

Journal Department

8.6 No. 1903 MS

D.W.D. 16.9.1891

115
1-16-8-97

Madras
26/11/97

Supintendent
Prison
Mr. Penitentiary
Madras.

Mr. I have the honor to hand
you herewith Supplemental Memo
rial to be signed by Court Ramaswami
I am sorry the Chief Secy
that I have this day handed
over same to you. Kindly acknowledge
and reply

Yours truly
Wm. J. G. R. K.
Court for Ramaswami &c.

Another witness said that

Nominal Roll of Convict No. *4183 Rawa chunder Das*

Crime.	Sentence.	Date of Sentence.	Adjudicating Court.	Age.	State of Health.	Conduct in Jail.	Result of the Appeal to High Court.	Remarks and previous convictions.
<i>Murder</i>	<i>Sentence to Death</i>	<i>13 August/91</i>	<i>High Court Madras</i>	<i>48 years</i>	<i>Good</i>	<i>Good</i>	<i>No appeal on the High Court decision</i>	<i>One previous conviction. Copy of judgment with available</i>

HER M. PENITENTIARY OFFICE,

26 August 1891

D. C. W. Hardy
Superintendent of Prisons
for the Town of Madras.

No. 1748

HER M. PENITENTIARY OFFICE,
Madras, 26 August 1891

FROM D. A. MCCREADY, Esq.,
SUPERINTENDENT OF PRISONS
FOR THE TOWN OF MADRAS,

To THE Inspector General of Sails
Cotacaimund

SIR,
Prisoner Ramachandra Rao
who is under sentence of Death
petitioned the Govt in the usual
manner, and his memorial
was submitted on the 18 Inst.
to the Chief Secretary to Govt in
accordance with the existing
rules. I have this day received
the accompanying letter, and
supplemental memorial
from Mr W S Grant, as I am
in doubt whether I am authorized

to submit such a thing
as a Supplemental Memorial

FROM

THE Supt. of PRISONS
FOR THE TOWN OF MADRAS,

I beg to forward the
same through you.

THE Insp. Genl. of Prisons
at a comms

Have the honor to be

Sir

Dated

Recd.

26 } August 1891.

Your obedient servant

No. 1748

I am, Sir,
Sept of Prison

ENCLOSURE 1

Submitting Memorial
received from the
in behalf of Prisoner
Rama Chandra Das
for submission
Govt

To
His Excellency the Right
Honorable the Governor in Council
Fort St George.

The humble petition of Rama
Chandra Das who was sentenced to
Death by the High Court of Judicature
at Madras in criminal sessions
held on the 10th August 1891 and now con-
fined in the Penitentiary,
Madras.

I your petitioner did not
commit the offence. There is no direct
evidence in the case. All the witnesses
examined for prosecution were tutored
by the Police, and the case was concocted.

One witness said that I was seen
near the place where the offence was com-
mitted at midnight. When it is not pos-
sible for one to identify another who is
a stranger to him. This is in itself
clear that he is not a reliable wit-
ness. Another witness said that

that went to him at midnight
and smoked Ganjah with him. At
this time I was sleeping with some
Byzagers near Tdonnialler. They
were not examined by the Court.

One Convict who was in Jail
in a separate ward from mine
deposed that I told him that I
would kill my wife on my release.
This is utterly false, even if I had
that in view, I would not have ex-
posed it to a stranger and had it
been fact he would have reported
it at once to authorities; this he
had not done. His statement is
therefore false.

A petty trader was cited as
a witness to prove that I purchased
the knife from him. This is another
fabrication because it is impossible
for a merchant to identify now
all those who had dealings with him
15 or 20 days before.

Another point in my case is
that the cloth worn by me was
stained with blood. This is alto-
gether

altogether false. It did not contain
a spot of blood; if it was stained
I would not have worn it. I do not
know what happened to the cloth
after it was taken out from me.
Half the number of Turons pro-
nounced verdict of not guilty;

Under these circumstances
your Excellency in Council will
plainly observe that one and all
the facts proved against me are
open to suspicion.

I therefore pray that your Excel-
lency will give due consideration
to my poor case and order my release.

रामाचरनदासाजी

His Penitentiary J. L. W. beady
Supt. Prison
Doras 18 August 1912 Doras

From
 Convict No 7183 with a life
 sentence of death in the
 Penitentiary at Madras.

To His Excellency Mr
 Right Honorable Mr
 Governor in Council

Dated 18th August 1891

Received
 No 314

RECEIVED

Subject
 States that he did not commit
 the offence and there is no direct
 evidence in this case. Points
 out several circumstances
 which lead to doubts and
 prays that he may be or-
 dered to be released on
 due consideration.

Nominal Roll of Convict No. 7183 Ramachander Goll

Crime.	Sentence.	Date of Sentence.	Adjudicating Court.	Age.	State of Health.	Conduct in Jail.	Result of the Appeal to High Court.	Remarks and previous convictions.
Murder	Sentenced to death	13 th August 1891	High Court Madras	48 years	Good	Good	No appeal on the High Court decision	One previous conviction Copy of judgment not available.

HER M.'s PENITENTIARY OFFICE,
 Madras, 18th August 1891.

P. C. W. Beechey
 Superintendent of Prisons
 for the Town of Madras.

13
Certified that Convict No 7183. Ramea
Theodoros who was sentenced to Death
at the Criminal Sessions of the High
Court Madras held on the 10th August
1891 will not be executed until a
definite reply is received from Govern-
ment.

At this Court
Madras 18 August 1891

J. H. W. Leach
Supt of Prisons
Madras.

15
No 87. Prison Office High Court
Madras. 17th August 1891

From J. C. Serrano Esq
Clerk of the Prison

To The Superintendent of Prisons
Madras.

Sir.

With reference to the petition
of prisoner No 7183 Ramachari
Esq received this day, I am
directed to request you to inform
the said prisoner that any petition
which he desires to make with
regard to the sentence of death is
passed upon him should be made
to His Excellency the Governor
in Council without delay.

I have the honor to be

Sir

Yours Most Obedt Servt

J. C. Serrano

Clerk of the Prison.

No 87.

Crown Office, High Court
Chadras, 14th August 1891.

From,

J. G. Kernan Esquire
Clerk of the Crown.

To

The Superintendent of Prisons
Chadras.

Prisons Case No 11 of 3rd Prison of 1891.
The Queen Empress. vs Ramacharan Doff.

Sir,

With reference to the petition of Ramacharan Doff, who was sentenced to death at the Prisons on the 13th instant, I am directed to request you to inform the above prisoner that the judgment of the Court is contained in the sentence that was passed upon him and that no copy of the judgment as distinct from the sentence can be furnished to him.

I have the honor to be,
Sir,

Your most Obedt. Servant,

John G. Kernan.
Clerk of the Crown.

Yrs.

Her Majesty's Penitentiary
No. 1624 Madras. 18 August 1891

From. G. A. McCreedy Esq.
Superintendent of Prisons
for the Town of Madras.
To. The Chief Secretary to Government
Fort St. George.

Sir,
I have the honor to forward
herewith a petition from Convict No.
7183 Ramasubbia Doss who was
sentenced to death in Criminal Session
of the High Court Madras held on
the 10th August 1891. The Convict peti-
tioned the High Court Madras pray-
ing for review of his case; this was
not allowed, but the prisoner was
ordered to petition Government
Vide letter No 87 dated 17th August
1891 from the clerk of the Crown en-
closed.

