Series XV
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Mayor's Court records Conts
Quarter Sessions (Vol 7)

2-3-1785 - 2[illegible]-10-1785

25,000—4-5-32.

Block 7

Rack No.

Shelf No.

Serial No. 7

General No.

Wednesday 2d March 1785

Justices Present

The Right Honble Lord Macartney
Alexander Davidson
James Daniell

The Court is duly opened and the Sheriff returns his Precepts

The following Grand Jury is then Sworn —

William Wynch, foreman
George Mowbray
The Honble Basil Cochrane
Rev Alexander Craig
Hugh Vaughan
John Mellford
George Wynch
Robert George Latham
Andrew Ross
Forester Rose
William Balfour
Robert Wolf
Joseph Shaw
John Spalding
Charles Darke

a

A Bill of Indictment ag[illegible] Comperauze Senevaserow for a Misdemeanour is delivered to them and they withdraw an Officer b[illegible] Sworn to attend them.—

One of the Grand Jury come into Court to See Anna Swamy and Comrapah Chetty Sworn on the forementioned Indictment An Interpreter for the Court and another for the Grand Jury are also Sworn—

The Grand Jury come into Court and redeliver the Bill of Indictment endorsed a true Bill

Comperauze Senevaserow is then brought to the Bar and arraigned as follows—

Clerk of the Peace Comperauze Senevaserow hold up your hand—you stand Indicted by the Name of Comperauze Senevaserow of Madraspatnam Brahmin, for that being a Person of evil name and fame and of dishonest conversation, and wickedly devising and intending unjustly to deprive one Vincatarow of his good Name Credit and reputation and also to Subject the said Vincatarow without any just Cause to the loss and forfeiture of his goods on the twenty third day of May in the Twenty fourth Year of the Reign of our Sovereign Lord George the third King of Great Britain &c at Madraspatnam aforesaid you did make and give information in writing upon Oath before Anthony Sadlier Esqr. then being one of the Justices of our said Lord the King assigned to keep the Peace and also to hear and determine diverse Trespasses and other misdeeds committed in the Town aforesaid and its districts as followeth, that is to say" that Vincatarow "Renter of Nellore Surcapully has taken and fraudently "concealed One hundred and three thousand Madras "Pagodas or thereabouts besides Shawls and other "Effects to the value of five thousand Madras "Pagodas being the Property of the Honble English "East India Company and this Informant further "saith that the said One hundred and three thousand "Madras Pagodas and the said Shawls and other "Effects are now in the Dwelling house of "Corokapetta Narrain Black Merchant in Pedda "Naick Street in the Black Town of Madras "the said Pagodas being put up in three Chests "and together with the said Shawls and other Effects "placed in a Certain Room of the said Dwelling "house the Door of which Room is Sealed with the "Seal of Ramachendra Row Son in Law of the said "Vincatarow and also with the Seal of this Informant— Whereas intruth and in fact the said Vincatarow was

was not guilty of the said offence of embezzling the Property of the Honble Company as aforesaid and whereas in truth and in fact you the said Comperawze Senevaserow well knew that no such Sum of Money nor any Sum near to the said Amount besides Shawls and Effects was in the said Chests at the time you the said Comperawze Senevaserow took the Oath as aforesaid before Anthony Sadleir Esqr then being One of his Majesty's Justicies Wherefore the Jurors aforesaid upon their Oath aforesaid do say and present that the said Neneatarow was greatly defamed and disgraced by the aforesaid false malicious and wicked accusations taken upon Oath in manner and form aforesaid to the evil example of all others offending in the like kind to the great damage and disgrace of the said Neneatarow and against the Peace of our said Lord the King his Crown and Dignity — How say you are you guilty of the Misdemeanour whereof you stand here Indicted or not Guilty

Prisoner — Not Guilty

Clerk of the Peace How will you be tryed

Prisoner — By God and my Country

Clerk of the Peace God send you a good deliverance

The four following Bills of Indictment being delivered to the Grand Jury they withdraw

Bill of Indictment against William Clawson for Felony

Do — Do — against Narrain & Rungah for Do

Do — Do against Perasaramah for Do

Do — Do against Thomas Willis for Do & Robery

The Prisoner being desirous of having a Petit Jury to consist of Six Natives and Six Europeans and as it appears such Indulgence is only to be allowed in Capital Offences he is told his request cannot be complied with after which the following Petit Jury is Sworn the Prisoner making no objection to any of them —

Mr John Tulloch	Samuel Crawford
Erskine Simmons	Alexander Coote
Robert Henderson	James Anderson
Alexander Melvin	Robert Patterson
Neil M Kenzie	William Bremedge
Peter Read	Angus Campbell

Grand Jury comes into Court to See the following Witnesses Sworn —

Clerk of the Peace Gentlemen of the Jury look upon the Prisoner and hearken into his Cause You shall know that he stands indicted by the name of Comperawze Senevaserow / here the Indictment is

is read as in the arraignment upon this
Indictment he hath been arraigned and thereunto
hath pleaded not Guilty and for his tryal
hath put himself upon God and his Country
which Country you are — Your Charge is
therefore to enquire whether he is Guilty of
the Misdemeanour whereof he stands indicted
or not Guilty — and hear your Evidence —

One of the Grand Jury comes into
Court to see the following Witnesses Sworn —

Johanna Dupree } On the Bill of Indictment against
Captain Pearson } William Clawson —

Captain Pearson
Ramah
Parasaramah
Balla Mottoo } Do — Do against Narraina & Pazyah

Kalayen is called over on his
Recognizance and does not appear —

Ensign Thos Patch
Mr Bernard John Bonnet
Mr Apssel — —
Mootayaloo — — } On the Bill of Indictment against Parasaramah —

James McElheany —
William James —
James Eatings —
John Collins — } Do — Do against John Willis

/ Anna Swamy /

/ Anna Swamy is Sworn /

Clerk of the Peace — Relate what you know

Deponent — In the Month of May about 23^d I was called to
Interpreter before the Select Committee — the Prisoner
Swore and gave information in writing as expressed
in the Indictment — a Warrant was then given
me to carry to Mr Rupsell the Constable — I delivered
the warrant accordingly and then accompanied
him to Corrahapettah Narainis house a Number
of Coolies, Hircarahs, Chubdars and Sepoys went
also with me — We entered the House and
found the Room in which the Chests were kept
the Door being locked the Iron Smith was sent for
and when he came broke open the lock of the Door on
which we entered and saw three Chests — Mr Rupsel
said he was authorised by the warrant to open &
Search the Chests — Accordingly one was opened
in which there was a Small Escritore which the
Iron Smith likewise opened by order of Mr Rupsell —
there were some money in bags in it — On seeing
which we put the Escritore into the Chest locked
it and brought all three Chests to the Fort —
In the Chest which we opened there was a small
box besides the Escritore which we took out and
could not put in again we therefore brought it

to

to the Fort with the Chests— The Chests were delivered to the Governors Dubash Permaull, who said he had orders from the Government to put the Chests in the Shroffs Godown— they were carried there accordingly and we put the Town Majors Seal and some other seal which I dont well recollect on them We then went and told Mr Davidson what we had done—

Question — Do you know from whom Permaul got the warrant

Deponent — From Mr Sadlier and it was I observed signed by him

Question — Did you understand the (meaning) and tendency) of the Warrant—

Deponent — Not particularly

Question — Do you know if any body perswaded the Prisoner to take Oath—

Deponent — I dont know—

Question — How long was it from the time the Prisoner took his Oath before the Select Committee to the time of opening the Chest at Corrahapettahs house—

Deponent — about two or three hours—

Question — Why did the Prisoner take such an Oath

Deponent — I dont know—

Question — who did you see belonging to Corrahapettahs house—

Deponent — Nobody but himself and another Person whose name I dont recollect that was brought to the Fort

did

Question — Did the Prisoner go with you to Corrahapettahs House

Deponent — Not all the way

Question — Where there any Seals on the Door of the Room that was broke open—

Deponent — yes there were two Seals but I did not observe particularly whose they were—

Question — How did you find the Room so readily in which the Chests were placed—

Deponent — The Prisoner described the Room of the House and a Man whom the Prisoner sent with us shewed us the Door of the Room—

Question — Was only one Chest opened at Corrahapettahs House

Deponent — Only one— we tried to open the others but found it required some time—

Question — Do you know what sum of money was in the Chest you opened—

Deponent — In the Executore about five thousand Pagodas

Question — Are you sure no money was taken out of the Chest or Executore which were opened—

Deponent — I am sure no money was taken out of either at Corrahapettahs House or before they were carried to the Shroffs Godown in the Fort Square—

Question — Were there any other Chests in Corrahapettahs House besides the three you brought away—

Deponent — We went to the door appointed by the Prisoner and did not go into any other room of the House—

More

Question — Were they the same three Chests which the Prisoner declared on Oath to contain One Hundred and three thousand Pagodas besides other Effects —

Deponent — The Chests answered the discription the Prisoner gave of them and the Room they were in —

Question — Were there any Seals on the Chests when you first saw them —

Deponent — No Seals on the Chests but there were two Seals on the Door of the Room —

Question — Did the Chests appear very heavy in bringing them to the Fort —

Deponent — Not heavy from any thing weighty contained in them —

Question — Did you ask the People of the House for the Keys of the Chests

Deponent — Yes but they would not give us any Key

Question — Did you nail down the Top of the Chest that was broke open —

Deponent — Yes it was naild down again immediately

Question — Did you know if there was any Money in the other two Chests —

Deponent — No We did not know —

Question — Did you ever see the Chests after they were lodged in the Shroffs Godown —

Deponent — Not after they were carried to the Godown there was

was also a small Leather case taken out of the Chest besides the Executors containing only an image or God which we did not put into the Chest again but brought it to the Fort with the Chests

Comrapah Chitty Shroff Sworn

Deponent Permall Anna Swamy and One Kircarrah came to me about the middle of may last — Permall told me to open the Godown and then desired me to take charge of three Chests and a Small Leather Case containing the devoted God as the People present said — an Officer the adjutant of the Fort was there from the Town Major to put the Town Majors Seal as it appeared to me on the Chests the Prisoner also put his Seal upon the Chests but I did not know what was engraved on it — It was a Seal which he wore on his finger as a Ring — two or three Months after Permall sent an Kircarrah to acquaint me he wanted the Chests and the Coolies whom he brought with him carried them to the Consultation Room — about an hour after this I was sent for and the Chests had been just opened but nothing had been taken out — the Prisoner then took out 20 small bags which

contained

contained about Sixteen Thousand Pagodas and upwards besides 200 or 300 Rupees this was all the money the Chests contained which I took an Account of and delivered immediately to the Committee — there were besides a good many Cloths in Bundles which I do not know the Value of I then went away and the Chests were about an hour after that brought to the Godowns again with three Seals upon each Chests — about Month afterwards the Chests were delivered to Vencatarows Vakeel in the condition exactly they were brought to the Godown —

Question — Did you see the Chests before they were brought to the Godown —

Deponent — No —

Question — Were the Chests locked

Deponent — One of them was nailed down the others locked

Question — By whose orders did you take Charge of the Chests

Deponent — By Orders from the Governors Dubash —

Question — In what kind of place were the Chests kept

Deponent — In a Small Room in the Fort of which I kept the Key

Question — Are there no Windows to the Room

Deponent — Yes One Window with Iron Bars to it so that no one can get in at it

Question — Had no other Person access to the Godown besides yourself —

no

Deponent — No other Person

Question — Are you certain the Chests were not opened whilst they remained in the Company's Godown

Deponent — Certain they were not opened whilst there

Question — Did any Person ever apply to you or to any other person to your knowledge to have the Chests opened whilst in the Godown —

Deponent — No never to my knowledge

Question — When the Chests were carried to the Consultation Room did you observe the Seals

Deponent — Yes they appeared not to have ban touched but just the same as when first put on —

Question — Are you Sure nothing had ben taken out of the Chests before you came to the Consultation Room

Deponent — They had not touched any thing I understood till I came when I desired to take Account of the money —

Question — You are Sure altogether there was only Sixteen Thousand and Some Pagodas —

Deponent — Yes besides 200 or 300 Rupees —

Question — Was this Sum delivered to Vencatarows Vakeel as his Masters Property —

Deponent — Yes I believe So — I was ordered to delivered it to the Vakeel and do not know what he did with it —

William Rafsell

12.

William Rufsell Constable Sworn.

Deponent — In may last a Warrant signed by Mr Ladlow was brought to me — I went to the Mans house shewn by the Informer / I believe he was / and when I came there I asked the man of the House for the Key of the Room which they said the Chests were in and he refused it me — on which I sent for a black Smith and broke open the door — on entering the Room I saw three Chests and asked the man for the Keys of them which he also refused — I then desired the black Smith to open one of them and on opening it, I saw some plate and bags of money as they appeared to me immediately on Seeing which I ordered the Chests to be nailed down and the Bamboo Coolies to carry them out of the Room and then to the Fort — A man was also brought to the Fort to whom the money belonged Some person told me the three Chests were delivered to Permall the Governors Dubash when we came to the Fort Square and by his Desire put into a Godown there —

Question — Did your Warrant Authorize you to breake open the Chests —

Deponent — I dont remember exactly the warrant but it authorized me to Search the House and on seeing the

the Plate and Money bags I thought it must be the three Chests wanted and therefore ordered the Chests to be nailed down again immediately and brought to the Fort —

Question — Was only one Chest opened —

Deponent — Only One —

Question — Could you observe what Money was in it —

Deponent — No I did not —

Question — Did it appear there was a large Sum of Money in the Chest you opened —

Deponent — No but a few thousand Pagodas at most I should think

Question — Are you Sure no Money was taken out of the Chests from the time you first opened one of them till they were delivered to Permall —

Deponent — Certain that no Money was taken out of either of them only one Chest indeed was opened —

Question — After delivering the Chests to Permall what became of them —

Deponent — They were Soon after Carried to a Godown in the Fort Square — and I saw nothing of them afterwards

The Prisoner has no Questions to ask to or Witnesses to be examined & on being asked if he has any thing to offer before the Petit Jury retires he makes the following Defence —

Prisoner — Venkatarow had rented the Nellore Country for four years and Managed it

One

One Year before — during this One years Management the Revenues were Four Lacks and twenty eight thousand Pagodas — The Company's Persottedar was his Friend and connived at his defrauding the Company of One Lack and twenty eights thousand Pagodas — Twenty thousand Pagodas of that Sum was given to the Inhabitants — and there was remaining One Lack and three thousand Pagodas in Specie besides Shawls and Effects to the value of five thousand Pagodas Vencatarow delivered in the Accounts of his years Management which Amounted to 209,000 Pagodas to the Committee of Revenue which they admitted

In 1781 or 1782 I came from the Nellore Country to Madras — there was at that time much Trouble in the Country and therefore Vincatarow sent the aforesaid Sum of One Lack and three thousand Pagodas and Shawls and other Effects at different times to Madras in Small Sums about Ten thousand Pagodas at a time — It was first brought to one Paupiahs house where I saw it in one of the three Chests which were carried to the Fort — I heard about two Years ago that if any Person would inform against People who had embezzled the Company's Property in regard to the Revenues he would have the Company's favor

and

and protection and therefore I applied to Permall and acquainted him of what had happened — eight Days after I saw the Money One Lack and three thousand Pagodas in one of the Chests at Papiah's, and Cloths and Effects which were in the other two Chests they were carried to Comrahapettah's house where I accompanied the Chests and after their being placed into one of the Rooms I put my Seal on the door of the Room — The Prisoner says he is a Relation of Vincata — row therefore was employed in the aforesaid business — and on being asked when he last saw the One Lack and three thousand Pag — 2d April last at Paupiahs and that the three Chests remained eight days afterwards there and were then carried to Comrahapettahs house —

The Petit Jury then withdraw

an Officer being Sworn to keep them —

The Grand Jury comes in to Court and redeliver the four following Bills of Indictment each endorsed a true Bill —

Bill

Bill of Indictment against William Clauson for Felony
do ——— do ——— against Narrain & Rungapah do
do ——— do ——— against Perraisaramah ——— do
do ——— do ——— against Thomas Willis ——— do

Petit Jury return into Court verdict being first proclamed

Verdict being proclaimed the Petit Jury return into Court and answering to their names the Clerk of the Peace as his them—

Clerk of the Peace — Gentlemen of the Jury are you agreed on your Verdict
Jury ——— Yes—
Clerk of the Peace — Who shall say for you
Jury ——— Our Foreman
Clerk of the Peace do to the Jury — Comperaurja Senevaserow hold up your Hand Look upon the Prisoner at the Bar— How say you is he guilty of the Misdemeanor whereof he stands indicted or not Guilty—
Foreman — Guilty—
Clerk of the Peace — Gentlemen of the Jury hearken unto your Verdict as the Court hath Recorded it— you say that Comperaurja Senevaserow is Guilty of the Misdemeanor whereof he stands indicted: and so you say all—
Jury ——— Yes—

Comperaurja

Comperaurja Senevaserow is then taken from the Bar, and William Clauson is brought to it— but as his requesting to have his Trial put off till tomorrow that one Cornelius Moore whom the Prisoner reports to belong to the Artillery at the Mount may be summoned as an evidence on his Trial— his request being complied with by the Court, he is removed from the Bar—

