominia.

George D
ary 1867.



I do not see the object of the Court from
Mr. Justice Hallaway, which, so far as I can
recalled, is not called for by any repetition
of the Code Criminal Proc. Any how, it does not
seem to demand either a new or an answer.
Sentence of transportation for life has been
passed in conformity with the records of
the Court & I suppose the matter must
rest. If, however, any action is taken
I certainly could not go with the Court in the
undisputed view they have adopted.

Wd

I think your grounds for mitigating
the sentence. No

despatch

3

1877. Judicial Department

76

The Honorable W. Hallaway
Judge of the High Court of Judicature
Madras.

Dear Sir,

In acknowledging the
receipt of your letter of
the 12th instant, I am
directed to inform you
that the Governor in Council
does not see any grounds
for mitigating the sentence
of transportation for life
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Fort Saint George
21st February 1877.

[Signature]

Smith, J. H. (1)
on m. Kricher.

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Charles W. B. B. B.

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