The usual Nominal Roll
and a certificate that the Convict
will not be executed until a
definite

definite reply is received from
Government are also herein
enclosed.

As the Judgment of the
High Court could not be obtained
Vide letter No 84 dated 4th Instant
from the Clerk of the Crown, no
Judgment is attached.

I have the honor to be
Dear Sir,
Your letter of the 28th Sept 1881
in relation to the case of
the Crown v. the
Supreme Court
has been received.
The case is now before
the Court and it is
expected that a decision
will be given in the
near future.

Very respectfully,
Your obedient servant,
[Signature]

Justice Department

From
10th July 1891
Times 10th July 91

The Supd. Prisons
Madras

To the Chief Secretary
to Government
Fort St George
CHIEF SECRETARY
19 AUG 91
GOVERNMENT OF MAD

Dated 18th } August 1891
Received }

E

No. 1623

Enclosures. 5

Subject

Submitting petition from
Condemned Prisoners
Rama Chandra Das.

It was the opinion of the Council
that a second was offered & the Court of Police
note the other way (was in 1891) that certain
prisoners should be released.

24/8/91

1/9/91

Justice Department

No. 3763

Petition for mercy forwarded by the Supd. Prisons
From Condemned Prisoner Rama Chandra Das No 7183

Dated

189

FOR ORDERS.

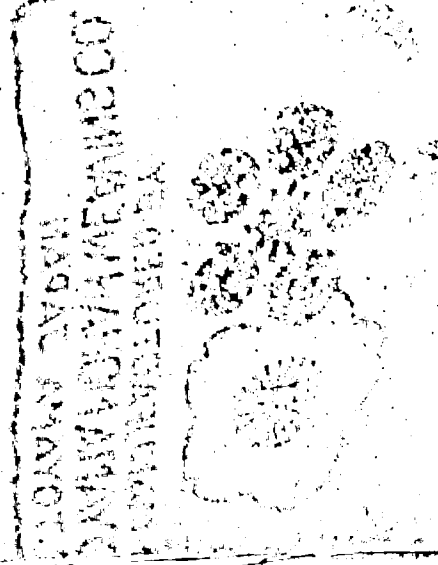
including them of the case? They
the records must be kept. It is impossible
to make any thing of the newspaper
report.

22 Aug.
25/8

The Newspaper report will be
found in the issues of the Madras
Times of 10th, 11th, 13th & 14th Inst.

Shall the notes of evidence be
asked for?
It was reported in the paper that
the man has died of cholera
& the Supd. Prisoner was kept
to find out if this was
the case. He replies that the
newspaper statement was incorrect.

22 Aug.
22/8



119. Fin or R.

Alle i Hæ. udfærdtes.

559 ^{Yours} Eighteenth inst
1624. Ha. Ravi Chindia
Does Curict 7183 died of
Cholera.

6
21 Aug.

¹ The Sept. Prisoners. Indras

Mr. Bullman in the 2nd of
-Euphras 'Urgent'

Code Class. 22 95-7 INDIAN TELEGRAPHS Monthly Number. 95-7	
To Cottamund (Office) From Madras (Office) 18/4 18/4 Day 21 Hour 10 Minute 48 Official Instructions	To Madras (Person) From Supt of Prisons (Person)
7180 ramachandra does is alive not attacked with Cholera	
Recd. from LN. Sent to LN. 21-6-97 Signature M. S. M. Telegraph Master.	

[9]

From

The Superintendent of
Prisons

No.

Dated 2/17

Received

Enclosures

August 1891

SUBJECT.

Stating that Rama-
Chandra goes to alipo
and has not been
attacked with Cholera.

Q6/22-8

INDIAN  TELEGRAPHS. *Monthly Number.*

Code
Class

T
C

3 Words

To
(Person

INDIAN

From
(Office)

From
(Person)

To
(Person

32 Word Form.

Read, from

▶

Игра

Mts. by.

Alcedoian Stm. P. Co.—No. 124 T.—1888

LN.

1 sent to

Н-1

At

15

Die Karte

STACAMUND 23-8-91

CURRENT No.

Journal DEPARTMENT.

DISPATCH BY C. S., ROUTE.

No. 891 dated 23-8-91

From The Private Secy to H.E.
the Governor.

Order 23rd August 91 R.N. 891

The following telegram ~~of~~
will be despatched to the Private
Secy to H.E. Governor's Camp.

No. 563. Ramachandran ^{arant} Doss
petition mercy went circulation
yesterday afternoon not yet
disposed of.

Jan 1991 signed by C.S.

No.

Dated 22. 8. 91

Received 23. 8. 91

Regd. Secy to Govt.

Enclosures

SUBJECT.

Stating that His Excellency
has directed that all petition
for mercy may be sent to Camp
at what stage
inquiring whether the petition
for mercy from one Ramachandran
Doss

72/8

CURRENT No.

INDIAN TELEGRAPHS. Monthly Number. 1045

Code Class. } OP

To Pootacamund

From Madras Mount Road

Words. Day. Hour. Minute. Official Instructions

44 24 8 20

From H. S. Gantz

To Chief Secretary

Madras Government

CHIEF SECRETARY
24 AUG 91

Ramachandran Doss appeal pardon
private secretary replying my
saturday telegram for postpone-
ment execution till receipt suppl.
mental memorial based on
important facts elicited from
chemical examiner refers in a
you pray postpone has being memorial
Pootacamund 24-8-91

At Madras. Mtd. by
Calculation P. Co. No. 121 T. 25-5-91-30,00,000.

CURRENT No.

[9]

Judicial DEPARTMENT.

From

Mr. W.S. Gantry

No.

Dated 24th

Received

Enclosures

August 1891.

SUBJECT.

Requesting sub-
stantiation the memorial of
a Ramachandran boss the
some important facts elicited
from the chemical examiner
are received.

Requ^d

INDIAN TELEGRAPHS.

Monthly
Number.

1042

Code
Class.

To
(Office)

Words.

To
(Person)

Day.

Hour.

Minute.

Official
Instructions.

From

From
(Person)

CHIEF SECRETARY
24 AUG 91
GOVERNMENT OF INDIA

Cuddalore

32 Word Form.

Admⁿ of this
subject of this
to the
Please send Ramachandra
Rao and all succeeding
similar petitions to
Camp.

Resd^d

Telegraph Master

CAMUND 24-8-91

Telegram
From

The Private Secretary
H. E. the Governor
Camp. Cuddapah.

No.

Dated 24 }
Received 24 } August 1891
Enclosures

SUBJECT.

asking to send Rama
Chauhan Doro's petition for mercy
and all similar petitions to
His Excellency's Camp

C 2003827 + this

J.

Order

Revised.

To the Hon. Secy. of the
 Navy, Washington, D.C.
 Dear Sir:

61. 7/8

Inst.

W.H.A.
- The protection of the
convent in questions as
in law. When it comes
down it will be reached
for H.E. also.

24/5

Ref 49m

C 189/303, mutton with salt
from the Chemical Examiner
Department of Agriculture
No. 556.