Narrain and Rangah are then brought to it and arraigned as follows—

Clerk of the Peace — Narrain and Rangah hold up your hands you stand indicted by the names of Narrain and Rangah of Madraspatnam, Inhabitants for that on the Seventeenth day of September thereabout in the Twenty fourth Year of the Reign of our Sovereign Lord George the third, King of Great Britain &c with Force and Arms at Madraspatnam aforesaid, One Basket Contain Liquor of the value of Thirty Shillings one Box of Sugar Candy of the value of Twenty Shillings, three pieces of Gingham of the value of fifteen Shillings, one Shawl of the value of thirty Shillings and one Bundle of Cloaths of the value of ten Shillings

of

of the goods and Chattels of one Valet Pierson then and
there being found feloniously you did Steal, take
and carry away, against the Peace of our said Lord
the King his Crown and Dignity — How say
you are you guilty of the Felony whereof you
stand here indicted or not guilty —

Prisoners Not guilty

Clerk of the Peace How will you be tried —

Prisoners By God and our Country

Clerk of the Peace God send you a good Deliverance

The Prisoners chuse a Jury of Six
English Men and Six Natives who are accordingly sworn
as follows — :

John Tulloch	Narro Rungapah Chetty
Erskine Nimmo	Becom Rungapah Naick
Robert Henderson	Dalavoy Ketchoo Naick
Alexander Melvin	Manchella Rungapah Chetty
Neil M Kenzie	Paucaliah Pedmanaboo Naick
Peter Read	Nuley Permah Chetty

/ Captain Parron Sworn /

Clerk of the Peace Relate what you know —

Deponent — I lived in the House with Captain Lamotte from the time we came from Prison from the mysore Country till his death which happened on the 17th —

17th September last about one oClock in the Morning at which time Doctor Peters and some of the late Captain Lamottes Servants and myself were present — on which I sent for the Prisoner Narrain and in about an hour he arrived — his Brother the other Prisoner was present at this time — the Doctor and myself sat up till about three oClock in the Morning — during which time we observed the Drawer of the deceased's writing Table open owing I believe to something wrong in the Lock — I therefore thought it prudent to lock up the Drawers in the presence of the Doctor I found in it fifty Pagodas and eight Fanams with a Watch and Seals, there seemed to be nothing else valuable in the Drawer accept Papers — After this I desired the Prisoner and other Servants of Captain Lamotte to set up til day light that nothing might be stolen — The Doctor then took his leave and I retired to my room — about Ten or twelve days after I believe it was, I had information from one Ramah that the Prisoner Narrain in Concert with his Brother had stolen many things on the morning their master died — to prove which there are Evidences —

Question — To whom did you give directions for taking care of Captain Lamottes things on the morning of his death —

To

Deponent — To the Prisoner Ramain particularly)

Question — How long had the Prisoner lived with Captain Lamotte —

Deponent — From the time to come from Prison —

Question — Did you ever see the shaul or other things said to be stolen by the Prisoners —

Deponent — The shaul was about Captain Lamotte when he Died — I saw none of the other things except the Box of Sugar Candy —

Question — When had you seen the Box of Sugar Candy last

Deponent — In the Godown about three Weeks before Captain Lamottes Death — there were four Boxes in the Godown ready packed and covered with wax Cloth to go the Southward for Captain Lamottes use — and it must have been one of these four Boxes that was taken away by the Prisoners as there were only three to be found after Captain Lamottes Death —

Question — Did you ever see the other things

Deponent — None except the Shaule and that the Prisoner brought again with Cloths from the washing Mans some Days after the information had been given me and he said he had sent it to be washed as there was some blood on it —

Question — Do you know any thing of the Wine or Ginghams

Deponent — No — there was wine in the Godown but I do not know what Quantity belonging to Captain Lamotte

Question — Could you discover any thing by Captain Lamottes Accounts —

Deponent — No there were very few Accounts — he was very regular and paid I understood immediately for whatever was purchased for him and he had money) also at this time —

Question — Do you think one of the Boxes of Sugar Candy might have been used —

Deponent — No — there were particularly meant by Captain Lamotte for a Stock for the Southward, and for common use small Quantities had been purchased to the time of his Death —

Question — What did the Prisoners say when you first mentioned to them their having taken these things —

Deponent — they did not deny taking them — but said they had lately procured these things and therefore returned them again to the Merchants as they were not paid for —

Question — Did they ever acquaint you of their having done so —

Deponent — No I know nothing of it till one of the Servants Ramah informed against them —

Question — Do you know if Captain Lamotte had paid for any of those things or if they were incerted in his accounts —

Deponent — The four Boxes of Suger Candy were charged in his accounts and purchased two months before his Death I am not positively certain this very Box of Suger Candy was actually paid for — but it was most likely, as he was very regular in his payments — I could not ascertain any thing certain by his accounts of the other things

/ Ramah Sworn /

Deponent — Sometime in the month of September last my master Captain Lamotte died and the same morning the other Servants and my self carried all the things out of the Room to the Godown — The Housekeepers two or three Days after this came and told me they had carried away from the Godown a Basket of Liquor, box of Suger Candy, a Shaul and three Bundles, the contents of which they did not know —

Question — On the night that Captain Lamotte died did not the Prisoners take away out of the Room a looking Glass and a Shaul —

Deponent — Yes —

Question — Do you know if they carried them to the Godown

Deponent I dont know —

Question — Did you ever see either the looking Glass or the Shaul afterwards —

Deponent — Not the looking Glass that I remember but the Shaul was brought about a fortnight afterwards with the Clean Cloaths — it had been washed by the Silk stocking washing man —

Question — Did not the Prisoners offer to give you one of their late Masters coats about two or three hours after his death and what reply did you make —

Deponent They offered me an old Coat — I replied if my master was living and had given it to me I should take it, but as he was dead it was improper —

Question — What answer did the Prisoner make you —

Deponent — They desired me to keep it and not to shew it to any body —

Question — Why did you not acquaint Captain Pearson of what the Housekeeper had told you sooner —

Deponent — I enquired particularly of the Housekeeper again and when I believed it certain that the things had

had been carried away by the Prisoners I mentioned it to Captain Pearson –

Question — Did you ever see the things that were taken away from the Godown –

Deponent – No –

Question — Were you ever in the Godown –

Deponent — No –

Question — In what manner did you Serve Captain Lamotte

Deponent — I was his Hoolmebardar –

Question — Who kept the Key of the Godown –

Deponent – The Prisoner Narrain –

Question — When did the Horsekeeper tell you the things were carried away –

Deponent — The Prisoner sent a Boy with them and they put the things down in the street by the boys orders –

Question — Do you know who the Boy was

Deponent — No –

Question — Did you suppose the Prisoners means to steal those things

Deponent — I dont know –

Question — Do you know if your late master had paid for the Wine Sugar Candy and other things which had been carried away by the Prisoners orders from the Godown

Deponent — I dont know –

Question — Do you know how long those things had been in the Godown –

Deponent — No –

Parasarama Swora

Deponent – On the morning my master died – I was a sleep at the Stables and all the Servants were called to move my master body – when the body had been moved and washed clean I went to the Horsestable again – Vellayen a Horsekeeper who had lived with my master a long time came and waked me and carried Balla moottoo and myself to the Godown belonging to my master – when we came to the Godown there were outside of it a box of Sugar Candy, one basket of Liquor and three Bundles the contents of which I dont know – by Orders from the Prisoners Narrain was present with his Brother Balla moottoo myself and a Boy carried those things about a Mile from Anderson Street to a place called Changaghery and there we put down the things by the Desire of the Boy immediately after which Balla moottoo and myself came away and left the Boy with the things –

Question – What time was it when you carried the things from the Godown –

Deponent – About 4 or 5 Oclock in the Morning

Question – Did you know to whom the things belongid –

Deponent – No –

Question – Did you not know they were taken out of your Masters Godown –

o.

Deponent — I did not see them takes out — but they were close to the Godown door and I understood were takes out of it by Killayan

Question — What did the Prisoner say to you

Deponent — Told us to take the things and the Boy would show us where to carry them —

Question — Did they say no thing more —

Deponent — Only that the things were to be carried back to the Merchants —

Question — After you put down the things in the street by the boys desire do you know what become of them —

Deponent — No —

Question — Was it near the house of the Prisoner —

Deponent — I dont know —

Question — were you never at their House

Deponent — No —

Question — do you know of the Prisoners took or had carried away from the late Captain Lamotte's House any other things besides what you have mentioned —

Deponent — I dont know —

Question — Did you carried the box of Suger Candy —

Deponent — Yes —

Question — Was it full do you know and was it covered with any thing —

Deponent — I think it was about half full by the weight of it — it was not covered with any thing —

J Balla Mootoo Sworn

Deponent — I was aslap near the Horsestable and Killayan came and told me that my master was dead — We then went up stairs and after putting clean Cloaths on my master and moving his body I retired to the stable and about 5 o'clock Killayan came again and called me — I went with him to the Godown and outsides of it there were a Liquor Basket, a Box of Suger Candy and three small bandles — Killayan first desired me to take some of the things upon my head and I refused — Narain then said they belonged to the Merchants — after which Killyan helped to put the Basket of Liquor on my head and Parasaramah a Boy and myself carried them about a Mile and put them down in the Street by desire of the Boy and parasaramah and myself then went away —

Question — Did the Boy belonging to the Prisoner

Deponent — I dont know who he was —

Question — how near is the Godown to your late masters house

Deponent — Close to it — it is in the under part of the house

Question — Did you see the things taken out of the Godown

Deponent — No —

Do

Question — Do you know to whom they belonged —
Deponent — No the Prisoner said to the merchants —
Question — Did the Boy say any thing to you —
Deponent — No only told us to put the things down in the Street —
Question — How many bottles do you suppose there were in the Basket —
Deponent — About Twenty
Question — Do you know what three bundles contained
Deponent — No — I heard some peices of Gingham
Question — Was the Prisoners house near to the place you left the Boy with the things —
Deponent — I dont know —
Question — Do you know what became of the Wine and Sugercandy
Deponent — No —
Question — Why did you first refuse to carry any thing from the Godown —
Deponent — Because I thought it was heavy —
Question — had you no other Reason —
Deponent — No other Reason —
Question — Did you not think they belonged to your late master
Deponent — I did not know — the Prisoner said they belonged to the Merchents —
Question — Had you ever seen any of the things in the Godown
Deponent — No —
Question — Did you observe if the Box of Sugercandy had any Wax Cloth or other thing over it —
Deponent — No the wood was bare and nothing over it —

Villayan Servant to the late Captain Lamotte is called over on his recognizance and does not appear —

The Evidence for the prosecution being closed the Prisoners desire the following Witnesses may be Sworn —

/ Villayan Wine Merchant /

Deponent — The Prisoners master Captain Pearson and Mr Scott lived in one house — the Prisoner Narrain bought of me Five Dozen of Wine and different Liquors — In about three or four Days after he returned one Dozen and five Bottles of Madura Wine and two or three days afterwards Narrain came and told me his master had died four or five days ago and therefore he sent back the Liquors to me —
Question — Had the Prisoner paid you for the Liquor
Deponent — No —
Question — Do you know if the Prisoners master had paid him any Money for this Wine —
Deponent — I know nothing about it — the Prisoner always bought from me the Wine or other Liquors and paid me for it

/ Chenaik Merchant Sworn /

Deponent — I sold Narrain the Prisoner one Wax Cloth and two boxes of Sugercandy about four or five months ago

ago Six or Seven Days afterwards Narrain told me he had got the Goods and desired me to pay him back the Money — he brought one box of Sugar Candy to me and the Wax Cloth and I gave him back Three Pagodas and one half for the Sugar and 7/8 of a Pagoda for the Wax Cloth this was two or three Days after his master had Died as I heard —

Question — Do you know if his master had paid him any money for this Sugar Candy and Cloth —

Deponent — No I know nothing of it — the Prisoner told me his master had not paid him for it —

I Swamey Sworn

Deponent — The day before Captain Lamotte died a man came to his house to sell three peices of Gingham which had brought from Cuddalore for Sale as the Prisoners Master was ill they could not ask him if he wanted to buy the Ginghams and afterwards the man desired Narrain to keep them and he accordingly received them and kept them — the next Morning the man called and heard that Captain Lamotte had died — he then enquired for Narrain but he was not there —

Question — Did the Prisoner buy the Ginghams from the man

Deponent — No it appeard not —

The Witnesses being all examined the Prisoners are asked if they have any thing more to offer on their Defence — they then declare their innocence of what they are accused and say the things were not paid for by the late Captain Lamotte and that they had not been repaid for Several things purchased for his use — also that a good deal of Wages was due to them which Captain Pearson would not discharge —

The Petit Jury then withdraw and soon after returning into Court Verdict being first proclaimed —

Clerk of the Peace — Gentlemen of the Jury are you agreed of your Verdict —

Jury — Yes —

Clerk of the Peace — Who shall say for you

Jury — Our Foreman —

Clerk of the Peace — Look upon the Prisoners, How say you are they Guilty of the Felony whereof they stand indicted or not Guilty —

Foreman — Not Guilty —

Do — — — Did they fly for it

Jury — — — Not to our knowledge —

Gentlemen —

Clerk of the Peace Gentlemen of Jury hearken unto your Verdict as the Court hath recorded it – You say that Narrain and Rungah are not Guilty of Felony whereof they stand indicted and that they did not Fly for it and so you say all –

Jury —— Yes –

The Right Honble Chairman cautions the Prisoners against any evil in their future behaviour and they are then discharged by proclamation –

Parasaramah is then brought to the bar and Arraigned as follows –

Clerk of the Peace Parasaramah hold up your hand, you stand indicted by the Name of Parasaramah of Madrastpatnam Inhabitant for that on the Second day of February about the hour of twelve at Night in the Twenty fifth year of the Reign of our Sovereign Lord George the third King of Great Britain &c. with Force and Arms at Madrastpatnam aforesaid one small Sword Silver mounted and Silk belt value one Pound twelve shillings One pair of pistols brass mounted of the Value of Sixteen Shillings One small Sword Silver mounted of the Value of Eighteen Shillings, and one Table Cloth of the Value of one Shillings of the Goods and Chattels of one Ensign Thomas Patch then and there being found

found, feloniously you did steal take and carry away against the Peace of our said Lord the King his Crown and Dignity –

Prisoner – Not Guilty –

Clerk of the Peace How will you be tried –

Prisoner – By God and my Country

Clk of the Peace God send you a good deliverance –

The Prisoner chuses a Petit Jury of twelve Englishmen and the following Persons are accordingly Sworn –

Mr John Tulloch	Samuel Crawford
Erskine Nemmo	Alexander Coote
Robert Henderson	James Austen
Alexander Melvein	Robert Patterson
Neil M.Kenzie	William Bromedge
Peter Read	Angus Campbell

Clk of the Peace – Gentlemen of the Jury look upon the Prisoner and hearken unto his cause you shall know that he stands indicted by the Name of Parasaramah / here the Indictment is read as in the Arraignment / upon this Indictment he hath been Arraigned and thereunto hath pleaded not Guilty and for his Trial hath put himself upon God and his Country which Country you are – Your Charge is therefore to enquire whether he is Guilty of the

the Felony whereof the Prisoner indicted or not Guilty— and hear your Evidence—

One of the Grand Jury comes into Court to See the following Witnesses Sworn—

/ Ensign Thomas Patch Sworn /

Question — Do you know the Prisoner—

Deponent — The first time that I remember to have seen him was on the 2d February last— On the 2d of February I had some Gentlemen to sup with me they staid till near twelve o'clock with me one of the Gentlemen was taking notice of my Swords and pistols that were hanging against the Walls— immediately after they went away I retired to sleep— the next (morning) about Day break I opened the Door of my apartment where I slep and on going into the other room I found my Sword and pistols were gone and likewise observed a Table Cloth to be taken away from the side Table where it had been placed on a Tureen — I immediately sent to the Officer of the Moor Guard (desiring) him not to suffer these things to be passed out of the Gates without his knowledge — soon after this some of the Gentlemens Servants who were my Neighbours told me they observed One of my own Servants and the Prisoner who was his accomplice (describing) him to have lost part of his Ears / the

Prisoner

Prisoner is then examined and it is discovered that the upper part of his Ears have to all appearance been cut off / were looking in at my Windows and pointing to the Pistols and Swords on the Wall on the Evening they were stolen— upon this Information I went to Mr Sadleir the Justice of the Month to desire him to send Peons out in Search of the Thieves some Peons were sent and one of my Servants with them and about 3 O'Clock on the 3d February the Peons took the Prisoner outside the Black Town wall towards Nepery as I was informed

Question — Had the Prisoner been in your apartments any time on the 2d February—

Deponent — Not to my knowledge

Question — Were you asleep in the same Room when the pistols and swords were stolen—

Deponent — I was asleep in a small apartment close to it

Question — did you hear any noise—

Deponent — No—

Question — Was the Door locked in which the pistols and Swords were hanging—

Deponent — The Key of the Door had been lost but I made fast the Door as well as I could— in the Morning I found the thing with which I had fastened it torn and forced away and my Swords and pistols gone—

Question — did it requeire much force to open the door as you had fastened—

Deponent — Yes a good deal—

Question — Are you Sure your pistols and Swords were in the Room after fastining the Door of it, just before you retired to sleep on the 2d at Night—

Deponent — Yes Certain

Question — Is there no other Person you could suspect to have taken the Pistols or Swords out of your Room besides the Prisoner—

Deponent — No other Person—

Question — Is either of your Servants in Court—

Deponent — No—

Question — Had you any Reason to suppose that one of your Servants was concerned with the Prisoner—

Deponent — I could not find out that either of them was concerned

Question — Did they find the Pistols or Swords upon the Prisoner when the Peons first took him—

Deponent — No he had sold them—

Question — Where did you see them again first

Deponent — They were brought to me to look at — by the People belonging to the Justice / A Silver mounted Sword with a Silk belt and pair of pistols are then shewn to Mr Patch and he declares postively they are the same that were stolen out of his Room and belonging to him—

Question — Were there not two Swords taken out of your room

Deponent — Yes - but the Peons could not find what had been done with one of them—

Question — Do you know by what means the Prisoner lost a part of his Ears — or Do you know how he lived or maintained himself—

Deponent — No I do not—

Question — Do you know how the Peons found out and Seized the Prisoner—

Deponent — No - not particularly — my Servant went with them he had seen the Prisoner and they met him near Kepong—

Question — How did they discover what had been done with the Pistols and Swords—

Deponent — The Prisoner confessed that he had sold them in the Black Town—

/ Mr. B. John Bernet sworn /

Question — Do you know the Prisoner.