Dated 9th July 1891.
 Received

Enclosures
To The Commissioners of Police
All address
Referred.
my own letter to P. H. 117 dated 22^d
July 1891. Subject.

We have examined the iron chopper
and the two clothes received under
unbroken seals and found human
brain blood to be present on the
chopper.

Chopper.
A small Bloodstain was found
on the smaller of the two Choppers, but
it could not be ascertained whether
the Blood was human or not.
No Blood was found to the present

on the other side.

The articles will be delivered
to an authorized messenger.

Wm. L. P. S.
A. Jett Chemical Examiner

A. Jett Chemical Examiner

Apr 64.

Rayapeth Hospital
Chadras, June 16th 1891.

Cl. F. C. Reeves Acting Surgeon 4th
District do hereby certify that I
have examined the bodies of a male
and female said to be named
Gopal Lamb and Gunga Phai
respectively brought to hospital
dead at 1 P.M. this day by the
Police from the Chattram of Raja
Gaji Pathi Rao. One of opinion
that the death of the said Gopal
Lamb and Gunga Phai was caused
instantaneously by shock haemorrhage
as the result of wounds inflicted by
a sharp and heavy weapon such
as a hatchet or chopper about sixteen
hours ago. The wounds could not have
been self inflicted.

Signed F. C. Reeves.

CHEMICAL EXAMINER'S OFFICE

Madras, 20th August 1891.

No. 696

From Surgeon S. E. Grant, M. B.

CHIEF CHEMICAL EXAMINER, Madras.

To Mr. S. Gantzy, Esq.

Barriator, at Law, Madras.

Sir,

With reference to your

letter dated the 19th instant, I have the

honour to intimate that the knife in

question was received for examination

in this office prior to my assuming charge

with the assistance of chemical examiner

Mr. J. S. Gantzy examined the same

and from him I gather the following

information viz. that the knife was

received together with two cloth under

seals of the Commissioner of Police

Madras on the 2nd July 1891. On opening

the parcel the knife was found

almost entirely covered in both sides

of the blade with a thick coating of

blood

Recd 3.8.91

mud. The only portions exposed were, two corresponding places on either side of the blade about half an inch wide and two inches long near the cutting edge and about three inches from the point of the knife, and the handle. These exposed places did not seem to have been previously smeared with mud, as the blood stains thereon were apparently quite fresh. Blood was found only on the exposed portions of the blade. There was no blood on the handle. The reason why the portions of the knife covered with mud were not examined was ~~that~~ the extreme improbability of finding blood after removal of the mud, which latter could only have been removed by washing. The knife with the mud on it as received for examination and the cloth were returned to the Commissioner of Police under this office seal on 10th July 1871.

Marginally shown is a sketch marking the portions where blood was.

lean
- M U D -

Fresh blood marks on both sides

was detected, the rest of the blade was covered with mud excepting the handle which was quite clean.

I have the honor to be

Sir

your most obedt. Servant

Alfred. W. B.

sg. Chemical Examiner

CHIEF SECRETARY
25 AUG 91
MADRAS

24 August 1891

Mr. J. F. Price
Chief Secretary
Madras

Re. Riparian Murder Case

In consequence of a wire received this day from the Private Secretary of His Excellency the Governor, I sent you a telegram praying that the sentence of death passed on Ramacharan Doss convicted in the above case may be deferred pending receipt of a supplemental Memorial about to be submitted to Government on his behalf, and on the strength of important evidence elicited from the Office of the Chemical Examiner, and which was not available at the time of the trial.

I have dealt with this matter at some length in a letter which appears in this day's Madras Times, and in order to show Government that I am working on the strength of information received from an official source I enclose herewith

- (1) Original letter from the Chemical Examiner to myself dated 20 inst.
 - (2) Copy of Chemical Examiner's Report brief for me (as Counsel deputed by the Crown to defend the Prisoner at the Sessions) in the Office of the Clerk of the Crown.
- I am pushing on with the Supplemental Memorial, and hope to get it signed by the Council, and despatched by next post.

I have the honor to be
Your obedient servant

Wm. J. Price
Counsel deputed by the Crown to defend Ramacharan Doss Prisoner at Sessions Court of 3rd Madras District Sessions 1891.

J. C. No. 4725/98

Put this up
with sufficient
hand letters
to make it
permanence
Permanence
done
5/16

CURRENT No. *Judicial* DEPARTMENT.
[9]

From Mr. W. S. Grant -
Counsel deputed by the Crown
to defend condemned prisoners
Rama Chandra & Co.

Counsel deputed by the Crown
to defend Condemned prisoners
Romaine & Dr. Ross.

No.

Dated 24-8-91

Received 25-8-81

Received 25-8-91
Recd for residing 26-8-91
Enclosures 3

SUBJECT.

SUBJECT.
Praying to defer orders

On the Condemed prisoner,
Ramachandra Doo!

4 Appeal petn as a Supplement
to appeal petn with certain records
follows.

INDIAN 233 TELEGRAPHS.				Monthly Number. 1149
To <i>10</i>		From <i>Madras</i>		
Word.		Official Instructions.		
Day.	Hour.	Minute.		
<i>26</i>	<i>10</i>	<i>30</i>		
To <i>Chief Secy.</i>		From <i>W. S. S.</i>		
<i>St. John's</i>		<i>Genl. Secy.</i>		
<i>Deliver Supplemental</i> <i>Memorandum for signature</i> <i>Penitentiary for Commission</i> <i>Control</i>				
Sent from		Sent to		LN.
At <i>10</i>		At <i>10</i>		Min. by <i>Wharman</i>
RECEIVED No. 107 13-10-98 20,000 26-8-91				

CURRENT No.

CURRE

[9]

Judicial

DEPARTMENT.

[9]

From

Mr. W.S. Gaultz

No.

Dated 26-

Received

Enclosures

August 1891

SUBJECT.

Stating that he has
delivered the supplemental
memorial of Ramachandra
Doss to the Superintendent
Penitentiary for signature
& transmission

59.

Petition submitted
by Mr. Gaultz on
behalf of the
prisoner who
filed in here.



R.N. 913.
27th Aug 91.

despatched
27/8.

Read the following

To
The Hon the Chief Justice
High Court of Judicature

Sir,
I am directed to request
that the Hon the Judges will
be good enough to forward for
the perusal of Govt all the
records (including those of the
commuting magistrate) ^{connected with} ~~connected with~~ ^{convict} ~~convict~~
of the case of Ramu-
chandra Das sentenced to
death in Criminal Session
of the High Court held on
the 10th Aug 91

Yours obediently
20th 1/2
25th

Recd here

Reference to High Court
regarding a petition under
Sentence of death

From order

Cd.

List of Enclosures

1. Magisterial records in Case
of Queen-vs-Ramacharan Doss
2. Chemical Examiner's Report
marked Exhibit C.B
3. Warrant of Commitment in
Calendar Case No. 3256 of 91.
4. Indictment

John H. Kernan
Clerk of the Crown

VE

10 SEP 91

Received from the
Crown Office, High Court
Madras, 1st September 1891.
The Chief Secretary to Government
Cotacamund
Honorable Sir,

Records returned
to the Clerk of the
Crown. 19/11/91.
Jual. co. 1897

15
Crown Office, High Court
N^o 134. Madras, 1st September 1891.

Attest
J. G. Herman Esquire
Clerk of the Crown
Court

The Chief Secretary to Government
Cotacamund

Honorable Sir, In reply to your letter
of the 27th August 1891, judicial
No. 913, I am directed to fore-
ward to you the records, with
the exception of the death warrant
in the case of the Queen Empress
- vs - Ramacharan Doss, which was
tried at the High Court Sessions
on the 11th, 12th and 13th days of
August last, and in which the
prisoner was convicted of two
offences of Murder, and was
sentenced to death. I send also
the depositions of the witnesses
taken before the committing
Magistrate

Magistrate

The death warrant
has not been issued yet, owing
to the prisoner having petition-
ed Government for mercy.

I am further to state
that if His Excellency the
Governor in Council should
desire to have the manuscript
notes of the evidence taken by
the Honorable Mr. Justice
Shephard, who was the presiding
Judge at the trial of the said
prisoner, I shall forward them.
A list of the enclosures sent is
herewith attached.

I have the honor to be
Honorable Sir
Your most Obedt Servant
John Herman
Clerk of the Crown

Magistrate

the Clerk of the Crown

Magistrate

Magistrate

Magistrate

CUE

Judicial Department

V.E

From 801-7-91:1298 AM
27-8-91:1702 AM (AM)

The Clerk of the Crown

No. 134

Saled 1st }
Recd. } September 1891

Enclosures:

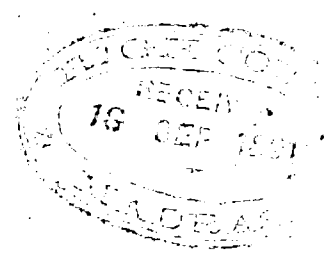
Subject:-

Forwarding the records connected with the case of Ramachandran Dass with the exception of the death warrant.

By 3.9 PM

Despatched 3/9

Reference only (telegram)
No. 509 Please send presiding judge's notes evidence Ramachandran Dass case referred to in your letter first instant.
(By order of C.)
3 Sept.



1-9

Crown Office, High Court
Madras, 4th September 1891.

No. 139.

From J. J. Hernan Esquire
Clerk of the Crown

To The Chief Secretary to Government
Colacamund

Honorable Sir,

With reference to your telegram of yesterday's date, I am directed to send you Mr. Justice Shephard's note book containing his notes of the evidence in the case of the Queen Empress - vs - Ramacharen Dass, which I accordingly send by to-day's post. The notes of evidence in this case extend from page 157 to 209 in the said note book.

I have the honor to be,
Honorable Sir,
your most Obedt. Servant

John Hernan.
Clerk of the Crown

L.H.

Judicial Department

From: ...
 The clerk of the Court

No. 139

Said 4 }
 Recd. } September 1st 1891

Per 1/2

Enclosed:

Subject:

Sending Mr. Justice
 Shephard's notes of the evidence
 in Ramachandra Boro
 Case

CHIEF SE
46 SE

2d DEPARTMENT

71

No. 3765 3780 3827
 15.8.91 21.8.91 24.8.91
 3829 3855 3887
 24.8.91 24.8.91 26.8.91
 3900 4023 3974
 6.8.91 4.9.91 1.9.91

From

sd

189

FOR ORDERS.

It is said to have purchased this
 or a similar chopper in Black Town on the
 day of his release, the 15th June. The chopper
 was probably made by Yellam Jaria by Bales.
 being as delivered by these persons, but whether
 the latter is worthy of belief when he states that
 the chopper was purchased by the prisoners is
 the question. He calls many of them & then
 seems no reason why he should so particularly
 recollect this individual one. His identifica-
 tion of the prisoner in the Penitentiary does not
 go far enough. It would be very easy to make
 a list of a Bazaar among 17 prisoners & then
 to pick out a Bazaar man who had a Bazaar
 man must have known that a Bazaar
 was wanted. The same remarks apply to the
 evidence of the other Bazaar man with whom
 evidence of the other Bazaar man with whom
 prisoner was said to have negotiated.

The alleged purchase of blood from the chopper
 when examined by the Chemical Examiner is curious.
 It certainly cannot have been the blood of the
 deceased, and whatever may be thought of it.
 Gant's arguments with point, & I think think
 the prisoner was prejudiced, as the evidence given
 by the Municipal Police about the escape of the
 chopper while in their possession, shows that
 the blood could not have been that of the deceased
 & this was pointed out to the jury. Mr. Gant's
 argument is that the "apparent fresh blood"
 found on a portion of the chopper must have
 been put on it by the Police, and he infers
 from this that, if the police concocted this
 portion of the case, they concocted the rest
 of the evidence as to the prisoner's declaration
 of his intentions and as to his having been
 seen in Triplicane on the night of the murder.
 No doubt the circumstances raise grave
 suspicion that the knife was tampered
 with, and the facts connected with the
 identification of the knife are contradictory.

All the above accounts have appeared
 & the appeal of Mr. Ramachandra
 Das at present under sentence
 of death in the Penitentiary.
 C. No. 3763 is the first petition for
 habeas corpus & in this it is ordered
 that all the records of the case
 should be got.

There was forwarded by the
 Clerk of the Court with C. No. 3974
 under order of the Hon. Mr. Justice
 presiding Judge's letter of evidence
 were sent for these were taken & sent
 C. No. 4023.

C. No. 3535 is a letter from Mr.
 Jantz in which he reports the substance
 of a supplemental memorial based
 on certain facts of which he gives
 a very brief outline in this report.
 C. No. 3900 is Mr. Jantz's supplemental
 memorial in behalf of the
 condemned man.

6
 7 Sept.
 8/9/91

The Chemical Examiner. But I think the doubt
 is whether the rest of the evidence is concocted by
 police or not. I think it is not warranted.
 The obviously false things from
 the prison since the case is brought to
 trial, under the 401 C.P., for the prisoner
 I think is at the trial, the Hon. Mr. Justice
 is at the trial.

[illegible]

I quite concur as to the course that should be taken now as to the memorial being referred to the Presiding Judge. -
The witness as to the blood on the knife is certainly very peculiar, and it seems impossible to believe that any one - policeman or other - could have been so absolutely imbecile as to put blood on a knife, which was known to have been lying for days in a stream of running water, and then imagined any one would have believed it to have been the blood of the murdered people. Only the feet remain ~~untouched~~, and it will have to be shown how blood - and fresh blood too - came to appear on the small part of the blade, many days after the murder. And I think to the Ch. Ex. must explain why he did not analyse the mud on the knife. If there were blood under the mud, it would easily have been traced, but no attempt was apparently made. The case is one of purely circumstantial evidence, but the chain is fairly strong.

[illegible]

from the Chief Clerk it
 has been put down by
 one or possibly by some
 other officer -
 but that officer has been
 can be ascertained that it had
 on it and was then the
 of the kind and person - he
 that the list put down the
 chapter from being the
 before with the list of names
 to the person from being the
 the name.
 the Chairman of the Chemical
 Exam. & Review since
 to be made for action -
 the list of names specified
 in his certificate to be made
 a list of names of the
 copies - which the Clerk
 has made, which is in the
 having the name of the
 Clerk & the Clerk of the
 carefully examined - and
 having the Clerk of the
 was probably that of the
 to be found in the name
 is provided. Name of the
 11/9/21

The list of names of the
 persons who have been
 examined for the purpose
 of the examination of the
 Chemical Exam. & Review
 since the list of names
 specified in his certificate
 to be made a list of names
 of the copies - which the
 Clerk has made, which is
 in the having the name of
 the Clerk & the Clerk of
 the carefully examined - and
 having the Clerk of the
 was probably that of the
 to be found in the name
 is provided. Name of the

[6]

Paper

DEPARTMENT.