Deponent — On the 3d February the Prisoner at the Bar tendered me for Sale a pair of pistols between eleven and twelve oClock in the forenoon / the Pistols which Mr Patch swore to be his property are then shewn to him and he declares they are the same that he purchased from the Prisoner / The Prisoner having / as him me two Pagodas and an half I desired from him a Chit on the Authority which empowered him to sell the pistols—

on

on which he produced a Chit and having read it I remonstrated to him that instead of 2½ Pagodas the Chit said only one Pagoda and three Rupees and that I would willingly give him this price — upon which he answered that they were mine and delivered them to me on my paying that sum for them —

Question — had you any suspision of the Prisoner before he shewed you the Chit —

Deponent — A Chit found on the Prisoner is then shewn to him and he declares it is the same which the Prisoner brought with the Pistols — the following is a Copy of the Chit —

Sir

The undermentioned articles belonged to Mr Hattear and any person that Chosses to purchase it at the rate Here mentioned and paying Ready money for the same is welcome

Viz!

		Pr	F	C
Fort St George 3d of February 1785	One Sword	7	"	"
	One pair of pistols	1	36	"

Mr Hattear —

Question — Did the Prisoner offer any Sword to you for Sale or other things —

Deponent — No — he had nothing but the pistols when I saw him

Question — Had you ever seen the Prisoner before that day

Deponent — not that I remember

Question — Was there any person with the Prisoner at the time —

Deponent — Nobody —

Question — Where did the prisoner go after you had paid him for the pistols —

Deponent — I dont know —

Question — Did you ask the prisoner how he got the pistols

Deponent — No I did not ask him as he shewed me the Chit —

Question — Do you know any thing of the Prisoner

Deponent — Nothing more —

Question — how did you understand the Prisoner

Deponent — One of my scholer Mr Sykes who theaks the malabar language extremely well interpreted between us —

Question — Did you perceive any apprehension or agitation in the Prisoner —

Deponent — None that I remember —

(Mr Christian Yesell Sworn)

Mr Stephen Popham is then Sworn to interpret in the french Language between the Court and the

The Witness—

Question —— Do you know the Prisoner

Deponent —— On or about the 3d of February last the Prisoner brought a pair of Pistols and a Sword which had a Silk belt on it to my house in the black Town he demanded 8 Pagodas for the Sword on which I asked him if he had not any note directing him to sell it — he shewed me a note on which was mentioned 7 Pagodas and I then said mame your price and also told him in a joking way that I would give him four Pagodas the Prisoner answered take it and held it out to me saying — here it is — I then paid him 4 Pagodas and he delivered me the Sword and immidiately after went away —

Question —— At what time of the day did this happen

Deponent —— About Ten or eleven in the morning.

Question —— Are these the Pistols and the Sword which the Prisoner brought to you / shewing the same as before produced —

Deponent — Yes it is the Sword for which I paid to him 4 Pagodas and the Pistols are the same he had at the time with him —

Question —— had the Prisoner any thing besides for Sale

Deponent — Not that I know of —

Question —— Did you ask him how he got the pistols or Sword

Deponent —— No — he told me this master had ordered them to sell them and shewed me the Note —

Question —— Is this the note the Prisoner shewed you ? / producing the Note to them as entered before /

Deponent —— It is the same —

Question —— When did you discover the Sword had been stolen

Deponent —— The same Day — some people belonging to the Justice came and Demanded it of me —

Question —— Do you know how the Peons belonging to the Justice discovered the Prisoner —

Deponent —— No —

Question —— Did the Prisoner appear much agestated when he sold you the Sword —

Deponent —— not in the Least

Question —— how did you understand the Prisoner

Deponent —— My Servant Interpreted between the Prisoner and myself —

Question —— had you ever seen the Prisoner before the Day he brought you the Sword for Sale —

Deponent —— Not that I remember —

The Prisoner has no Question to ask nor Witnesses to be examined — but says in his Defence that on the night the Gentlemen missed his Sword and Pistols he saw four boys who had

had them near Doctor Andersons house in the Fort and when he went towards them near the Brues they ran away or which he followed them and took from them the pair of pistols one Sword and a Table cloth, and also the aforementioned note — this happened about Nine o'clock at night — the pair of pistols and other things he kept by his masters house near the Barracks and went next day and sold them —

Being asked who his master was he says Serjeant Battear belonging to the 37th Regiment at Arcot and that his master went away on the day he sold the pistols and Sword, and that he does not know the Boys from whom he took them in the Fort — The Prisoner having nothing more to offer in his defence the Petit Jury withdraw and soon after return into Court verdict being first proclaimed —

Clk of the Peace — Gentlemen of the Jury are you agreed on your verdict —

Jury — Yes —

Clk of the Peace — Who shall say for you

Jury — Our Foreman

Clk of the Peace — Parasaramah hold up your hand

do to the Jury — Look upon the Prisoner at the Bar — How say you is he guilty of the Felony whereof he stands indicted

indicted or not Guilty —

Foreman — Guilty —

Clk of the Peace — What goods and Chattels do you find he had at the time of the Felony committed or any time since

Jury — None to our knowledge

Clk of the Peace — Gentlemen of the Jury hearken into your verdict as the Court hath recorded it — you say that Parasaramah is guilty of the Felony whereof he stands indicted and that he had no goods or Chattels at the time of the Felony committed or at any time since and so you say all —

Jury — Yes —

The Prisoner is then taken from the Bar and the Court is adjourned until tomorrow morning at 9 o'clock for continuing the Sessions —

Thursday 3d March 1785

Justices Present

The Right Honble George Lord Macartney

Alexander Davidson & James Daniell Esqrs

The Court is duly opened —

Thomas Willis is then brought to the Bar and arraigned as follows —

Clk of the Peace — Thomas Willis hold up your hand — you stand indicted by the name of Thomas Willis late a Soldier in his Majesty's fifty Second Regiment for that some time in the month of February in the twenty fifth year of the Reign of our Sovereign Lord George the third King of Great Britain &c with force and arms in a certain place, near the Highway or Road about a mile and an half from Poonamallee within the Jurisdiction of Madraspatnam

Madraspatnam aforesaid, in and upon one Mootyalloo Cart Driver in the Peace of God and of our said Lord the King then and there being feloniously you did make an assault and him the said Mootyalloo then and there did beat wound and put in bodily fear and danger of his life, and two gold Ear rings of the value of one Pound fifteen shillings of the Property of him the said Mootyalloo near the Highway or Road aforesaid, then and there feloniously and violently did steal take and carry away against the Peace of our said Lord the King his Crown and Dignity — How say you are you guilty of the Felony and Robbery whereof you stand indicted or not Guilty

Prisoner — Not Guilty

Clk of the Peace — How will you be tried

Prisoner — By God and my Country

Clk of the Peace — God send you a good deliverance —

The following Petit Jury is Sworn the Prisoner having no objection —

Mr John Tulloch	Samuel Crawford
Erskine Nemmo	Alexander Coote
Robert Henderson	James Austen
Alexander Melvin	Robert Patterson
Neil M Kenzie	William Bromedge
Peter Read	Angus Campbell —

Gentlemen

Clk of the Peace — Gentlemen of the Jury look upon the Prisoner and hearken into his cause you shall know that he stands indicted by the name of Thomas Willis / here the Indictment is read as in the Arraignment / upon this Indictment he hath been arraign'd and thereunto hath pleaded not Guilty and for his Tryal hath put himself upon God and his Country which Country you are your Charge therefore is to enquire whether he is Guilty of this Felony wherof he stands Indicted or not Guilty — If you find him Guilty you are to enquire what Goods & Chattels he had at the time of the Felony committed or at any time since if you find him not guilty you are to enquire if he fled for it If you find that he fled for it you are to enquire of his goods and Chattels the same as if you had found him Guilty If you find him not Guilty and that he did not fly for it you are to say so, and nomore and hear your evidence —

Mootayaloo Cart driver Sworn.

Question — Do you know the Prisoner at the Bar —
Deponent — No —

Clk of the Peace — Relate what you know —
Deponent — About 12 or 13 Days ago I went to Coodapart Choultry about 1 Mile from Poonamallee — I had not been there long when an European came into the Choultry I rose up and he immediately struck at me on which I run away and the European followed me in the way there was some high uneven Ground over which I fell down & the European by this means came up whilst I was on the Ground — The European gave me five or six blows with his hand and also two or three with a bayonet — after which he lifted me up from the Ground and tore my Ear rings out of my Ears and then took my Turban and tied both my hands and Legs — another European came at this time and took away the bagonet from the Prisoner and run away with it — after this the European who had took out my Ear rings also ran away — soon after I untied the Turban with my Tooth and released my hands & feet I applied the next Day to the Catwall who advised me to go to the Commanding Officer of Poonamallee and acquaint him with the circumstances I accordingly went to him and shewed him my condition & the bloody Cloth the Commanding Officer said he would find out the Thief and then

and then told me to go and boxed my Ears-

Question — Have you any recollection of the European Person who took your Ear rings- was he like the Prisoner

Deponent - He was about the Prisoners Size — it was about 9 or 10 o'clock at night and there was no moon light —

Question — How was the European dressed

Deponent — He had a White Jacket or Shirt on

Question — Was his Hat any thing like the Prisoners-

Deponent — Yes it was a black hat with a White border round it like the Prisoners, and such as the Regiment at Poonamalle wear-

Question — Did you give the European any cause or provocation to beat you-

Deponent — None -

Question — Had you any knowledge of the Prisoner

Deponent — Not in the least-

Question — Was there any Woman in the Choultry that Evening

Deponent — There was no other Person in the Choultry besides a boy belonging to me who ran away when he saw the European strike at me

Question — How far did you run from the Choultry before you fell down-

Deponent — About 200 yards-

Question — Was it in the Road or what kind of Ground-

Deponent — It was open Ground a Little out of Poonamalle Road

Bell

Question — Did only one European run after you-

Deponent — Only one - the other European came up after I was on the Ground -

Question — How did the European tear the Rings out of your Ears-

Deponent — He took one ring in each hand and tore them out both together at the same instant

Question — Were you in much pain or fear of your life-

Deponent — Yes in a good deal of pain and fear of my life-

Question — How near was the other European at the time the Prisoner took your Ear Rings-

Deponent — Within a few yards

Question — Did the Prisoner strike you with the Bayonet out of the Scabbard-

Deponent — Yes only one blow on the head without the scabbard

Question — Did the Prisoner make use of the point of the bayonet

Deponent — Yes - he gave me one thrust with the point fair on the back part of my head-

Question — Did it hurt you much-

Deponent — It made my head bleed -

Question — Did you observe any struggle between the two Europeans

Deponent — Yes - one of them was trying to take the Bayonet from the other-

Question — Did the Europeans walk or run when they left you tied -

Deponent — One run away first and soon after the Person who had taken my Rings run away rather fast-

Question — Which way did they go —
Deponent — Towards Poonamalle Fort
Question — Did they appear to you at the time to be soldiers belonging to Poonamalle —
Deponent — Yes —
Question — Do you know what became of your Ear rings
Deponent No —
Question — What kind of rings were they —
Deponent — Common Gold Ear rings with a bead in the middle I bought them about 20 Months before for 5 Pagodas —

James McGeary Sworn

Question How long have you know the Prisoner —
Deponent About three or four months since he came to the Regiment —
Clk of the Peace Relate what you know .
Deponent — Eleven or twelve days ago the Prisoner James Eatings & myself went out of the Fort about 5 or 6 o'clock in the Evening in our white Jackets — we went out with an intention of getting a black Girl — near the hut outside of the Fort we drank each of us about

about three drams — The Prisoner was intoxicated before this and much worse afterwards we went after this to look for a Girl and arrived at the Choultry the Prisoner went in a black man got up and made a noise the Prisoner then struck at him & I put out my hand to prevent the blow the black man immediately ran away and the Prisoner after him — I stopped on the Road till Eatings came up and I told him this on which he desired me to go and prevent it as the Prisoner was drunk — I then ran down after the Prisoner about 100 or 200 yards — when I came there I saw the black man down on the Ground and the Prisoner standing tying him with his Turban — I asked him what he was about and seeing a bayonet in his hand I tried to take it from him — The Prisoner swore he would kill me if I did not let him go — I then assisted him in tying the man as I was afraid of him — the Prisoner said it would not do and then tied the man himself — he afterwards wanted to take the Turban and his cloth and said it was worth more than all he had — but I prevented him doing this — I then walked away and the Prisoner followed me having the Black man tied — we came up to the place where Eatings was standing and all three went to the Fort together —

Did

Question— Did the Prisoner go into the Choultry in search of a Girl—

Deponent Yes—

Question— Why did the black man make a noise—

Deponent from fear I believe—

Question— Did the Black man offer any provocation—

Deponent— None that I seen—

Question— Was Eakings near you at this time

Deponent— He staid behind to ease himself—

Question Did you suppose the Prisoner wanted to do the Black man any harm when he ran after him

Deponent Yes I thought he might do some thing bad as he was in liquor—

Question— Did you see the Prisoner strike the Black man on the Ground or take his rings out of his Ears—

Deponent No—

Question— When did you first discover the bayonet?—

Deponent— When I came near the Black man on the Ground the Prisoner afterwards put it in between his Shirt & his skin—

Question— Did you see him strike the black man with it

Deponent No—

Question— Was there a Scabbard on the bayonet

Deponent Yes when I saw it

Question— Was it usual to carry the Bayonet in that manner

Deponent— No—

Question— Do you know if the Prisoner had any belt for his Bayonet—

Deponent— I dont know—

Question— Had you a Bayonet with you—

Deponent— No—

Question— Did you observe any rings in the black mans Ears—

Deponent— I did not observe any—

Question— Did you observe that the Black mans Ears were torn or there was any blood upon them—

Deponent— I saw some blood on his shoulders but no where else

Question— Did you ask the Prisoner why he treated the black man in such a manner—

Deponent No but I tried to prevent his using him ill

Question— Did you or Eakings know the same Evening that the Prisoner had taken the Black mans rings—

Deponent No I believe not—

Question— Did you talk of the man as you were going to the Fort—

Deponent Nothing that I remember—

Question— Did the Prisoner ever shew you any Ear rings

Deponent— Yes the day after this happened about seven o'clock in the morning— I asked him how he got them and he said he did not know—

Question— Do you think the Prisoner was so far intoxicated that night as not to remember the next morning how he got the Ear rings—

Deponent — I think he might have been so far intoxicated that night as not to know when he got them the next morning —

Question — Do you know what he did with the Ear rings

Deponent — No and I asked him no further questions about them —

Question — After tying the Black man could the Prisoner walk home without any assistance —

Deponent He walked home without any assistance but staggered along like a man intoxicated —

Question — What kind of Ear rings did the Prisoner shew you

Deponent — Describers them to be the same kind & size as mentioned before by Mootayaloo —

Question — How had the Prisoner behaved in your Regiment and was he often intoxicated —

Deponent — I dont know any ill behaviour of the Prisoner before I remember seeing him intoxicated one before this time

James Eatings sworn /

Question — Do you know the Prisoner —

Deponent — About four months

Clk of the Peace Relate what you know —

Deponent — About twelve days ago in the Evening we went out

of

of the Fort the Prisoner McGeary and myself — we carried with us a bottle of arrack containing about 8 or 9 Drams the Prisoner was a good deal intoxicated at this time We went out of the Fort with an Intention of getting a black girl near the Huts about 100 yards from the Fort — The Prisoner drank three drams there and after staying a little while we walked down the Road towards Madras I had occasion to stay behind — the Prisoner and McGheany went on — When I came up I saw McGheany alone and I asked him where Willis was and he told me he believed Willis was gone to ease himself in the Field on which McGheany — told me to remain there until he come back — I accordingly remained about ten minutes when both returned and on their return we agreed to go home and went immediately to the Fort —