75

Again G.O., dated

Again G.O., dated

Current No. 3763 of 18

Current No. 3785 of 18

Current No. 3829 of 18

Current No. 3855 of 18

Current No. 3857 of 18

Current No. 3900 of 18

Current No. 3977 of 18

Current No. 4023 of 18

No.

No.

from

from

Order 16th Sept. 91 No. 1908.
 The Jst. resolves to forward the
 memorial of Kāmācharan Dās
 under Sec. 401 C.C.P. to the
 Judge who presides at his trial.
 with the request that the Jst. in C.
 may be favored with the views
 of the Hon. Judge upon the
 application for revision of
 sentence.
 2. In forwarding (From orders)
 his opinion on the
 subject the Hon. Jst. is
 Justice (Kāphard) will be
 assisted by the Hon. Jst. 15 Sept.
 of his letter of evidence
 how returned.
 Hon. C.J. with C.L. & notes of
 evidence of the Hon. Jst. Justice
 Kāphard, returned.

15 Sept

-13, 3855, 3974, 3900, and
 is in original - One ret'd.

woman,

man with whom she was taken up
(for Lal aforesaid) the murdered man. He
Loralip the presiding judge, however, declining
to recognize the recommendation to mercy,
accepted the verdict of the majority, and
sentenced memorialist to death.

That your memorialist preferred
an appeal to the High Court, but that
tribunal, having no jurisdiction in such
a matter, could not interfere.

That your memorialist
now has no alternative but to appeal
to your Excellency to exercise that prerogative
of mercy which is vested in your Excellency
as the representative of the Sovereign, and
to pray for a pardon.

That your memorialist
would first draw attention to the fact
that the case against him rested entirely
on circumstantial evidence, and the leading
journal of this city announced imme-
diately after the trial that within the
last twenty years this was the only instance
on record, in Madras, of a conviction on a
capital charge being based exclusively on
circumstances.

2087 16-9-91 no 1908

The Right Honourable ^{by taken up}
Lord Wellesley ^{you to}
Governor of Fort St George &c &c &c

The humble Memorial of Rammacharan Doga
a convict under sentence of death in Her Majesty's Court
at Madras.

Most Respectfully Sheweth, That your
memorialist was, on the 13th day of his current month,
sentenced to death by His Lordship the Honorable
Mr. Justice Shephard, (the presiding Judge at the
3rd Madras Sessions for this current year) on a
charge of having murdered one Jopal Lal, and
Junga Boyi, on or about the night of the 15th June
last, at a Chuttrum known as Jajipathy Salla
Chuttrum in Triplicane, within the local limits
of the city of Madras.

That the Special Jury empanelled
to try your memorialist did not return
unanimous verdict, three being of my
opinion that memorialist was not guilty
while the remaining six found him guilty
three of these latter, however, recommending
realist to mercy on the ground that he had
experienced great provocation in having, in
circumstances

That it is
for your memorialist to recite as briefly,
but succinctly, as possible the evidence on
which he was found guilty in order that
your Excellency may see,

(a) how very doubtful it is:

(b) how very insufficient it is:

(c) how obviously concocted it is, especially

when judged by the light of subsequent events
to which your memorialist craves leave
to refer hereinafter. To begin then. It is
alleged that your memorialist, (a Byragi),
went to reside at the Chuttrum aforesaid
sometime in January last accompanied
by his concubine the deceased woman. While
living there, the deceased man, (who was also
an occupant of a room in the Chuttrum),
is alleged to have formed an intimacy
with memorialist's concubine, which
eventually led to their quarrelling, and in
the course of one of such quarrels memorialist,
having bitten off a finger of the deceased
woman, was sent to jail for three months
on a charge preferred by her for the injury
so done her. While in jail, (according to
the evidence of two convicts undergoing
incarceration)

and to have frequently intimated ^{his intention} of murdering the woman and her seducer as soon as he got out of jail. Memorialist having been released from jail, at noon on the 15th June last, is alleged to have gone, in the course of the afternoon of that very day, with 6½ annas (which was restored to him as money found on him on his admission to jail,) and purchased the knife produced in court at the Blacktown bazaar. Having done so, he is alleged to have made straight for the vicinity of his old haunts, (Triplicane) and to have been seen, and spoken to, on his way there, near the Body Guard Lines by 16th Prosecution witness at 4.30 or 4.45 P.M. on the same afternoon of the 15th June: then to have been seen by 17th Prosecution witness in the Triplicane bazaar begging, and to have received from him a few fruits about 6 p.m.: then to have proceeded at 7 p.m. to an adjacent bazaar, begging and obtaining this time a few sweets from the bazaarman; then to have been ^{seen} about 8.30 P.M. by two men who were sitting on the pial of a Chattrum also in

a Slocum: then to have been seen about 9.30 p.m. by a Vettian standing in a lane at the back of the Chuttrum where the dead bodies were found: and finally he is said to have another witness to have gone to his lodging in a house opposite the latter Chuttrum for the purpose of getting a smoke of gunja about 11 p.m. After that i.e. 11 or 11.30 p.m. on night of 15th June nothing is seen or heard of the Prisoner until he was arrested at Poornamallee on the 19th June. In the meantime or on 18th June at 4 p.m. a knife is picked up in a sewer adjacent to the Chuttrum in which the murdered bodies were found, and it is sought to establish that that is the very identical knife with which the murders were committed.

That thus it will be seen that the case against the Prisoner may be divided into three heads viz

- A. His threat to murder while in jail.
- B. His purchase of a knife within 4 hours of his leaving the jail on 15 June.
- C. His being seen on the Body guard road and in Triplicane by various

on the afternoon, ~~and~~ night of
the 15th June last.

that to deal very briefly with
each of these points.

Point A. The threats are spoken to by two convicts
undergoing imprisonment at the
same time, only one of whom
was in the same cell for about
15 days with Prisoner & the other
in an adjoining cell but ~~the~~ the
latter, who is also a "convict warder",
says that he heard Prisoner make
these threats on roll call days,
repeating it finally on the very
day he left the jail. In cross-
examination this witness
admitted that so many
convicts used to make threats
of a similar nature that he
could not say whether Prisoner
was in earnest or not, & consequently
attaching no importance to them
made no report, to any one, of the
Prisoner's menacing language. This
latter witness also says that the
Prisoner said he intended going
to Tirupathy on his release.

placed on the ~~scarcely~~ person
who are amenable to Police persuasion and
Police influences.