Question — Was McGheany standing near a Choultry when you come up to him —

Deponent — yes a little Distance from it —

Question — Did you see any black man near the Choultry —

Deponent — No —

Question — Did you not understand that the Prisoner had run after a black man —

Deponent — I do not remember hearing it —

Did

I asked them how he came by them and he answered that he got them from Willis I then asked him if he knew how the Prisoner came by them on which he said he did not know—

Question— What kind of Ear rings were they

Deponent— they were plain gold / describes the size of them which agrees with the declaration of the former Evidences /—

Question— Do you know what Collins did with the Ear rings—

Deponent No— I asked no more questions about them—

Question— Did Collins tell you when the Prisoner delivered them to him—

Deponent No—

/ John Collins Soldier Sworn /

~~6th~~ of the Peace Relate what you know—

Deponent About nine or ten days ago the Prisoner came to me and shewed me a pair of Ear rings which he desired me to receive and keep for him I told him I was afraid to take them as it might bring me into trouble the Prisoner then desired me to keep them untill he had mount Guard and not to fear for he should let me

Person know it— on which I took them and about two or three hours afterwards shewed them to William James who asked me who owned them and said Thomas Willis— he then said do you know how he came by them— The Prisoner got leave to come off guard and came to me and desired the Ear rings on which I returned them to him and he put them into his Jacket and went away— I do not know what he did with them afterwards—

Question— Do you ask the Prisoner how he got the Ear rings

Deponent— yes— and the Prisoner told me he did know how he got them and that he would not let any body know he had them—

Question— Do you know any thing more of this affair—

Deponent— Nothing more—

Question— Do you recollect the size of the Ear rings and how they were made—

Deponent— Describes them nearly of the size and the same kind as beforementioned—

The Evidence for the prosecution being closed and the Prisoner having no Question to put to any one of them— he is asked if he has any Witnesses to be examined or any person to speak of his Character— He in answer says there is no other person belonging to Regiment at Madras besides Serjeant Smith and desires the

he may be called on —

/ Christian Smith Serjeant Sworn /

Clk of the Peace how long have you know the Prisoner and what do you know of his Character —

Deponent — I have known him about four months being the time he has belonged to the Regiment — Redid not belong to the same Company but I was sometimes upon Duty with him and he always behaved soberly and like a Soldier — before this affair happened I never knew or heard any thing ill of him —

The Prisonir having no other persons to give Evidence and nothing more to offer in his Defence the Petit Jury withdraw an Officer being Sworn to keep them — and in a short time return into Court Verdict being first proclaimed —

Clk of the Peace Gentlemen of the Jury are you agreed of your Verdict —

Jury — Yes

Clk of the Peace Who shall say for you —

Jury — Our Foreman —

Clk of the Peace Thomas Willis hold up your hand —

D° to the Jury look upon the Prisoner at the Bar How say you is he guilty of the Felony whereof he stands indicted or not guilty —

Foreman — Guilty —

Clk of the Peace What goods and Chattels do you find he had at the time the Felony committed or any time since —

Jury — None to our knowledge —

Clk of the Peace Gentlemen of the Jury hearken unto your verdict as the Court hath recorded it — you say that Thomas Willis is guilty of the Felony whereof he stands indicted and that he had no goods or Chattels at the time of the Felony committed or at any time since and so you say all —

Jury — Yes —

The Petit Jury throught their Foreman recommend the Prisoner in consideratiow of his general good Character to the mercy of the Bench —

Thomas Willis is then removed from the Bar and William Clawson brought to it —

The Prisoner declaring that he does not understand English very well being a Dutchman, a Person is sworn to interprit in the Dutch language —

Clk of the Peace William Clawson hold up your hand you stand indicted —

Indicted by the name of William Clarson of Madraspatnam
Prisoner of the Honble Company for that on the Seventh
Day of August in the Twenty fourth year of the Reign
of our Sovereign Lord George the third King of Great
Britain &c with force and arms at Madraspatnam
aforesaid, one Gold Watch of the Value of fifteen
Pounds one pair of Gold Stone Buttons of the
Value fifteen Shillings and one Gold Breast
Buckle of the value of five Shillings of the Goods
and Chattels of one Anthony Shaveman from the
Person of the said Anthony Shaveman privately
and Secretly then and there, feloniously did steal
take and carry away against the Peace of our
said Lord the King his Crown and Dignity —

How say you are you guilty of the Felony whereof
you stand here Indicted or not Guilty —

Prisoner —— Not Guilty

Clk of the Peace —— How will you be tried —

Prisoner —— By God and my Country —

Clk of the Peace God send you a good deliverance

The same Petit Jury is again Sworn
the Prisoner having no objection —

Johanna Dupre Sworn

Clk of the Peace Relate what you know —

Deponent About five months ago half an hour after Gun Fire
in the Evening — I saw a man lying in the Ground
on Hog hill near to my masters house — my master
Mr Wright told the Prisoner and another man whom
I dont know to carry the man away — on which the
Prisoner and the other man took him round the
Corner of the street about three or four yards they
put him down and placed his hat on his head —
the Prisoner then put his hands into the mans
pockets and said to me there is no money in them —
immediately after this I saw three or four Gentlemen
coming on which account I went away home to
Mr Wrights house —

Question — Did you know the Person on the Ground —

Deponent — no —

Question — Did you see the man knocked down by Mr Wright

Deponent — Yes — and he had been lying on the Ground near
half an hour when the Prisoner with the other person
came there —

Question — Were you very near the man on the Ground during
this time —

Deponent — I was at Mr Wrights house and the man was lying
close to it —

Question — Are you certain no person went near the man who
was lying on the Ground before the Prisoner —

6.

Deponent — Certain the Prisoner was the first person that came very near or touched the man on the Ground —

Question — Did Mr Wright tell the Prisoner to carry away the man to any particular place —

Deponent — no he said ~~take him~~ away —

Question — Why did the Prisoner and the other person carry the man round the Corner —

Deponent — It was in the way to the mans house I understood

Question — Why did the Prisoner put him down on turning the Corner —

Deponent — I dont know —

Question — Did the man Speak

Deponent — I only heard him say whilst they carrying him round the Corner — "dont"

Question — Did you go near the man after he was carried round the Corner

Deponent Yes

Question — Did you remain near the man until you saw your master and some other Gentlemen coming

Deponent — Yes —

Question — How near had they approached the man on the Ground when you went away

Deponent — About 8 or ten yards —

Question — Did you see the Prisoner afterwards during that Evening

Deponent — No I left him near the man on the Ground and did not see him afterwards —

Question — Did you see any person whatever besides the Prisoner and his Companion came near the man on the Ground —

Deponent — no person besides the Prisoner and the man with him from the time he was knocked down to the time I went away when my master, Captain Brocher Mr Bustard and some others came there —

Question — Did the Prisoner say any thing to you or the other man besides what you have mentioned —

Deponent — the Prisoner only said there was no money in his pockets — and after touching at the mans Buckles he said they are not Silver —

Question — Why did he say that to you —

Deponent — I dont know he put his hands upon the mans Buckles and looked at them and then said what I have mentioned

Question — Do you know if the Prisoner took any thing from the man on the Ground —

Deponent — I cannot say he did — I dont know it —

Question — Did you suppose the man was dead after they had carried him round the Corner —

Deponent — He was not dead — for I put my hand on his mouth and felt his breath —

Question — Did you see a Watch, Silver Buttons or Breast Buckle about the man on the Ground or that the Prisoner or the other man had such things —

Deponent — I saw no thing of the kind about either of them —

Question — had you seen the Prisoner at Mr Wrights house —

Deponent — Yes he came there some months before and said he had a Table for Sale—

Question — Do you know what the prisoner is

Deponent — I know nothing more of him—

/John Lashell Sworn/

Question — Do you know the Prisoner and what is he

Deponent — I have know known him about twelve months— he is one of the Company's Pensioner—

Clk of the Peack Relate what you know—

Deponent — About ten minutes after eight o'clock I met Anthony Shareman near the Barrack Godown and on asking him what o'clock it was he pulled out his watch and said it was ten minutes after eight and put his watch again into his pocket— there was a portugese Woman with him— Soon after this Mr Wright was coming round the Corner near his own house— Shareman said "Hollo brother who goes there" upon which Mr Wright first knocked me down and then Anthony Shareman— I crept away leaving Shareman lying on the Ground about eight yards from Mr Wrights house— I went to the Battery and told my Comrades of it and returned in about 20 minutes— there were three besides myself that came from the Battery and the Prisoner at this

time

time had Anthony Shareman between his knees—

Question — How was the Prisoner holding Shareman—

Deponent — he had got his Shoulders between his knees, supporting him like, and myself and three others immediately carried Shareman to the Battery—

Question — Did Shareman appear to have life when you first returned—

Deponent — No—

Question — Was there any person besides the Prisoner near Shareman when you returned—

Deponent — There was a nother man whom I dont know

Question — Was he not a tall man with an Artillery Jacket

Deponent — I dont Remember—

Question — Was not Mr Wright there and some other Gentlemens before you carried Shareman to the Battery—

Deponent — No—

Question — Did not Mr Wright give you some derections about carrying Anthony Shareman away—

Deponent — No—

Question — Did the Prisoner speak to you—

Deponent — No I dont Remember that he did—

Question — Did you ask him no question about Anthony Shareman

Deponent — No—

Question — When did you first discover that Sharemans Watch Sleve Buttons and Breast Buckle were missing—

Deponent — Not until we brought the body of Shareman to the Battery—

Question — Do you know who took them —
Deponent — No I dont —
Question — Are you sure these things were about Shareman when he was knocked down —
Deponent — Yes Certain —
Question — How long was it from the time he shewed you the watch to the time he was knocked down —
Deponent — A very few Minutes —
Question — Might not the Watch have dropped out of his pocket in carrying Shareman to the Battery —
Deponent — No — We carryed him in such a manner that it could not have dropped out —

(Captain Caleb Pearson Sworn)

Clk of the Peace — Relate what you know —
Deponent — In August or September last the Prisoner came to our House and offered Captain Lamotte something for Sale and he said he was selling those things to redeem a Gold Watch that was at Pondicherry which he valued at 350 Pagodas he also said he had been master of a Vessell and had many other things for Sale —
Question — Had you ever seen the Prisoner before —
Deponent — No —
Question — Did he describe what kind of Watch it was —

Deponent — He did not —
Question — Did the Prisoner ever mention to you any thing of a Gold breast Buckle or Sleeve Buttons —
Deponent — No —
Question — What were the things he offered you for Sale —
Deponent — a Tea Chest, Silver candle stick and something else —
Question — Do you know how he got these things —
Deponent — I do not —
Question — Does he keep a Shop or frequently sell different things
Deponent — I know no thing further about him —

The Prisoner having no questions to ask or Witnesses to be examined the Petit Jury withdrew an Officer being Sworn to keep them — and soon after returned into Court Verdict having been given proclaimed —

Clk of the Peace — Gentlemen of the Jury are you agreed of your Verdict
Jury — Yes —
Clk of the Peace — Who shall say for you —
Jury — Our Foreman —
Clk of the Peace — Look upon the Prisoner How say you is he Guilty of the Felony whereof he stand indicted or not guilty —
Foreman — Not Guilty —
Gr — Did he Fly for it —
Jury — Not to our knowledge

Gentlemen —

Clk of the Peace Gentlemen of Jury hearken unto your Verdict as the Court hath recorded it — you say that William Clauson is not guilty of the Felony whereof he stands indicted and that he did not Fely for it — and so you say all —

Jury — Yes

William Clauson is then Discharged by proclamation —

Comperauze Lanevasarow who was found guilty yesterday of a Misdemeanour and Parasaramah and Thomas Willis committed of Felony are ordered up to receive Sentence —

Comperauze Lanevasarow is placed at the Bar —

Chairman — You have been found guilty of the Misdemeanour whereof you were indicted and the Court has in consequence adjudged that you shall pay a fine of 20 Pounds and to be imprisoned for three months and until such fine be discharged — on which he is removed from the Bar —

Parasaramah is brought to the Bar —

The Prisoner Parasaramah having said yesterday in his defence that he was the Servant of one

one Sergeant Hattear which is the name signed to the note found in his possession when seized and copied on the proceedings of his Trial belonging to his Majestys 37 Regiment who had left Madras the day on which he sold the Pistols and Swords, Enquiry has been in consequence made and it is found that no person of that name belongs or has lately belonged to —

Clk of the Peace You stand here convicted of Felony — what can you say for yourself why the Court should not proceed to give Judgement of Death against you as the Law directs —

Says he took the Pistols and other things from some Boys near Doctor Andersons house and that he did not steal them —

Chairman — You shall go to the Place from whence you came and from thence to the place of Execution and there you shall be hanged by the neck until your Body is dead and God have mercy upon your Soul

Parasaramah is then removed from the Bar — and Thomas Willis brought to it —

Clerk of the Peace — You stand here convicted of Felony & Robbery — what can you say for yourself why the Court should not proceed to give judgement of death against you as the Law directs

The Prisoner says in his defence that he was drunk at the time of the unhappy affair and that he did not know what he was doing —

Chairman — It only remains for me to discharge the painfull duty imposed upon me, which is that you are to go to the place from whence you came and from thence to the place of Execution and there you shall be hanged by the neck until your Body is dead and God have mercy upon your Soul —

Before the Prisoner is removed from the Bar the Right Honble the Chairman acquaints him that the Bench, in consideration of some Circumstances which have appeared on his Trial the Character given of him whilst in the 52d Regiment and also the recommendation of the Petit Jury in his favor, has agreed to respite his Sentence and recommend him for his Majesty's Pardon —

There being no more Causes The Grand and Petit Juries are dismissed with

thanks

thanks for their Services and the Court is adjourned till 13th April next for holding another Session. —

till such Certificate shall arrive from Europe—

Pullein Spencer

The Bench having complied with the request of Mr Spencer he is accordingly acquainted therewith—

The following Grand Jury is then Sworn

William Harcourt Lorrains Esq Foreman

George Proctor	Forester Rose
Richard Guy	James Landon
William Ross	George Webster
George Wynch	William Balfour
Thomas Kingscote	Thomas Cockburn
Charles Darke	Robert Clerk
"	Joseph Howe &
John Spalding	

Three following Bills of Indictments are Delivered to them and they withdraw

Bill of Indictment against Jeremiah Crowley and John Booth for Felony and Murder

Do - - - - - - - against Antonio Losede for an assault with an

Do - - - - - - against Ball Rustna for a Misdemeanour

an Interpreter is sworn for the Court and another for Grand Jury—

Witnesses sworn

Sawmy
Andiapah
Parasaramah
Mr I. Morton

} On the Bill of Indictment against Jeremiah Crowley and John Booth—

The Grand Jury come into Court and Deliver the forementioned Bill of Indictment endorsed a true Bill—

Jeremiah Crowley and John Booth are then brought to the Bar and arraigned as follows—

You stand here indicted by the Names of Jeremiah Crowley late private Soldier in the Service of the English East India Company and John Booth late private in the said East India Companys Service for that not having the fear of God before your Eyes but being moved and seduced by the Instigation of the Devil on the Seventeenth day of March in the Twenty fifth year of the Reign of our Sovereign Lord George the third now King of Great Britain &c with force and Arms, at Cacadatongal, between the Mount and the River Sedepet within the Jurisdiction of Madraspatnam aforesaid in and upon one Andiapah in the Peace of God and of our Sovereign

Sovereign Lord the King, then and there being feloniously wilfully and of your malice aforethought did make an assault, and that you the said Jeremiah Crowley with a certain stick, in length about two Feet and of the Circumference of Seven Inches, which the said Jeremiah Crowley then and there in your Right hand had and held in and upon the head of him the said Andiapah wilfully feloniously and of your malice aforethought did strike and wound giving unto the said Andiapah then and there with the stick aforesaid one mortal blow that fractured the skull of him the said Andiapah, of which said mortal blow the said Andiapah languished for the space of a few hours and then died — and that the said John Booth, wilfully feloniously and of your malice aforethought then and there was present, aiding, abetting assisting, comforting and maintaining the said Jeremiah Crowley, the felony and murder aforesaid, in manner and form aforesaid, to do and commit and so the Jurors aforesaid, upon their Oath aforesaid do say that you the said Jeremiah Crowley and John Booth, the said Andiapah then and there in manner and form aforesaid — feloniously, wilfully and of your malice aforethought did kill and murder against the

the Peace of our Sovereign Lord the King his Crown and Dignity

Clerk of the Peace — How say you Jeremiah Crowley and John Booth are you Guilty of the Felony and Murder whereof you stand indicted or not Guilty.