Point B. The knife produced in court is
an ordinary kitchen chopper, of which
admittedly hundreds can be obtained
any day in the Madras Bazaars.
Three witnesses speak to the purchase
of the knife, the last of whom the 5th
witness says "Prisoner came to his
bazaar about 4 p.m. on 15th June
and asked for a knife: he was shown
one of which the price was 8 annas, &
according to witness Prisoner 'threw it
down and went away'. Of the other
two witnesses, one, Yellan, says he made
the knife in question, & identifies it, not
by reason of any mark or thing
appearing on it, but in a general way
as a knife he sold to Venkataswamy
& 4th Prosecution witness, who says Prisoner
came and negotiated with him
for a knife; eventually purchasing
the one produced for four annas.
Witness says he identifies it by certain
file marks appearing on its back
which he alone puts on, as he is
enabled

Yes. With him
Panther and his
said that he
saw him in
the kitchen
on 15th June
He was
wearing a
green shirt
and dark
trousers

when selling the
corroborate him as to this, but no one could
explain how the fact of a few scratches
on the back of the knife enhanced its
value. These witnesses were also taken to the
Penitentiary on the 16th July for the purpose
of identifying the Prisoner as the man
who had come to them to purchase a knife
on 15th June: & notwithstanding that they had
only seen him on but one occasion before
(viz on 15th June), ^{picked him out} from a batch of 16 or 17
convicts with whom he was placed & who
were all dressed in same way as Prisoner
was dressed.

Here again Sub-ordinate Police Officers
had it all their own way: there was no one
to watch over the Prisoner's interests, and
there is no guarantee that the identifi-
cation was genuine and bonafide.
Point C. Of the seven witnesses who are
alleged to have seen Prisoner between
4.30. & 11.30. p.m. on 15th June, only five
state they knew him (only by sight) before
c.e. the witness who saw him at 4.30
near the Body guard lines, & who only
exchanged a passing conversation with
him. the sweetmeat seller who says
he

when he the sweetest man
went to bathe. one of the two
men who says Prisoner came in
front of the Pial at which he was
sitting at 8.30 p.m. & sang a verse
of a slocum, so hurriedly that he did
not even wait for the response which
they should have made on hearing
the slocum: the man belonging to
the burning ground who says he saw
Prisoner at 9.30 p.m. in a lane at the back
of the chutkum and had to stoop and
look up into Prisoner's face to identify
him. and the Byragi who saw him
at 11 p.m. gave him a smoke of fanga.
As His Lordship Mr. Justice Shephard
pointed out in his summing up all the
witnesses (with the exception of the last)
are liable to have erred in their identifi-
cation of Prisoner because they all admit
he had thrown a long broad cloth over
his head, which came down at the sides
of his face by the ears, obscuring a portion
of the face; & with the exception of the first
man who met him at 4.30 p.m. near the
body guard lines, all the rest saw him
(still with the cloth over his head) by
lamplight.

them. The Byragi alone (who gave a smoke of gunga) is the only man that had good opportunities of identifying him, and if his evidence is to be believed the Prisoner was with him for about half an hour. In regard to this witness, however, it is a curious circumstance that although he lives in premises adjacent to the very Chuttrum in which the murdered persons, (and the Prisoner formerly) lived, the Police did not get any evidence from him until ten days after the murder. Thus the evidence of identification is by no means satisfactory. Assuming it to be credible, it only shows that the Prisoner was seen in Triplicane, and finally in the vicinity of the Chuttrum up to 11 p. m. on the night of the 15th June last. The evidence at best goes no further than that: and it is liable to the observation that it is improbable in the extreme that any man, who was not absolutely demented, would go about exhibiting himself in a most unnecessary way at almost every hour of the evening & night of the 15th June, carrying about a chopper which (from its size) he must have had some

person in the very part of the case in which he was known, and in the very place also where he intended to wreak his vengeance that very day not on one person, but on two.

That your memorialist respectfully submits these are the features of the case, broadly stated leading up to the finding of the knife on the 18th June last. They might have been dealt with in much greater detail but for the fact that this being a supplemental memorial to one already submitted, Memorialist has endeavoured to condense it as much as possible.

Part II

That your memorialist next desires most respectfully to draw attention

- to
- (I) The circumstances under which the knife produced at the trial is alleged to have been found.
 - (II) The submission of it to the Chemical Examiner, and the Report of that officer thereon dated 9th July.
 - (III) The important facts which are disclosed in the aforesaid Chemical Examiner's Report.

~~Memorandum dated 20th June 1907~~
Counsel (Mr. M. S. Gault) dated 20th
Instant, and which letter was forwarded
by memorialists. Counsel aforesaid
to the Chief Secretary of Government
Government under covering letter
dated 24th Instant.

Point I. At about 4 p.m. on the afternoon
of the 18th June, the knife produced
at the trial was, according to the
evidence of the two Municipalside
Coolies and a Municipal Peon,
found in a sewer in the vicinity
of the Chutkum. One of the two
coolies deposed that, when the
knife was taken out of the sewer,
it was washed first of all with the
sewage water flowing through the
sewer, and that it was subsequently
further washed with clean water.
Both coolies and the Peon depose
that the knife was then at once
taken possession of by the Peon
aforesaid, who used it for chopping
bamboos at his house, and it
was retained by him up to the
night of the 30th June, when the
Peon was asked by the particular
coolie

coolie, who was said to have found the knife in the drain, to return it to him, as the Police were looking out for a knife at Triplicane in connection with the murder at the Chattram. The peon accordingly returned the knife to the coolie in question, who, as he states, deposited it that very night at the identical portion of the same sewer in which it was originally found.

At 1-30 a.m. on the 2nd July, as Inspector Bradbury deposed, the drain was "searched" and the knife found. "I examined the knife" says he; "it was besmeared with mud all over: it was wet from being in the drain. I took charge of it and eventually sent it to the Chemical Examiner." In cross-examination he says, "on the morning of the 2nd July, I took the knife with the mud on it. There was more mud than there is now on it." So much for the finding of the knife.

Points II & III. We now pass on to what was done with the knife when found. It was sent to the Chemical Examiner by the Commissioner of Police on the 2nd July, and returned by the former

former to the latter officer and the following report dated 9th July.

"We have examined the iron chopper
"and the two cloths received under un-
"broken seals, and found mammalian
"blood to be present on the chopper. A
"small blood stain was found on the
"smaller of the two cloths, but it could
"not be ascertained whether the blood
"was mammalian or not. No blood
"was found to be present on the other
"cloth. The articles will be delivered to an
"authorized messenger."

Next we have the knife produced
before the Committing Magistrate at the
preliminary investigation before him
on the 23rd July. Eventually, the knife
was produced at the Sessions on the
11th Instant, and was ^{then} to all intents and
purposes a perfectly clean knife. The Chemical
Examiner's Report above quoted was put in,
and being by law receivable in evidence
without further proof, filed on behalf
of the Crown; all concerned in the trial,
Memorialist believes he is justified in
saying, being left under the impression
that the Chemical Examiner had, in the
language of his Report "examined the
iron

iron chopper" i.e., the whole Chopper.
Point III. On the 19th Instant or a week after
the trial, certain information being brought
to the Prisoner's counsel, he immediately
addressed the Chemical Examiner, and
his reply is as follows:-

Chemical Examiner's Office

No. 696.

Madras, 20th August 1891.

From

Surgeon A.E. Grant, M.B.,
Ag. Chemical Examiner,
Madras.