Prisoner — Not Guilty —

Clerk of the Peace — How will you betried

Prisoner — By God and our Country

Clerk of the Peace — God send you a good deliverence —

The following Petit Jury is sworn the Prisoners making no objection to any of them —

Mr Nathaniel Bacon Foreman

Erskine Nimmo	Samuel Crawford
Robert Henderson	Alexander Coote
Alexander Melvin	James Austin
Neil McKenzie	Robert Patterson
Peter Read	William Bromedge &

Robert Pearson

Sawmy Lascar Sworn —

Question — Do you know the Prisoner at the Bar

Deponent — yes since the affair happened at Eacadutongal about three months ago — Andiapah Tindal and myself went to Eacadutongal between the mount and Sideput to get some Cadjan Leaves about the time we arrived there five Europeans came from the mount — they entered the Toddy mans house — soon after this three of the Europeans

Europeans went towards the mount and left the Prisoner behind the Prisoners then came near to Andeapah and myself the Prisoner pointing to Jeremiah Crowley had taken a Stick from a Ladder which was near there when the Prisoners came near us the Two Toddy Drawers ran away the Prisoner asked us where the Toddy men were gone to and on our making signs that we did not know the Prisoner Jeremiah Crowley struck & then seized the stick in his hand and the other Prisoner laid hold of the stick I immediately ran away and Andeapah Tondal also ran about 400 fathoms distance — the Prisoners run after him and called out to him to stop immediately on his stopping the Prisoner Jeremiah Crowley gave him one blow with the stick on the hand and Andeapah instantly fell down — I then made a noise and the Prisoners came towards me and prevented my going near Andeapah The Tondal Andeapah ran up and sat upon the Ground and I saw Jeremiah Crowley give him two or three blows with his fist on the back part of his neck and Andeapah dropped on the Ground again the Prisoner then Proceeded to the mount and I immediately went to Andeapah and found blood coming from his nose and mouth Andeapah was unable to speak — I then went to the mount with two Toddy men and on the road we saw the

Prisoner

Prisoners who threw stones at us — We complained to the Commanding Officer at the mount who sent Six Sepoys with us and we met the Prisoners a little way from the mount the Sepoys brought them and put them in the Guard room — the Sepoys took the stick from the Prisoner with which he struck Andeapah the Commanding Officer Ordered Andeapah to be brought to the mount which we accordingly did that afternoon about 4 o'clock and about Six o'clock he Died —

6th of the Peace — How did you find the Prisoner —

Deponent — I shewed them to the Sepoys on the Road near the mount the next day the Prisoners were mixed with other Europeans by the Commanding Officers order and I was desired to point them out which I did —

Question — Had the deceased Andeapah or any other Person given any provocation to the Prisoner at Cacadawongal —

Deponent — None that I saw —

Question — How long was it before the Prisoner Jeremiah Crowley struck Andeapah that he took the stick from the Ladder

Deponent — About 10 or 20 Minutes —

Question — Is this the stick (producing stick as described in the Indictment —

Deponent — Yes —

Question — When the Prisoners came near to you and the Deceased Andeapah what did they say —

Deponent — They asked for the Toddy Drawers —

Question — How did you understand what they said —

Deponent — I did not understant them but Andeapah know English —

Question — Did much Conversation pass between andeapah and the Presoners —

Deponent — No they asked for the Toddymen and Andeapah made a Sign and told them he did not know — I then ran away and immediately afterwards Andeapah also ran away and the Presoners after him —

Question — How far did Andeapah run before the Presoners ever took him —

Deponent — Only a few fathams and then he stopped —

Question — Did the Presoners strike him immediately on his stopping —

Deponent — Yes immedeatily —

Question — After stopping did Andeapah speak to the Presoners before he struck him —

Deponent — No —

Question — Did Andeapah offer to strike either of the Presoners or use any other provocation —

Deponent — No he used no provocation whatever —

Question — In what manner did the Prisoner strike him with the stick —

Deponent — The Presoner held the stick in one hand and struck him with the other end of it on the Head —

Question — Did the Prisoner seem to strike him with much Violence

Deponent — Yes a good deal —

Question — Did the Deceased Andeapah immediately fall down —

Deponent — immediately

Question — Did you endeavour to go near Andeapah

Deponent — yes but the Presoner came towards me and prevented me — they returned to andeapah and the Presoner Jeremeah Crowley struck him with his fist two or three times — I then made a noise and the Presoners went away towards the mount —

Question — Did you see the Presoner John Booth struck Andeapah or any other Person —

Deponent — No —

Question — Did you observe that he encouraged the other Presoner —

Deponent — He prevented my going near Andeapah — and when the Presoner Jeremeah Crowley lifted up Andeapah's Ear Ring he pushed him by the Arm as if to prevent his doing any thing —

Question — In what manner did the Presoner Jeremeah Crowley take hold of Andeapahs Ear Ring —

Deponent — He took it in his hand —

Question — Did he put it with any violence

Deponent — Not that I observed —

Question — how long did the Presoner remain near Andeapah after he fell down —

Deponent — about 10 Minutes

Question — Did you go to Andeapah immediately after they went away

Deponent — Yes and found him unable to speak

Question — Did you observe any wound on his head —

Deponent — I saw a large swelling on his head and blood coming from his nose and mouth —

Question — With whom did you leave Andiapah when you went to the mount —

Deponent — With the Toddy mans family —

Question — How long was it before you returned again from the mount —

Deponent — I went to the mount about twelve and returned and carried Andiapah there about 4 o'clock that afternoon —

Question — How did you carry him

Deponent — I and three others carried him on a Cot —

Question — Did you carry him in a very careful manner

Deponent — Yes —

Question — Did Andiapah speak after he received the blow with the stick —

Deponent — No —

Question — Had Andiapah any knowledge of the Prisoner before that Day —

Deponent — None that I know of —

Question — Were the Prisoner intoxicated when this happened

Deponent — I dont know —

Question — Was Andiapah in good health at the time

Deponent — Yes —

Mr Spencer as counsel for the accused the following Questions —

Question — Were there not some stones and brick bats thrown at the Prisoner before the blow was given —

Deponent — None that I saw —

Question — Was the stick lying on the Ground or far to the Ladder when the Prisoner took it —

Deponent — It was fastened to the Ladder —

Question — Dont you know that some Money had been advanced to the Toddy man by the Prisoner —

Deponent — I do not know there was —

Question — Was not the stick thrown at Andiapah

Deponent — No the Prisoner held it in his hand when he struck the Deceased Andiapah —

(Andiapah Toddy man Sworn)

Question — Do you know the Prisoner

Deponent — From the Day it happened at Vacadutongal Tope about three months ago — when five Europeans came there and entered my house — they frightned our people and they ran away out of the House — presently afterwards three of the Europeans went towards the mount one Andiapah Tondal and Sawmy Lascar had just come there to get Todjai Leaves — they were standing under the trees near to my House — the Prisoner Jeremiah (rowly) took the stick from the Ladder there — he

first

first struck Sawmy Lascar with it who siezed the stick — they then came near to my People who ran away — soon after they returned to Andeapah and Sawmy Sawmy ran away and also Andeapah the Prisoner followed Andeapah about the distance of some Yards and the Prisoner Jeremiah Crowley Struck him with the Stick and Andeapah immediately fell down about ten or 12 Minutes the Prisoner went towards the Mount and this Deponent with Sawmy and others went to Andeapah who was unable to speak and blood was running from his nose and Mouth

Question — Did the Prisoner ask any Body of you

Deponent — I dont know — they came into my house and the Prisoner Jeremiah Crowley broke a Pot with the Stick he had taken from the Ladder

Question — Did you see the Deceased Andeapah or any other Person offer to strike the Prisoner or give them any kind of provocation —

Deponent — No I saw no provocation given by any Person to them

Question — Do you know why the Prisoner struck Andeapah

Deponent — No —

Question — Did you see the Prisoner struck Andeapah with the stick —

Depanent — yes —

Question — In what manner did he strick Andeapah —

Deponent — Andeapah had stopped after running a little away and the Prisoner Jeremiah Crowley immediately struck him —

Question — Did the Prisoner hold the stick in both hands

Deponent — No he held it in one hand and struck him with it on the head —

Question. — Did the Prisoner strike them with much violence —

Deponent — yes he approved to strike with much violence —

Question — Did you see the other Prisoner John Booth strike the Deceased Andeapah or any other person —

Deponent — No —

Question — Did you see the Prisoner Jeremiah Crowley strike Andeapah after he fell down —

Deponent — No after Andeapah fell down I went to my people and returned when the Lascar Sawmy made a noise just before the Prisoner went away

Question when you went near the Deceased Andeapah did you see any wound on his head —

Deponent — I saw a swelling on his head —

Question — Did the Deceased Andeapah speak —

Deponent — No I believe he never spoke after receiving the blow with the stick —

Question — What was done with Andeapah in this Situation

Deponent — I went to the Mount with Sawmy and my people can of Andeapah till we returned —

Question — Did you help to carry Andiapah to the mount
Deponent — Yes — there were four of us who carried him on a bet to the Mount and he was put into the Hospital there immediately
Question — how were the Prisoner dressed at the time — and had they any Arms —
Deponent — Describes their dress he shot of the Artillery) they had each a bayonet —
Question — Did either of them make use of his bayonet —
Deponent — No —
Question — Did you see either of the Prisoners take hold of the Deceased Andiapahs Ear Rings whilst he was lying on the Ground —
Deponent — No —
Question — Were the Prisoner intoxicated at the time
Deponent — Yes they appeared a good deal intoxicated

Questions from the Prisoner Council

Question — Were there not stones and Bricks bats thrown at the Prisoner at the Tope —
Deponent — I dont know there were any thrown at them —
Question — Did the Prisoner ask for Toddy and advance any money at the Tope for some —
Deponent — No —
Question — Did any one of the five Europeans advance any money that day for Toddy —

Deponent — Not that I know of either on that day or any other —
Question — Did you not sell Toddy some times to the Europeans at the mount —
Deponent — No —

Parasaramah Toddy Drawer sworn —

Question — Do you know the Prisoner —
Deponent — From the day Andiapah Tindal was killed — Andiapah Tindal and Sawmy Lascar came to the Tope at Dacaduteongal for some Cadjans — this Deponent was going for his breakfast and at the time four or five Europeans came there they came to the house and one of them Jeremiah Crowley the Prisoner at the bar broke a Pot with a Stick the People of the house being frightened ran away — three of the Europeans then went to the mount and the Prisoner remained — this Deponent went and hid himself and in less than half an hour Sawmy the Lascar called out that the Europeans were beating) and killing the People and desired we would make haste this Deponent and Andiapah Toddy man went near Tindal the Tindal Andiapah was lying) on the Ground the Prisoner came towards us and we ran away a little the Prisoner returned again to the Tindal who was sitting) on the ground and of this Deponent saw the Prisoner Jeremiah Crowley strike the Tindal —

Lindah two or three times on the back part of his neck with his fist on which the Lindal fell down the Prisoner then proceeded towards the mount this Deponent and others there went to the Lindal who was lying on the Ground groaning and unable to speak the blood was running from his nose and mouth —

Question — Did you see either of the Prisoner strike the Deceased Andiapah with a Stick —

Deponent — I saw the stick in the hands of the Prisoner Jeremiah Crowley — but did not see him strike Andiapah with it I went away to hide myself

Question — Do you know of any provocation given by the Deceased Andiapah or any other person to the Prisoner at the Tope that morning) —

Deponent — I dont know of any —

Question — Why did you hide yourself —

Deponent — I saw the Prisoner were intoxicated and I was afraid of them —

Question — Did the Prisoner give you or any Person at the Tope any money for some Toddy —

Deponent No —

Question — Do you know of any quarrel between the Deceased Andiapah and the Prisoner before that Day)

Deponent — no I know of them tell them —

Question — Did you see only one of the Prisoner strike the Deceased Andiapah —

Deponent — Only one the Prisoner Jeremiah Crowley struck him with his fist two or three times —

Question — How were the Prisoner dressed and had they any Arms

Deponent — They were dressed in and had Bayonet with them

Question — Did they use their Bayonets —

Deponent — No I believe not

Question — When you first went near Andiapah did you observe any wound on his head —

Deponent — I did not observe the wound on his head but there was a swelling

Question Had Andiapah

Deponent yes —

Question — Did you go to the mount with Sawmy

Deponent yes — and afterwards returned and helped to carry the Lindal to the mount —

Question — How long did the Lindal live after he arrived at the mount

Deponent — We carried him there about four o'clock and I understood afterwards that he Died about six o'clock the same Evening) —

Question — Did you see the Prisoner John Booth strike any person

Deponent — No —

Question — Did the Lindal speak after you saw him lying on the Ground —

Deponent No —

Question — Do you believe the Lindal received any hurt whilst he remained

remained with your people or in carrying him to the mount

Deponent — Our people took care of him and he could not receive any hurt in carrying him on the Cot to the mount —

Questions from the Council for the Prisoner

Question — Did not the Prisoner give some money for Toddy that morning at the Tope —

Deponent No —

Question — Were there not stones and brick bats thrown at the Prisoner at the Tope —

Deponent — No I believe not —

Question — Did you go into the House with the Europeans

Deponent — Yes at the same time

Question — Did they not ask for Toddy in the house

Deponent Not that I know —

Question — What did they want in the house

Deponent — I dont know —

Mr Joseph Morton Assistant Surgeon Sworn)

Question — Did you see one Andiapah Tindal who was brought to the Mount Hospital

Deponent — On the 18th last March in the morning — I was ordered by Captain Smith to examine his Body — I immediately found he had received a blow on his head without any external wound but from its appearance I Judged that his skull was broke — on laying bare his

his skull I perceived a very great Depression of it in upon the Brain and Several pieces were detached so that I could extract them without any Difficulty (crossing that depression) again there was a large wide facture from one Temple bone to the other —

Question — Do you know how long the Tindall had been Dead before you saw him —

Deponent about 8 or 10 hours he died the Evening before —

Question — had no surgeon seen him before you visited him

Deponent — Yes Mr Adderton — he visited him a little after he was brought to the mount —

Question — Do you think it was done with one blow —

Deponent From what I observed I rather think it must have been done by one blow —

Question — Dont you suppose it must have given with much violence —

Deponent A good Deal of violence —

Question — Do you think it could have been done with such a stick as this (producing stick)

Deponent — Yes —

Question What part of the stick do you suppose struck the head of the Deceased —

Deponent I cannot say —

Question — Was it possible for the Person to have the blow had there been a Surgeon on the spot where it happened

Deponent I think not

The Prisoner being asked if they have any Witnesses to be examined they answer in the negative Mr Spencer their Council having delivered a Defence for the Prisoner the Petit Jury retire and an Officer is sworn to keep them —

Grand Jury come into Court and deliver Bill of Indictment against Antonia Jose De Oliveira endorsed a true Bill —

John Turing Esqr and Ponacooty are sworn to give evidence to the Grand Jury on the Bill of Indictment against Ball Krishna —

Petit Jury return into Court Verdict being first proclaimed —

Clk of the Peace — Gentlemen of the Jury are you agreed on your Verdict

Jury — yes

Clk of the Peace — Who shall say for you —

Jury — Our Foreman —

Clk of the Peace — Jeremiah Crowley and John Booth hold up your hands

Do to the Jury — Look upon the Prisoner how say you is Jeremiah Crowley Guilty of the Murder whereof he stands indicted or not Guilty —

Foreman — Not Guilty of Murder, but Guilty of Manslaughter —

Clk of the Peace — What goods and Chattels do you find Jeremiah Crowley had at the time of the Manslaughter committed or at any time since —

Foreman — None to our knowledge —

Clk of the Peace — Is John Booth Guilty of the murder whereof he stands indicted or not Guilty —

Foreman — Not Guilty —

Jeremiah Crowley is then removed from the Bar — and John Booth is discharged by proclamation —

Antonio Jose de Oliveira is brought to the Bar — and an Interpreter for the Portuguese Language being Sworn, he is arraigned as follows —

Clk of the Peace — You stand here indicted by the names of Antonio Jose de Oliveira of Madraspatnam Inhabitant not having the fear of God before your Eyes but being moved and seduced by the instigation of the Devil on the Sixth Day of April in the twenty fifth year of the Reign of our Sovereign Lord George the third King of Great Britain &c with force and Arms at Madraspatnam aforesaid, with a certain Drawn Sword, which he the said Antonio Jose de Oliveira in his right hand then and there had and held in and upon one Purrie Saulnier in the Peace of God and of our said Lord the King, then and there being did make an Assault, with an intent him the said Purrie Saulnier then and there, Feloniously wilfully and of his malice aforethought to kill and Murder, and other wrongs to —

to the said Pierre Saulnier then and there did, to the great Damage of the said Pierre Saulnier and against the Peace of our said Lord the King, his Crown and Dignity —

The same Petit Jury is again sworn the Prisoner having no objection —

A French Interpreter being sworn Pierre Saulnier is called and sworn to give Evidence —