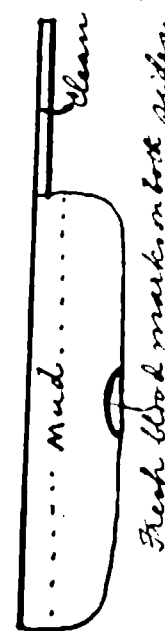
To
Mr. S. Gauthy Esq.,
Barrister-at-law,
Madras.

Sir,

With reference to your letter, dated
the 19th Instant, I have the honor to intimate
that the knife in question was received for
examination in this Office prior to my
assuming charge, but the Assistant Chemical
Examiner, Mr. W.S. Newman examined the
same, and from him I gather the following
information: viz., that the knife was received
together with two cloths under seals of the
Commissioner of Police, Madras, on the 2nd
July 1891. On opening the parcel, the knife
was found almost entirely covered on both
sides of the blade with a thick coating
of mud. The only portions exposed were
two

Two corresponding places on either side of the blade about half an inch wide and two inches long near the cutting edge, and about three inches from the point of the knife, and the handle. These exposed places did not seem to have been previously smeared with mud as the blood stains thereon were apparently quite fresh. Blood was found only on the exposed portion of the blade. There was no blood on the handle. The reason why the portions of the knife covered with mud were not examined was the extreme improbability of finding blood after removal of the mud, which latter could only have been removed by washing. The knife with the mud on it, as received for examination, and the cloths were returned to the Commissioner of Police under this office seal on 10th July 1891.

Marginally shown is a sketch marking the portions whereon blood was detected, the rest of the blade was covered with mud excepting the handle which was quite clean.



I have the honor to be
 Sir,
 Your most obt. Servant,
 W. B.
 Ag. Chemical Examiner

That your memorialist respectfully submits these admissions of the Chemical Examiner in his heretofore recited letter to Memorialists Counsel while throwing a fresh and most important light on the case, also tend to expose the totally mis-leading character of that Officer's original Report dated 9th July.

The allegation in the Chemical Examiner's Report that "we have examined the Iron Chopper" naturally led every one to conclude that that Officer (whose bounden duty it is to render strictly accurate, precise, and full reports of his examination, the more so as his Reports are, by law, evidence in themselves, without further formal proof) had really examined "the Chopper" i.e. the whole chopper, whereas on truth and in fact, it now turns out he has examined only a very small portion of it.

Again, even if it was not incumbent on him to describe, or refer to the fact that the greater portion of the Knife (the length of which was about 10 or 12 inches & breadth about three) was covered with a thick coating of mud, and that a suspiciously small portion of it (i.e., "two corresponding places on either side of the blade about half an inch wide

wide, and two inches long near the ~~cutting~~ ^{on} edge ^{mm} and about two inches long near the ~~cutting~~ ^{mm} edge, and about three inches from the point of the knife and the handle was alone exposed to view, and to all appearance had not been "previously smeared with mud," surely it was incumbent on him to draw attention to the fact that the blood found on this suspiciously small portion of the knife was "apparently quite fresh."

Had the Chemical Examiner's Report indicated the faintest suggestion of a hint of these undoubtedly suspicious circumstances, Memorialist's counsel would most certainly have endeavoured, (even at the risk of calling the Chemical Examiner as a defence witness) to elicit all the facts possible at the trial itself. Whereas by sending in so bald and crude a Report, making no mention of most material facts, the Chemical Examiner must alone bear the blame of having completely, - though of course unintentionally - misled all concerned at the trial.

That in connection with the Chemical Examiner's letter your memorialist would next respectfully draw attention in some detail to this "apparently quite fresh" blood. ^{and}

out before doing so, and in recent memoranda would submit that this seemingly qualifying word "apparently" in the above quotation really amounts to nothing at all in the nature of a qualification. Either the blood was "fresh", or it was not. If the Chemical Examiner did not believe it to be fresh, (in other words if it did not appear to him to be fresh), presumably he would not have drawn attention to the fact at all, so that Memorialist respectfully submits it must be taken that the blood was really "quite fresh."

Next comes the questions:-

- (a) Assuming the Knife to have been the weapon with which the murders were committed on the 15th June last, would it be possible to find traces of the murdered persons' blood on a Knife which had been exposed to the action of flowing sewage water, washed, used, and again exposed to the action of water, as this Knife had been for a period of 17 days?

According to the evidence Memorialist had his smoke of funga at the house opposite the Chattram from 11 to 11.30 p.m. on the night of 15th June. The Medical Officer's (Dr. Reeves) certificate shows

shows that when he examined the body about 4 p.m. on the afternoon of the 16th June, death in his opinion must have occurred about fourteen hours previously. Taking it then that the murders were committed in the small hours of the 16th June, the knife when found about 4 p.m. on 18th June by the municipal coolies and Peon must have been;—(assuming—as it is reasonable to assume—that it was ~~thrown~~ thrown into the sewer soon after the perpetration of the murders) exposed to the action of flowing sewage for well nigh 38 hours at the very least. The coolies and Peon admit that the sewer was a tolerably large one in which, in addition to the solid deposit at the bottom, there was super-fluent sewage water to the depth of some inches. According to the evidence of the municipal cooly the knife on being taken out of the sewer was first washed with sewage water, and then with clean water; but on the same 18th June it was taken possession of by the Peon and eventually used by him for cutting bamboos between 18th June & 30th June. Finally, it was again exposed to the action of liquid sewage for at least another 30 or 35 hours, i.e., between the time it was

was re-deposited in the sewer by the Municipal
Cooly, and found by the Police at 1.30 a.m.
on 2nd July.

Here it becomes necessary, mem-
orialisit submit, to notice the evidence of
Inspector Bradbury, and to see what it
amounts to when judged by the light of the
Chemical Examiner's letter according to
the Inspector's evidence in his examination
in chief. "It" (the Knife) ^{says he} "was besmeared with
" mud all over. it was wet from being in
" the drain." How is this reconcilable
with the Chemical Examiner's ascertainment
that the knife was "almost entirely covered
on both sides of the blade with a thick
coating of mud," save and except the
small portion on which the fresh blood
was found. Can it for a moment be
believed that the cooly, who took the
knife out of the sewer, handled it with
such extraordinary care as not only,
not to disturb the mud, but to leave
the exposed portion on which the blood
was found, clean and distinct to such
an extent as to enable the Chemical
Examiner to say that there were no
indications of such portions "having been
" previously smeared with mud." In whatever
way

way the knife was handled that
and admittedly it was han-
least two persons i.e., the cooly who took it
from the drain, and Inspector Bradbury
who carried it away from the spot, - it is
impossible to credit the assertion, or sug-
-gestion, that the "mud" was not disturbed
did not fall off in the mere lifting of the
knife: but on the contrary adhered to it
in such a way as to dry, harden, & form
"a thick coating" over almost its entire
surface. Allowing for the improbability
of there being any matter that could be
described as "mud" in the sewer, the
matter that covered the knife (whatever
it was) must have been so thoroughly
permeated with fluid sewage as to be
reduced to the consistency of slush
rather than "mud", and if so, such
matter would not, and could not,
have adhered to the knife, and dried
on it, so as to form "the thick coating of
mud" which the Chemical Examiner
alludes to. Not only so. If it be conceded
that this matter on the knife was of the
consistency of slush could it, when once the
knife was picked up, possibly have run
off it, or spread on it, in such a way
as

as to leave the portion on which
traced so clean, and well-defined.
The Chemical Examiner to believe
these exposed places did not seem to have
been previously smeared with mud.
Finally, on what possible hypothesis
can it be supposed that the sewage
matter from which the knife was taken,
whether liquid or solid, whether slush,
or mud, - covered the whole knife
except only that portion of the blade
where blood was found?