Pierre Saulnier

Question — Do you know the Prisoner at the Bar

Deponent — I have known him 4 years and half — on Thursday about 10 Days ago at Six or Seven oClock in the Evening the Prisoner came to my house — there were two people setting with me at the time — The Prisoner began talking a great deal of improper Language told me that I was a Thief and had a Box full of Peare Gold and Diamonds belonging to him — as there were People with me he was afraid of (doing) me any injury — He then went away and shortly after returned to my house just as my Friends were leaving me who observed that the Prisoner was coming to me for some mischief and said let

let us stay and see what he will do — as the Prisoner was in a very improper Dress I shut the Door against him, he then said some words and went away after this about 8 oClock in the same Evening I met the Prisoner in the street and he immediately without speaking made a stroke at me with a sword — on which I defended myself with my cane as well as I could but he struck me 9 times with the sword as my wounds then I reserved upon my Guard and the Prisoner followed me about 30 Yards in a manner I then told him I would call the Sepoys on which he left me threatning to come to my house and do as much there — after this I got some Sepoys from the Officer in the Black Town who staid with me till the next morning —

Question — What provocation did you give the Prisoner —

Deponent — I know of no provocation excepting that his wife who had been used very ill by him came to my house and begged that I and my wife would let him stay there she staid there with us one night and I by her desire went to her Friends to prevail upon them to receive which they consented to this happened about 5 or 6 Days before the Prisoner assaulted me —

Question — Had there been any quarrel between you before this —

Deponent — No

Question — Had the Prisoner any Arms when he first come to your house the Evening he assaulted you —

Deponent — I did not see any but he had a large loose Gowrion

Question — In what street did the Prisoner assault you —

Deponent — In the Street Mr Depries lives in —

Question — Is the Prisoners house in that street —

Deponent — No —

Question — Did he speak to you before he assaulted you

Deponent — No on seeing him he immediately made a blow at me and wounded me on the back —

Question — Did you give him any provocation in the street before he struck you —

Deponent — Not the Least

Question — What kind of a Sword had the Prisoner

Deponent — a Large Iron Sword / a Sword is then produced and the Deponent declares it to be same —

Question — Did the affair in the street last any time

Deponent — No — a very short time indeed —

Deponent — Did you call out for Assistance

Deponent — I could not see any Person —

Question — Did the Prisoner tell you before he left you in the Street for what cause he had used you in such a manner

Deponent — No —

Question — Did the Prisoner came to your house that Evening —

Deponent — No he would not come as the Sepoys were there —

Question — were your wounds very bad —

Deponent — Yes very bad / the Deponent the shews two or three wounds and says he received several others from the Prisoner that Evening which he shewed to Mr Chase the Clerk to the Justices he also declares that had he not protected himself with his Cane the Prisoner must have killed him —

George Rebiera Sworn —

Question — Relate what you know —

Deponent — I was sitting at Mr Saulnier's house in the Black Town in the month of April last — about Seven o'clock in the Evening the Prisoner came in and asked for his Chest Mr Saulnier replied he had no Chest belonging to him — the Prisoner soon after went away and returned again — they talked to each other in French I did not understand them — I met the Prisoner afterwards in the Street —

Question — Had that a Sword when you met him in the street

Deponent — I did not perceive that he had —

Question — When you saw the Prisoner at Saulnier's house did he appear very angry —

Deponent — Yes he appeared very angry —

Question — Did you see the Prisoner strick Pierre Saulnier in the street —

Deponent — No I saw nothing of it

Question — Do you know any thing of the Box the Prisoner demanded at Pierre Saulnier's house

Deponent — I saw a Box two or three days before at Saulnier's house which I understood belonged to the Prisoners wife —

Question — Do you know what it contained —

Deponent — No —

Pierre Saulnier is then called again and questioned as follows —

Question — Was there a box at your house belonging to the Prisoners wife

Deponent — The Prisoners wife brought three Tables and some Goods with her but she carryed away every thing with her again except the Tables — and they were carried away by the Prisoner two days after —

Question — Do you know that the Prisoner wife brought a box to your house containing any Gold Pearl or Diamonds —

Deponent — I know nothing of such a Box —

The Prisoner has no questions to ask the Witnesses — but makes the following Defence —

I went to Mr Saulniers house in search of my wife knowing she had been there — and asking Saulnier for her, he took me by the hand and carried me with a light and shewed me over his house — I found she was not there this was four or five days after she

she left my house — I found my had been at Mr Saulniers house 4 days and that he she went away the day before after this I told Saulnier it was not proper to keep any thing belonging to me — Saulnier and his wife delivered to me three Tables which my wife carried with her to his house but did not give me the Chest — I saw the Chest in his house — the next Evening I went to Saulniers house again and told him to give me the Chest and that if he did not deliver it to me I would go to the Justice Saulnier then gave me a great deal of bad Language and afterwards shewed me out of his door — after happen the same Evening I took the sword which one of my Friend had given me to get cleaned to carry it home and as I was going along in the street I met Saulnier with a stick in his hand which had an Iron spike in the end of it I saw his intention and desired him to go along and not molest me but he abused me grosly and in my own defence I drew the Sword — Saulnier wounded me in several places with the Iron spike — this affair in the street lasted only about one minute —

The Petit Jury withdrew and shortly after returned into Court Verdict being first proclaimed —

The Prisoner is then discharged by proclamation —

The Grand Jury come into Court and redeliver a Bill of Indictment against Ball. Kistna for a Misdemeanour endorsed a true Bill

Mr Stephen Popham then on behalf of Ball Kistna as his Council requests the Trial be traversed to the next Sessions — which is agreed to by the Court on his offering the following Bail for Ball Kistna's appearance that is to say — Mootiallah and Ramangalon in five hundred Pagodas each —

Mr Barker for Mr Turing objects to them as Bail unless each will swear that he is worth that sum after paying his Debts —

Mootialah & Ramangalon being acquainted therewith each of them declares he is worth five hundred Pagodas after paying his Debts and they are accordingly sworn —

Jeremiah Crowley is then brought up to the Bar —

The Right Honble the Chairman observes to him that he has been tried by a mild Jury and Saved indeed by a Verdict the most extraordinary he ever heard given and, after cautioning the Prisoner in his future behaviour and warning him —

him that being again convicted of the same crime he must suffer death passes sentence as follows — Jeremiah Crowley — you shall be burnt in the Brawny part of your left hand with a hot Iron having the Impression of the Letter M —

The punishment is accordingly inflicted and the Prisoner is then discharged by proclamation —

The Gentlemen of the Grand Jury being asked if they have any more business to offer to the Court and answering in the negative they are Dismissed with the Petit Jury with thanks for their Services —

The Court is then adjourned till Wednesday the 13th Inst next for holding another Session —

Wednesday 13th July 1785

Justices present

The Honble Alexander Davidson Esqr Chairman
Robert Sleper and James Daniell Esqrs

The Court is duly opened and
adjourned till Wednesday 20th Instant.

Wednesday 20th July 1785

Justices present

The Honble Alexander Davidson Esqr Chairman
Sir John Dalling Bart James Daniell Esqr

The Court is duly opened and the
Sheriff returns his Precepts

The following Grand Jury is
then Sworn —

William Wynch Esqr Foreman —

Basil Cochrane	Thomas Kingscote
Richard Guy	Henry Mitchell
David Haliburton	James London
Thomas Oakes	Robert Clerk
John Henworthy	Joseph Shaw
Hugh Vaughan	William Brown
John Mulford	Henry Redhead

Bill of Indictment is delivered to
them against abdul nabby and Patcha Baboo for
Murder and they withdraw —

Grand Jury soon after come into
Court & redeliver the beforementioned Bill endoursed
a true Bill —

On a Motion of Ball Prosecutor Counsel
against whom an Indictment was found for a
misdemeanor

misdemeanour at the last sessions / to have his trial put off to the next sessions for want of having his mussary Witnesses present whom he represents are mostly residing at Ganjam The Court after taking it into Consideration are pleased be indulge him therein — Mr Turings Council among other circumstances states the length of him already allowed Ball Kistna and that by procrastinating his Trial, he shall be deprived of the Evidences of Mr Maunsell and Mr Fanning who are very soon to proceed to Ganjam — It is then proposed by him that the Depositions and Examinations of these Gentlemen be taken on Oath before a Magistrate previous to their departure from this Place which may be produced hereafter in evidence on Ball Kistnas Trial — Mr Spencer as Council for Ball Kistna expresses his satisfaction —

Abdul Nabby and Patcha Baboo are then brought to the Bar and arraigned as follows —

Clk of the Peace you stand here indicted by the name of Abdul Nabby late of Vizagapatam not having the fear of God before your Eyes but being moved and seduced by the instigation of the Devil on the Twenty fifth day of February in the Twenty fourth year of the Reign of our Sovereign Lord George the third King of Great

Britain &a

Britain &a with Force and Arms, at Vizagapatam aforesaid within the Jurisdiction of the Town of Madraspatnam, in and upon one Galibooboo, Daughter of the said abdul Nabby in the peace of God and our said Lord the King then and there being, feloniously wilfully and of your malice aforethought, did make an Assault, and that he the said Abdul Nabby a certain Rope, of the value of two Pence about the Neck of her the said Galibooboo did put and with the said Rope her the said Galibooboo, then and there violently feloniously wilfully and of your malice aforethought did strangle and suffocate whereby the said Galibooboo, then and there instantly Died, — and so the Jurors, upon their Oath aforesaid do say that the said Abdul Nabby the said Galibooboo, then and there, in manner and form aforesaid feloniously wilfully and of your malice aforethought did kill and murder, against the Peace of our said Lord the King his Crown and Dignity — and the Jurors upon their Oath aforesaid do further present that Patcha booboo of Vizagapatam aforesaid wife of the said abdul Nabby and Mother of her the said Galibooboo, before the murder of her the said Galibooboo was committed in form aforesaid, to wit on the said Twenty fifth day of February in the Year aforesaid, with force and Arms at Vizagapatam aforesaid did feloniously and maliciously incite move

counsel

Counsel and abet the said Abdul Nabby to do and
Commit the said Felony and Murder in manner and
form aforesaid against the Peace of our said Lord the
King his Crown and Dignity

Clerk of the Peace How say you Abdul Nabby and Patch Booboo are you
Guilty of the Felony and Murder whereof you stand
indicted or not Guilty

Prisoners Not Guilty

Clerk of the Peace How will you be tried

Prisoners By God and our Country

Clerk of the Peace God send you a good deliverence

The following Petit Jury is then sworn
the Prisoners having no objection—

Mr Charles Darke Foreman
John Tulloch Angus Mc Intosh
David Young Robert Henderson
Peter Massey Cassin Samuel Crawford
William Leamy Neil Mc Kenzie
James Stringer Daniel Cameron
and
Peter Read

There being no Witness to be Examined
and only their own Confessions sent hither from
Negapatam

Negapatam (as entered hereafter) the Petit Jury
Declare they are ready to give a Verdict without
going out of Court

Clerk of the Peace Gentlemen of the Jury are you agreed on your Verdict

Jury Yes

Clerk of the Peace Who shall say for you

Jury Our Foreman

Clerk of the Peace Abdul Nabby and Patcha Booboo hold up your hands
To the Jury Look upon the Prisoners at the Bar how say you is
Abdul Nabby Guilty of the Murder whereof he stands indicted
or not Guilty—

Foreman Not Guilty

Clerk of the Peace Is Patcha Booboo Guilty of the Murder whereof he stands indicted
or Not Guilty—

Foreman Not Guilty

Clerk of the Peace Did they fly for it

Jury Not to our Knowledge

Clerk of the Peace Gentlemen of the Jury hear then unto your Verdict as the
Court hath recorded it you say that Abdul Nabby and
Patcha Booboo are not Guilty of the Murder whereof they
stand indicted and that they did not fly for it & so you
say all—

The Chairman having addressed the
Prisoners as follows they are discharged by proclamation—

Abdul Nabby

Abdul Rabby and Patcha Boobo although no Witnesses have appeared against you the Bench have reason to be of opinion from the Papiers before them of your Guilt notwithstanding you have pleaded not Guilty you are therefore Warned against the hainous sin of Murder and in future to guard against committing any Crime or Offence against the Government whom you are under should you again be brought before this Court for Felony no Doubt Detection will follow, and your Lives will answer for it —

Ball Kistna appears in the Court and acknowledges himself indebted to our Sovereign Lord the King in the sum of one thousand Pagodas —

Arnachellum acknowledges himself indebted to our Sovereign Lord the King in the sum of five hundred Pagodas —

Vencatachellum acknowledges himself indebted to our Sovereign Lord the King in the sum of five hundred Pagodas —

Upon condition that the aforesaid Ball Kistna do personally appear here at the next Sessions to plead to an Indictment found against him

him for a misdemeanour and to such other matters and things as on his majestys behalf shall be objected against him — and that he do not thendepart the Court without leave of the Court

The Grand Jury come into Court and deliver the following Presentments which are publicly read —

Town of Madraspatnam ss —

We the Grand Jury of the Town of Madraspatnam Sworn for the Body of the said Town being justly sensible of the many advantages arising to this place by the Gracious Dispensation of his Majesty's Royal Charter as it hath conveyed with it the Laws of England & prescribes the Method of putting those Laws into Execution —

Do present that it is come to our knowledge that the Goal or Prison House in which Criminals and Debtors are confined is so incommodiously constructed that those of both Denomications are either

either lodged or under the necessity of mixing together promiscuously and that there are not the means of separating Convicts from the other Prisoners or permitting the Prisoners to enjoy the fresh air without intermixing with each other, that the Goal at present much out of repair that the well is in Danger of falling in, and the water reported by Doctor Anderson the Principal Surgeon of the Settlement to be unfit for use and to such a degree as to endanger the Lives of the Prisoners, which matters have been repeatedly presented by former Grand Juries without the remedy being applied—

And do further present that notwithstanding the high price of Provisions and the Exactions and Extortions to which this is owing has been so repeatedly presented no remedy as yet appears to have been applied for the Correction of so great an evil and abuse—

And do further present that the Office of Scavenger which is still held by Cotton Bowerbank Dent Esqr. continues to be greatly neglected, particularly in the Black Town and although the same has been repeatedly presented by this Jury no adequate remedy has been applied for removing so great a nuisance—

And do also further present that in the Black Town and Environs of Madras there

there are several wells without any Parapets walls to them and others which are greatly out of repair and the walls not sufficiently high, by which Passengers are exposed to great Danger and risk of their Lives, all which matters have been presented in the same words at former Sessions after they had been before repeatedly recommended to the Notice of the Court, without being remedied, and are now therefore again brought forward in the hope and confidence that the proper Course will be pursued for applying the necessary remedy, where delay is attended with manifest Inconvenience to the Public—

And do further present that Maylupa Narroo has been committed by Order of one of his Majesty's Commissioners for trying Pirates and others Offenders at Sea on an accusation of Murder and Piracy without being brought on his Trial—

All which Matters and Things are Contrary to the Peace of our Sovereign Lord the King, his Crown and Dignity—

Town Hall
20th July 1785

Signed, William Wynch Foreman. Basil Cochrane. Richard Gay
David Halliburton. Thos Oakes. John Kinnersley
Hugh Vaughan. John Mitford. Thos Kingscote
Henry C. Michell. James Landon. Robert Clerke
Joseph Shawe. William Brown. W. Readhead

Town of Madraspatnam Ss

We the Grand Jury of the Town of Madraspatnam Sworn to enquire for the Body of the said Town, being justly sensible of the many advantages arising to this Place by the gracious dispensation of His Majesty's Royal Charter as it hath conveyed with it the Laws of England and prescribes the method of putting those Laws into Execution

Do present that it has come to our knowledge that on Saturday the 2d July, the Sheriffs officers of the Town of Madraspatnam & the Districts thereof, being in the Execution of their Officer, did Arrest the Body of Najeeb Cawn within the Town of Fort St George, and having so arrested and taken the Body of the said Najeeb Cawn, the said Sheriffs Officers were violently assaulted by a great number of Sepoy's belonging to his Highness the Nabob, Armed with Firelocks and Bayonets and Swords who forcibly and violently beat & assaulted the said Officers with the ends of their Firelocks and Swords, and resoard and carried away the said Najeeb Cawn from the Custody of the said Officers —

All which matters and things are

contrary

contrary to the Peace of our Sovereign Lord the King his Crown and Dignity —

Town Hall
20th July 1785

(Signed) William Wynch foreman — John Milford
Basil Cochrane — Thos Kingscote
Richd Guy — Henry Michell
David Haliburton — James London
Thos Oakes — Robert Clerk
John Kenworthy — Joseph Shawe
Hugh Vaughan — William Brown
& Henry Readhead —

The Chairman acquaints the Grand Jury that attention will be paid thereto — after which they are dismissed and also the Petit Jury with thanks for their Services —

The Court is then adjourned to the 12th day of October next for holding another sessions —

Examination of Abdul Nabby. a Moorman confined by order of Claud Russell Esqr Chief of Vizagapatam on Suspecion of his having murdered his Daughter Galiboboo—

The Prisoner abdul Nabby saith that he is by Trade a Butcher, that he was employed in the usual Course of his Business, the Twenty fifth Day of February last in the forenoon, in carrying meat to the houses of different European Gentlemen, that on his return home to dinner, he was informed by his wife that his Daughter Galiboboo, an unmarried woman was with Child, and that she had been so about three months that her irregular conduct had been the Cause of much uneasiness to him and his wife that she had prostituted herself to several people of Different Casts from her own, that not being able to bear the shame which such a Circumstance if known would bring upon him and his family he, with the Concurrence of his wife determined to put to death his said Daughter Galiboboo that about eight oClock the same night Viz.t the night of the 25th February last he put his purpose in execution in presence of his wife by putting a Rope or Cord about the said Galiboboos neck with which he strangled her, that about Nine oClock the same night he rolled up the dead Body in a Matt and carried it to the Sea Side where he buried it in the Sand, and then came away—