Again the Chemical Examiner
reason for not examining the portions
of the knife covered with mud was that
such mud could only be removed by
washing, & this would render the dis-
covery of blood extremely improbable.
If then in the opinion of the Chemical
Examiner the blood, (which had some
days to dry and harden, before the knife
was submitted to him) was still liable
to be washed off with the mud, how much
more probable is it that the two washings
to which the knife was originally subjected
on the 18th June before the Municipal Cor-
poration took charge of it, (and when the blood could only
have been on it about 38 hours) entirely removed ^{all}

all the blood, - if there
been any - on that knife.

Again memorialist
respectfully draw attention to the extreme
improbability of blood being found on the
knife just at the very spot indicated
by the Chemical Examiner, after the use
to which it had been put by the Peon,
viz bamboo Chopping. Surely it stands
to reason that the sharp edge of the knife
would be the very place where one would
least expect to find blood, because in the
process of splitting bamboo the blood,
whether old or fresh, would be liable
to be scraped off when the knife was being
driven into & down the length of the
bamboo.

Looked at from any point of view,
memorialist most respectfully submit,
that on the fresh facts elicited from the
Chemical Examiner, it is impossible to
seriously maintain that the blood which
he discovered on the knife was the blood
of the murdered persons. If then your
Memorialist has succeeded in convincing
your Excellency on this point, the irresistible
conclusion is forced upon one that there
has been foul play in regard to the knife.
That

That memorialist ^{respectfully} submits the next question to
is --

Seeing that the blood has been found
by the Chemical Examiner to be quite fresh,
who caused it to appear on the knife?
In his evidence at the Sessions Inspector
Bradbury admits that he carried away
the knife from the locality of the sewer
on the early morning of the 2nd July, and
eventually sent it off to the Chemical Examiner
later on the day. The knife is not shown
to have been in the possession of any one
else than the Police after it was found
by them & up to the time it was despatched
for examination. No one but the Police
engaged on the case could have had any
object in causing blood to appear on the
knife. The knife was moreover sent to the
Chemical Examiner under the seals of the
Commissioner of Police, so that there could
have been no tampering with it on the way.

Nor is this all. When the knife
was returned by the Chemical Examiner
on 9th July, that officer tells us, (Noi his
letter herewith set out) that he returned
it 'as received' under seal i.e. with the
thick coating of mud over the greater
portion

from both sides of the knife. When
knife was produced in the Court
it was to all intents and purpose
knife, and Inspector Bradbury himself admits
that when he had the knife with him
there was more mud on it than there is
now. As a matter of fact the only indication
of mud on the knife at the Sessions
was just a suspicion of dirt of some sort about
the upper portion of the knife, and which
one could only detect if the knife was on one's
own hand & was closely examined. Your
Memorialist's counsel (Mr. Gantz) has
however been informed by the Senior
Presidency Magistrate (who committed the
case) that when the knife was brought
into his Court by Inspector Bradbury it was
not encased in any sealed cover, that so
far from noticing any thick coating of mud
over the greater portion of both sides of it,
all that he recollects noticing on the knife
was a trace of rust here & there: and that when
he sent it away to the Sessions he did not
put it under seal either. From this it is quite
clear that the thick coating of mud which
was on the knife when the chemical examination
returned it, must have been removed by
the Police sometime after it reached the Commission
Office.

before its production in
the Police Court. It was
shown not only to have been
but to have caused that evidence
disappear when it best suited them to
get rid of it, i.e. when they had got the
Chemical Examiner's Report safe in their
hands stating in broad and general terms
that blood had been found on the knife.
Evidently some Police Officer more discrimi-
nating than the rest must have thought
the knife, with the thick coating of mud over
almost the whole of both sides of it, presented
rather a peculiar and suggestive appearance,
and so rather than that it should go before
Judge and jury in that state, the mud was
removed, and the Chemical Examiner's
Report left to raise a presumption that the
chopper i.e. the whole chopper had been examined.

That taking it then that there
has been a conspiracy to work up this pec-
uliar phase of the case against Memorialist,
he would respectfully ask what guarantee
is there that the rest of the evidence has
not been similarly worked up. Let us take
for instance the evidence as to the identifi-
cation of the knife by reason of the few
scratches, (for that is all that they really are)
which



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...the length of sending it
to the Chemical Examiner with
"quite fresh blood on it," are then likely
been above getting a few scratches put on
back so as to afford a pretext for the witness
(Venkatasawmy) who professes to have sold
the knife, being able to say positively that
that is the very knife he sold. Then
again as to the identification of the
Memorialist in the Jail by the bazaar
men, and the threats which Memorialist
is said by the Convicts to have made,
Memorialist has already pointed out in
an earlier portion of this memorial how
easily Police influence, pressure, or persuasion,
could have compassed and accomplished
the one as well as the other. What then
remains of the case? Simply the identification
of Memorialist by seven witnesses, of whom
as has already been pointed out, only one
saw him for any length of time viz the man
who gave Memorialist the smoke of fangs.
All the rest, as the learned Judge pointed
out to the Jury, might have been mistaken
in their identification of the Prisoner by
reason of the facts that some of them had
never seen him before. That all of them

that all of them again did not
for any length of time, but only in
instances for a few seconds or minutes at
the outside: and that most of them also saw
him by lamp light, not in any house or room
but out in the open.

That under any circumstances
whether the rest of the evidence is genuine
or not, Memorialist would respectfully
submit that if the suspicious circumstances
regarding the knife now brought to light by
the Chemical Examiner had been before
the Judge and Jury at the trial, they would
in all probability have sufficed, if not to
secure a unanimous verdict of "not guilty",
at least to have turned the verdict of the
Majority into one of acquittal: Three out
of the six who condemned Memorialist, it
must be remembered, recommended him
to mercy, and who can tell but that ^{such} ^{was} ^{clear}
and convincing evidence of a conspiracy
would not have induced them ^{or} ^{at} ^{all}
events ^{some of them} to hold that where so much
foul play was shown to exist, the only
safe course for them to follow

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Wherefore
earnestly prays that your
will, in the exercise of your merciful
prerogative of mercy, grant him a
pardon.

And your memorialist will
as in duty bound
ever pray

समस्त नमः

Signed in my presence
at H. M. Penitentiary
Madras, on the 26th
Aug! 1891, at 5.15 pm -

D. C. W. Secretary
Dept of Prisons

W. C. W. Secretary
26/8/91

No 329

Submitted to Government with

Mrs Gantz's letter and its enclosure for orders.

The Inspector General of Fails

ootacamund }

28 August 1891 }

J. M. Smith
Inspector General of Fails



Dated 26 August 1891.

No 1748.

Subject

Submitting memorial from Mrs Gantz on behalf
of prisoner Ramachandra Doro under sentence of
death to His Excellency the Governor Lord Wellesley.