Vizagapatam
12 February 1784

A true Copy
F. H. Drakeford

Examination of Patcha Booboo a Moorwoman confined by order of Claud Russell Esqr Chief of Vizagapatam on Suspecion of having Murdered her Daughter Galiboboo—

The Prisoner Patcha Booboo saith that she had been absent from her house about fifteen Days on a Visit to her Mother at Vizianagrum, that on her return home, she was informed by some of her Neighbours, that during her absence, her Daughter Galiboboo led a very irregular life, that she had staged out whole nights and had prostituted herself to many different People, that from certain observations she made, she suspected her Daughters being with Child, that on taxing her with it, she confessed it was so— That her Husband having also heard of his Daughters ill conduct questioned her about her Daughters Situation, that this happened on the 25th February last, that she then informed her Husband that the said Galiboboo was with Child, that he replied, if this Circumstance be known, we shall be covered with shame, that he then proposed to put their Daughter to Death, which she the said Patcha Booboo assented to do, but did not know the time he intended to put his purpose in execution, that in the evening of the same day viz.t the 25 February, her Daughter was lying on a mat on the floor, very much intoxicated that her Husband on her going out of the Room, put a Rope about the

neck

with of his said Daughter Galibooboo, and strangl
her that on her return, finding that her Daughter
was killed, she expostulated with her Husband. y
having done it, that he answered you know you
agreed to it, that her husband then rolled up the
dead Body in a mat, and carried it out to bury it

A true Copy /Signed/ F. H. Drake Secry

Wednesday 12th October 1785

Justices Present

The Honble Alexander Davidson Esqr Chairman
Sir John Dalling Bart and James Daniell Esqr

The Court is duly opened and
Adjourned till Wednesday the 26 Instant

Wednesday 26 October 1785

Justices present

The Honble H Alexander Davidson Esqr Chairman.
Sir John Dalling Bart & James Darnell Esqrs

The Court is Duly opened and the Sheriff returns his Precepts—

The following Grand Jury is then Sworn—

Bryan Swiney Esqr	Thomas Lewin
The Honble Basil Cochrane	Samuel Statham
Hugh Vaughan	Thomas Ogilvie
James Landon	George Webster
Joseph Shawe	William Balfour
William Brown	Frederick Campbell
George Proctor	William Collins Jackson
Henry Norris	

"

Ball Kistna against whom the Indictment was found at the Sessions held on the

the 13th April last is brought to the Bar arraigned as follows—

The Jurors for our Sovereign Lord the King upon their Oath present that Ball Kistna late of Ganjam but at present of Madras patnam Inhabitant being a person of evil name and fame and of Dishonest conversation maliciously and wickedly devising and intending unjustly to Deprive John Turing Esqr then being and acting as one of his Majestys Judges and Justices of the Peace for the Town of Madraspatnam and its Districts and also a Member of the Government of Fort St George of his good name Credit Reputation and Fortune, on the twenty ninth Day of January in the twenty fifth Year of the Reign of our Sovereign Lord George the Third King of Great Britain &c at Madraspatnam aforesaid, he the said Ball Kistna did Solantarily and Deliberately acknowledge before Robert Maunsell Esqr then being one of the Justices of our said Lord the King assigned to keep the Peace and also to hear and determine divers Trespasses and other misdeeds committed in the Town aforesaid and its Districts, a certain Petition addressed to the Right Honble George Lord Macartney K B &c Members of the

Select

Select Committee at Fort St. George to be his own hand writing) and Signature & Did Depose and Swear on the Day aforesaid before the said Justices Robert Maunsell Esqr. to the truth of the Contents of the said Petition that is to say

That your Petitioner / Ball Rastia borrowed from John Turing Esqr late Resident Twenty Thousand / 20000— / Star Pagodas white at Madras and which he was to allow them the usurious Interest of twenty four ₹ Cent ₹ Annum

Whereas in truth and in fact the said John Turing was not Guilty of the said usurious offence as aforesaid, for in truth and in fact the said Ball Rastia borrowed the said Twenty Thousand / 20,000 / Pagodas of him the said John Turing Esqr upon Bond with his Ball Rastias own Seal and Signature affixed thereto and regularly witnessed at the Legal interest of twelve ₹ Cent ₹ Annum & no more

And he the said Ball Rastia does in his aforesaid Petition further upon Oath as aforesaid set forth and Declare that is to say.—

That your late Resident John Turing Esqr your Petitioner is sorry to say disagreeably importuned him and made life burthensome to your Petitioner even when he went to him on

Publick Business never failing to press him in the most crops and degrading terms seeing no relief or change to his unhappy situation your Petitioner was absolutely under the necessity of giving him Tankas or orders on Corjore and Mahamed Gauze Renters under your Petitioner for Eighty four Thousand / 84000 / Rupees on the assigned Villages to discharge this his Private Bond Debt to the above said your Resident though your Petitioner repeatedly urged the inconvenience that would arise to him by drawing so large a Sum at once from any of the Districts, and begged continually to pay it off at different times being otherwise apprehensive it would cause such an Arrears to the Honble Company that would undoubtedly tend to the great prejudice of your Petitioner in the Eyes of the Right Honble President and Council and it has so turned out

Whereas in truth and in fact the aforesaid representations and accusations are false and malacious tending only to defame the Charactor and hurt the fortune of the said John Turing as in truth and in fact the said John Turing and not make life burthensome to the said Ball Rastia. or importune

importune or treat him the said Ball Kistna in the manner as aforesaid and the said Ball Kistna does in his aforesaid Petition further declare and attest upon Oath as aforesaid to wit—

Your Petitioner begs leave to represent also to the Right Honble President and Select Committee that before the above transaction and before your Petitioners arrival in this district from Madras during Sir Thomas Rumbolds time Corsojee who rented the Daracotah Pretapagherri and Cheguitty of your Petitioner paid into the late Resident John Turing Esqr, hands on Account of the Company's Rests Forty thousand (40000) Rupees, Twenty thousand (20000) Rupees of which were found to be contrary to your Petitioners consent and Knowledge at that time detained by your said Resident as a further discharge of your Petitioners Bond Debt on private account and consequently to his great sorrow and astoneshment the remaining Twenty thousand (20000) Rupees only were carried to the Credit of your Petitioner with the Company—

Whereas in truth and in fact the said Payment of Twenty thousand Rupees (20000) was made by the Agency of one Arnachellum Brother and manager of the said Ball Kistna

inconsequence

inconsequence of orders given by the said Ball Kistna who authorised & directed his said Brother & manager Arnachellum to liquidate & pay to the said John Turing Esqr even as far as Thirty Thousand (30000) Rupees in part payment of the said John Turings Ballance—

And the said Ball Kistna does in his aforesaid Petition further setforth and attest on Oath That the discharging your Petitioners Private Bond debt &a to him prevented your Petitioner clearing his Rests with the Honble Company" (and also) That your Petitioner further begs leave to observe to your honors &a that from the Confidence that he placed in the assurances of Sir Thomas Rumbolds &a Council of their protection & his continuation in the Rents for the Term of Ten years agreeable to their Cowle, he proceeded immediately to increase as much as possible the Value of the Lands by making advancements to the Husbandmen for Grain and telling implements and carried water thro many parts of the Country by cutting nullahs and otherwise as much as possible striving to improve the Lands which drew from him very large Sums and left him at first barely sufficient means to pay the

Company's

Companys Hists regularly which he is in hopes your honor &a will Charitably Consider to be the Case all these his exertions for the Good of the Honble Companys Lands with his time industry and labour is now thrown away and the benefit thereof given to men who it will soon be seen well involve the Honble Company more and more The above clearly shews how impossible it was for your Petitioner to comply so soon after his arrival with the pressing demands of the said John Turing Esqr - without great trouble and what he must have known would in the end involve the Honble Company -"

Whereas in truth and in fact the discharging the aforesaid Bond Debt &a of the said John Turing Esqr. was not the real or true cause and did not prevent the said Ball Kistna clearing his Hists with the Honble Company as in fact and in truth the said Ball Kistna collected from the Districts which he rented of the Honble Company more than sufficient Sums of money to pay the Companys Hists or Demands on him the said Ball Kistna as Renter -

And the said Ball Kistna having in his aforesaid Petition Authenticated as

as aforesaid further setforth and deposed upon Oath

That your Petitioner from the above recital of truth is inclined to think that the Right Honorable the President and Council will now see his Conduct in a different point of view from that in which it has been represented and how your Petitioner hath been used treated and what he has suffered in Body and mind for these many months entirely owing to a false representation of the aforesaid Resident by which your Petitioner has in the Eyes of the World lost his Character fortune and got the displeasure of the Right Honble President and Council but your Petitioner would still fain hope that on account of his years his numerous family and the length of time he has served the Company which he has faithfully discharged to the best of his abilities and which he can make appear if required that the Right Honble President and Council will take his unfortunate and cruel case into Consideration and is induced from every principal of humanity to believe they will shew him every Justice -

Whereas in truth and in fact the said John Turing Esqr never did as Resident or otherwise make any false representation to injure or prejudice the Character or fortune of the said Ball

Ball Thistna as aforesaid Wherefore the Jurors aforesaid upon their Oath aforesaid do say and present that the said John Turing Esqr. was greatly defamed injured and disgraced by the aforesaid false maliciously and wicked accusations to him upon Oath in manner and form aforesaid to the evil example of all others offending in the like kind to the great damage and disgrace of the said John Turing and against the Peace of our said Lord the King his Crown and Dignity —

Clk of the Peace — How say you Ball Thistna are you guilty of the Misdemeanour wherof you stand indicted —

Prisoner — Not Guilty

Clk of the Peace — How will you be tried

Prisoner — By God & my Country

Clk of the Peace — God send you a good deliverance

The following Petit Jury is then Sworn the Prisoner making no objection to any one of them —

John Thenworthy
James Amos
John Robson
David young
Thomas Davis
Ershine Simms
Michael Toppin
Peter Mojsey Cajsin
William Leamy
James Stringer
John Reids
Samuel Crawford

"

Bill

Bill of Indictment against Vencata-
chellum for Felony is delivered to the Grand Jury

(John Turing Esqr. Sworn)

Clk of the Peace — Do you know the Prisoner

Deponent — Yes — to the best of my recollection the first time I ever spoke to or had any conversation whatever with him was in the Month of January 1780 about ten or twelve days after I was appointed Resident at Ganjam when he was introduced to me at my house at Vepany by Ponacoty brother of my Dubash Vencatachellum about a week afterwards the Prisoner paid me a second visit in Company with Ponacoty and took occasion to apply to me for a loan — at that time I happened to have the Command of money and was considering whether to carry it with me to Ganjam in specie of Bills or leave it to be employed by my Attorney at Madras I told Ball Thistna plainly I could not nor would not consent to accommodate him with any Money but upon the express condition that it should be repaid me at Ganjam or at Madras as I should determine immediately after my arrival at Ganjam — Ball Thistna agreed to these terms and in a few days brought me a printed Bond filled up in his own hand writing

writing in the English language Payable on Demand at Twelve ℘ Cent ℘ Annum for Twenty thousand Pagodas so much did I consider this transaction in the nature of a Ball of Exchange or mode of remittance and so perfectly disinterested were my views that upon a Subsequent application from the Prisoner through Poonacoty making me an insidious Proposal of an additional premium of twelve ℘ Cent I rejected the Offer and told Poonacoty that I considered the business in the light of a remittance only and that if the money should be repaid soon after my arrival at Ganjam I would not receive any Interest whatever this closed the transaction as far as I know of the Circumstances at Madras — soon after my arrival at Ganjam finding it would not answer my intentions to employ my money in Trade there I directed my Servant Venkettachellum to write to his Brother Poonacoty at Madras to demand of Ball Kistna the Repayment of the money which I had lent him — Poonacoty accordingly did so and Ball Kistna in consequence acknowledged in a Letter to his Agent what had been written to Poonacoty and said he would speedily come to Ganjam and give me satisfaction and in the meantime he wrote a Letter to Venkettachellum my

my Dubash informing him that he had written to his Brother directing him to dispose of Thirty thousand Rupees worth of Paddy and to give me satisfaction in payment of my Debt —

Mr Turing then produces the abovementioned Bond for Pagodas 20,000 at 12 ℘ Cent Interest ℘ Annum dated 2d February 1780 with Letters from Ball Kistna to Mr Turing Poonacoty & Venkettachellum marked N. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. and desires Mr John Fanning may be called to give his declaration as to the Hand writing —

(Mr John Fanning sworn)

Clk of the Peace — Are you well acquainted with Ball Kistnas hand writing —

Deponent — Yes —

The Bond and Letter beforementioned are then shewn to the Deponent —

Deponent — The Bond appears to be filled up in Ball Kistnas hand writing the Signature and Date to the Letters marked N 1. 2. 3. 4. & 8 appears be his hand writing and the Letters marked N 5. 6. 7. 10 & 11. to be entirely Ball Kistnas writing —

Know

Know all Men by these Presents that I Ball Kistna Renter of the Itchapour Destrict now Residing at Madras am held and firmly bound unto John Turing Esqr. of the said place in the Penal Sum of Forty thousand star Pagodas to the Payment whereof well and truely to be made to the said John Turing Esqr his heirs executors administrators or assigns I do hereby bind myself my Heirs Executors and admistrators firmly by these Presents In Witness whereof I have hereunto Set my Hand & Seal in Madras This Second Day of February In the year One thousand Seven hundred and Eighty

Whereas the above bound Ball Kistna hath borrowed and Received the above named John Turing Esqr the full and just sum of Twenty thousand Star Pagodas to run at Interest at the rate of twelve ℔Cent ℔ annum Payable on Demand—

Now the Condition of this Obligation is such that if the above bound Ball Kistna his Heirs Executors administrators or assigns shall well and truely pay or cause to be paid unto John Turing Esqr his Heirs Executors administrators or assigns the full and just sum of Twenty thousand Star Pagodas together with such Interest as shall or may become due thereupon then this Obligation to be void and of

of no Effect otherwise to continue in full Force and Virtue—

Ball Kistna
[illegible] (Sealed)

Signed Sealed & Delivered where no Stamped Paper is to be had in the presence of—

Calapyah
[illegible]

Vencataragava Charrullos
[illegible]

Mr Turing then proceeds in delivering his own Evidence as follows— I do aver that I never agreed to receive or ever demanded or intended to demand or receive more than the Legal Interest of 12 ℔Cent ℔ annum from Ball Kistna— nor did I ever authorize any Person to demand or receive more from him than that Interest—

I positively deny ever having treated Ball Kistna in any manner so degrading as to make life burthensome to him and that on the Contrary I do not recollect that I had occasion to speak to him at Ganjam above twice on the Subject of my Debt & Ball Kistna knew my Claim to be just and desired me to excuse his having

having desappointed me so long In order to accommo=
=date him I left it in his option to pay me by Bills
on Madras or if he chose it in Silver at Ganjam
I only desired the Exchange might be regulated by
the prices at Madras and the Exchange was accordingly
settled by an Account Current which I had recently
received from Mr Saunders my Attorney at Madras
who had Sold Twenty thousand Rupees on my
Account to Mr Ewing at 425 Rupees ₱100 Pagodas
In Order to prove to the Jury that Ball Kistna
is only the wretched Tool of some busy People who
have instigated him to fabricate complaints against
me I beg that the Jury will only compare the style
of Ball Kistna's Petition with his own Letters and
also Extracts of two Letters from Mr Stone —

The beforementioned Letters and
Extracts of Letters marked N. 1. 2. 3. 4. 5. 6. 7. 10. 11 —
are then read Davy Naig the Interpreter to the
Court having sworn that the Translations are
true translations & made by himself from the
Gentoo language —

N 1 Translation of a Gentoo Letter from Ball Kistna to
Challa Poonneyacootiah —

I am in good Health at
Masulipatam untill Monday the 3d of Courtegamonth
I

I hope you will write me yours — I have received
of your Letter dated Saturday the 8th of Ansiveeja
Month and observed the Contents thereof and Glad
of it — you have mentioned to me that you have
delivered the Letter directed to my Conicoply Aroona=
=chellum immediately after you received I have
also wrote some Letters and herein enclosed hope
you will delevir the same to them I will
write some more & enclose in your Letter which
I hope you will continue to send for my
Conicoply Aroonachellum & deliver them to him
I expedially will set out from hence on the
10th Instant to Ganjam when I will write you
Concerning my affairs you know how to
Recommend to Master and your Brother what
can I write more and that you will continue
to write me of your Welfare & Commands —

Masulipatam
30th October 1780

(Signed) Ball Kistna

A true Translation as near as can be
from the Gentoo Language —
Davy Neiguem

N 2. Translation of a Gentoo Letter from Ball Kistna to Chella Poonacottiah —

I have this day arrived here & immediately will set out for Ganjam I will write you again as soon as I arrived at Ganjam

Samalacotah
6th December 1780 —

(Signed) Ball Kistna

a true Translation as near as can be from the Gentoo Language
Davy Naiguem

N 3 Translation of a Gentoo Letter from Ball Kistna to Challa Poonneycotte Iyah.

I am in good Health at Ganjam until Monday the 10th of Paulgono Month year called Sourvarie by your Blessing and hope you will write of yours I hope you do not think any difference of my not writing you after my arrival at Ganjam — as your Brother Raujustree Vencatachelleah writes you the news every now and then and the Tappy is likewise been stopped which prevented me from writing you — I have paid four Kists without any Ballance for last Year The money I have Borrowed of Master which

which I have satisfied him I continue to Conduct myself according to the Pleasure of Master Vencata-chellia is likewise assist me Concerning my affairs you will mention in your Letter to your Brother to assist me in future that can I write more I write the Letters to my Gamasta Gommady poonde Mootaliah and Arnachella moodely as soon as you get those Letters you will send the same to them and that you will continue to write me of your Welfare and Commands —

(Signed) Ball Kistna

Ganjam
5 March 1781

A True Translation as near as can be from the Gentoo Language —
Davy Neiguem

N 4 Translation of a Gentoo Letter from Ball Kistna to Challa Poonneyacotte Iyah —

I am in good Health at Ganjam until Thursday the 6th of Paulgona month and hope you will write me of yours, after I took my leave of you at Madras I arrived at Masulipatam and wrote to you of my arrival since as the Tappy was stop I have not

not write a Letter to any one for about one Month
but I have write to you a Letter on Monday
the 12th of Instant and inclosed into my Gomastа
Mootoliahs Letter, which you would have got
and know the Contents thereof you have Mentioned
in your Brother Vencatachelliahs Letter with the
words of Disgust that I have not wrote you
Letter in all Respect I hope to have your
Friendship to increase more and more as
you being in Madras you should not think
Contrary of my not writing the Letters for
few Days— You have recommended me to
your Master and assisted me with Money in
time of need which favor I will not forget and
I requere your Assistance also in future
you must shew your Assistance there toward
my affairs you will continue your favor as
you have hitherto shewn,— your Brother
supports me here Concerning my Business
and Recommends to his Master to carry on
my Concern as it Requere which I have
reason to think is by your favor I hope
you will continue to Mention in the Letters
you write to Master and your Brother to
support me in future as they have done
there to fore as your Brother writes you every
now

now and then therefore I did not write you much
about it— incase if my Gomastа Mootoliah shall
apply to you for any thing which I hope you will
favor me— you will continue to write me of
your Welfare and Command—

[Signed] Ball Kistna

Ganjam.
15th March 1781

A True translation as near as
can be from the Gentoo Language

Davy Neiguem

John Lurving Esqr
Madras

Worthy Sir

I take liberty to address you these few
lines & hope this will reach you on your safest
arrival with your family at Madras my Accounts
with the Honble Company is not settled yet I am
assure without your favorable Protection I will not
get to settle I beg the favor of you Sir that you
will please to excuse all my faults & recommend me
the same to this Lordship or to the Honble Board

N 5

that

that I may be Cleared off myself the Ballance of the Company — as you are sensible how my Situation is now stands without Business hoping that you well favor me to settle this Business that I may be able to carry on my future Business to live in the world with all my family

I am with the greatest Respect
Worthy Sir
your most Obedient & Devoted
Humble Servant
Ball Kistna

Ganjam
to September 1782

John Turing Esqr
Madras

N° 6

Worthy Sir

I am excudingly sorry to hear by my Brother Arnachellum that I have prepared the Accounts against you to represent to the Honble Board which is entirely misinformation from whom that you learn but at the time of your Departure from hence I entirely leaved under your Direction to settle the same as the most reasonable terms on considering my present Situation Sir the misinformation which you told I am assure some of my

Enemys

Enemys wish to raise up some Disputes betwixt us in order to hurt your friendship with me or to prevent your kind favor which I expected from a long time & I actually depends on you —

As I often receives several Letters from my Brother that your kind assistant in my Business & myself being very happy & constantly remembers the same your protection I beg the favor of you Sir, & hope that you will not think any Suspecion on me as I am a man waits the favor of the Gentlemen for ever —

I have requested all the particu=lars relative of my Accounts examing by the Chief and Council here to your Bromny Vencata=chelliah & hope that he will explain you the same —

I conclude with my most Humble Respects
I am
Worthy Sir
your most Obedient humble
Servant
Ball Kistna

Ganjam
17 May 1783

to

To John Turing Esqr

No 7

Sir

On the Arrival of my Brother Arnachellum who has given me all the informat=tions that your strongest recommendation to the Hon'ble Board Concerning my Accounts which made me much satisfaction for the reexamination by the Chief and Council here with all the proofs I hope Sir that you will find how finally will be settled in future & I shall be much obliged & thank you for the trouble you have taken to protect me as I am learned from my Brother that your Direction to obtain the friendship with Mr Stone & to get his assistance & I wish to do the same from the begining of his arrival but my unlucky Disappointed me that pleasure being some of my Enemys persuation I hope you will learn all these particulars from Cundapah Moodeliar your Dubash and likewise the Situation of me all my Business of this Districts is entirely depends on your Protection, & I had not a friend to assist me but yourself

&

& hope that you will please to continue me the same

I am with the greatest Respect

Sir

your Most Obedient & most Affectionate humble Servant

Ball Kistna

Ganjam
8 March 1784

Worthy Sir

No 10

I beg leave to trouble you these few lines since the Deprivement of my Rent I did not Obtain any Justice from the Hon'ble Company nor settled my Accounts as yet,— you are sensible Sir, the whole of my Circum=stances how much I have been suffered or injured myself in the world by the ill treatment I have been met from the late Governor Rumbold &c of his Councelers I beg the favor of you Sir Hoping that you will please to favor me all your assistance in my favor that I may have the Justice done & I had no other protection but yourself to explain all my Situation in the Itchapour District & the whole of my affairs entirely depends on you for which kind assistance

I

I shall be much Obliged & Esteemed you for ever—

I am with the greatest Respect
Worthy Sir
your most Obedient & most
Affectionate Humble Servant
Ball Kestna

Ganjam
18 January 1783

John Turing Esqr—

To John Turing Esqr

Worthy Sir

I hope that you have observed my Account of Collections which was sent lately by the Chief & Council here, to the Right Honble Board all which erroneously represented by those Jemedars Renters &c Contrary what was settled in your time when I was under the Confinement and has delevered you all their Different acknow=ledgements, what Arrears they due during the time of my management now the Accounts what they given to the Chief and Council included all the Inaums Charges and also several Private Deelings what money they borrowed of me,— upon which several remarks I made on their Account & Sent the same to my Brother

Brother Arnachellum & I doubt not he will inform you the same; hoping that you will please to speak to Mr Popham my Attorney how fairly my Accounts settled in your time without any Objection and also to the Right Honble Board & to do me the Justice— I hope that you will please to assist me in my favor for the Justice & my whole dependence on your Protec=tion and that I may be saved from this Distres=sed Situation & shall be Acknowledged your Commands for ever—

I Remain with the greatest respect—
Worthy Sir
your most Obedient Humble
Servant—
Ball Kestna

Ganjam
25 August 1783

Mr John Fanning is again called and he declares that he is well acquainted with the hand writing of John Maxwell Stone Esqr late Chief of Ganjam and that the Two Letters (of which the following are Extracts) are in the hand writing of the said Mr Stone

(Extracts of Two Letters)

My Dear Sir

By this night Tappal the Board will receive from Mr Cooper a Letter which came open for our perusal — I am sorry to see that he should be so far wanting to himself as to accuse the Board of partiality and a want of Justice — It is evidently the production of a weak & desperate man and must I think cause his removal from the Service — the Petition which he has enclosed is which you are so severely attacked was never delivered in to the Chief and Council I heard within this fortnight or ten days past that such a Petition had been in agitation for some months and the other day took an opportunity of asking Ball Thestina about it — who declared to me that he had for months past been constantly and incessantly and importuned by some of the Gentlemen & their Dubashes to Deliver it in but that he absolutely refuse doing so & that he never will set his name there to, or give his consent to it — This I am persuaded he will readily declare whenever he is called upon —

Ganjam
7 July 1784

My Dear Sir
yours very truely
J. M. Stone

I have just now my Dear Sir your favor of the 6th Annachellum Ball Thestina's Brother has lately lost his wife which I suppose is the reason I have seen nothing of either of them for some days past — should Ball Thestina deny what he told me — which I can scarce think he will I will take Care that it shall appear I wonder it did not strike the Board, the very improper manner in which the anonymous Petition has been sent to the Presidency — If Ball Thestina had any Complaints to prefer he ought to have made it to this Board — as it is I should think it ought not to have been taken any notice of —

My Dear Sir
yours with great truth &
Sincerity
J. M. Stone

Ganjam
29 July 1784

Mr Turing proceeds — I declare the payment of Twenty thousand Rupees was paid to me by the agency of Annachellum Brother of Ball Thestina in consequence of Orders from Ball Thestina who was at Madras at that time to liquidate my Ballance & particularly to pay me thirty thousand Rupees worth of Paddy —

I

I shall produce the following Letters No 8. & 9. in proof of what I assert—

Translation of an Extract of a Gentoo Letter from Ball Kistna to Chella Vencatachelleah

I heard that Curzojee Lalah is arrived at Ganjam if you had received of him the Amount of the Rupees of the Tunka given to your Master (upon him) is well otherwise you must solicite for the payment thereof as I am to hereafter Recover the payment of the Kists therefore you must not neglect to collect the same, The old Ballance of about 10000 Rupees is due to me from Mahomed Gows, as I have given you Tunka upon Mahomed Gows on Account of the Kists of the Month of January of the present year for the Speedy Recovery thereof I put of to demand the said old Ballance due to me, therefore you must Press him for the speedy Payment after which I will recover the said Balance you must be very deligent to recover the said sum from him of which I have Communicated to your Master with an open Letter herein Enclosed and after your perusable

Sealing

Sealing it and Present to your Master—

(Signed) Ball Kistna

A True Translation as near as can be from the Gentoo Language

Davy Neiguem

Hautgier
19 April 1781—

Translation of an Extract of a Gentoo Letter from Ball Kistna to Challa Vencatachellum

Concerning the Loan of Money which your Master lent me you have amply mentioned in your Letter to your Brother I will speedily come down (to your place) and satisfy according to pleasure of your Master I have now wrote to my Brother to despose of the Quantity of the Paddy of the sum of 30000 Rupees which he has in his Possession and the Produce thereof is to be paid and also I have acquainted him to satisfy the sum of the Rupees due to your Master, but you have eperience of his Conduct I am only to write him but I cannot make him to put the same in Execution, all my affairs depend upon you I hope that after my arrival there all the affairs will be performed with the descretion which will occasion the Encreasement of the Time of

your

your Master and you

Madras
2d June 1780

(Signed) Ball Krstna

A True Translation as near as can be
from the Gentoo Language
Davy Neyoaem

Mr Turing desires Extracts of Ball Krstna's Petition to the President & Council dated 6th April 1785 may be read in further proof of his prevaricating Assertion regarding the Terms of the Loan

Parag 5 your Petitioner sheweth that the said Petition being drawn out in a hurry and at a time your Petitioner had not an opportunity of looking into his Private papers he therefore omitted to particularize several charges which he hath since been able fully to explain —

6 your Petitioner therefore now begs leave to state to your Lordship &c all the Transactions which have ever passed between the said John Turing and your Petitioner as the Renter aforesaid whence it will appear that your Petitioner hath been much injured by the said John Turing — your

7 your Petitioner sheweth that when he came to Madras in April 1779 at the invitation of Sir Thomas Rumbold he had in my assurance from Mr Turing who was then about to be appointed Resident at Ganjam in the Room of Mr Williams that your Petitioner should meet with his support and Patronage in all proper matters relating to the said Renterships and that if your Petitioner wanted any money he would immediately advance it to your Petitioner and would not require to be repaid except by Degrees and in such a manner as would be entirely convenient to your Petitr that your Petitioner borrowed of Mr Turing 20,000 Star Pagodas to run at Interest at the rate of 24 P Cent per Annum and your Petitioner executed a Bond payable at 12 P Cent and agreed to pay the other 12 P Cent when the Bond should be discharged

8 And your Petitioner Humbly Submits that so far from not requiring to be repaid except by Degrees "and in such a manner as would be entirely "convenient to your Petitioner" The severe conduct of John Turing Esqr in Direct opposition to this Agreement was the sole cause of his being in Arrears to the Honble Company — that

9 That Mr Turing proceed to Ganjam and took Charge of the Factory in March 1780 while your Petitioner was at Madras on some private Business then unsettled but your Petitioner wrote to his Brother and Agent Venachellum to shew Mr Turing every attention in his power so as to merit his Patronage and support

10 That notwithstanding the Assurances of Mr Turing to support your Petitioner he had the Mortification to find that Mr Turing and his Dubash sent for all the Rajahs and Chief Inhabitants and interferred in the Renterships by settling the Pemeburdy contrary to the wishes and Interest of your Petitioner and so as to advantage themselves thereby to the prejudice of your Petitioner and Contrary to the Custom Heretofore always observed towards all Renters —

11 That whenever your Petitioners said Agent did any Business without the Knowledge of Mr Turings Dubash he always found several Difficulties thrown in this way and People were encouraged to make Complaints against your Petitioner which impeded your Petitioner or his Agent in the Collection of the Revenues —

Mr Turing

Mr Turing — I deny that the payment of my private Bond Debt from Ball Thistna was the Real or true Cause and could not prevent Ball Thistna has in his Petition acknowledged to have borrowed from me / Twenty thousand Pagodas / to the sums he acknowledges to have borrowed from other Individuals in his Account delivered the 26th January 1785 / as entered hereafter / Amounting to Rupees 116003 6 9 or Pagodas 30934 11 — —

N 38 To Charles Freeman Esqr
Secretary

Sir

Agreable to an Order of the Right Honble the President & Council I now take leave to transmit you Account & list signed by me of my several Creditors being the Amount of Principal & hope that you will please to deliver them the same

same —

I am

Sir

Your Most Obedient

humble Servant

(Signed) Ball Kistna

Names of the Private Creditors of Ball Kistna being the Amount of Principal Vizt

Morgan Williams Esqr Star Pagodas @ 375 ℘	27375 — —
Mr Isaac Van Meerop	6000 — —
Colonel Thomas Bruce	17471 — 13 — 10
Major Arthur Lysaught deceased as ℘ Account Current sent to his Executors	4406 8 11
Captain Daniell Burr	20000 — —
Captain William Blacher	13000 — —
Suncoo Chinna Kistnama Chetty 2200 S'P	8250 — —
Auvadannum Paupiah	15000 — —
Shaichna Labac & Agneed Labac is in the name of Arminion Star Pags 600	2250 — —
Allapoloo Vencatacheller Chetty D 600	2250 — —
Arcott Rupees	116003 6 9

Exchange at 375 ℘ 100 Pags is Star Pagodas — 30934 11 "

Errors Excepted

(Signed) Ball Kistna

late Renter &c

Madras

25 January 1785

A true Copy Chas Freeman

Secy

I have these sums being added to the Amount of his Surplus Collections which are as by Accounts transmitted by the Chief & Council at Ganjam to the President & Council Rupees 452786.6 — or in other words the Difference which he paid to the Company and what he actually received from the Itchapour District whilst Renter the Accounts of which have been Twice Examined and Twice Confirmed by the Chief and Council at Ganjam and serves to shew that Ball Kistna had Sufficient Friends and much more than enough to pay the Company's Demands upon him as Renter The Letters upon this Subject from Ganjam and Accounts have been considered and a Resolution formed upon them by the President & Council of Fort St. George who Determined that nothing appeared to Substantiate Ball Kistnas Charge that his Arrears to the Company arose solely from his money Transactions with me — The following Extract of General Letter to England Dated the February 1785 is then read —

Extract of a General Letter to the Court of Directors by the Pigot —

We acquainted you in our last advises by the Juno, that a Petition said to be in the hand

hand writing of Ball Kistna late Renter of the Ichapour Districk had been forwarded to us by Mr Thomas Cooper from Ganjam and that we had written to the Chief and Council there to call on Ball Kistna to declare whether he acknowledged it and whether he had Authorized Mr Cooper to send it to us— Ball Kistna in reply to the Chief and Council delivered to them another

Letter from Ganjam 1st September

Petition which he desired might be immediately transmitted to us avowing at the same time such parts of the Paper forwarded by Mr Cooper as corresponded with his present Representation but denying that the former Paper had been brought before us by Mr Cooper with this Knowledge—

The Petition addressed to us by Ball Kistna proved to contain Charges against Mr Turing nearly similar to those specified in that sent to us by Mr Cooper and Ball Kistna also applied to the Chief & Council at Ganjam to have the Evidence in support of his charges against Mr Turing examined on the spot before he left the Place—

Upon the Petition authenticated by

Cons. 20th October

Ball Kistna being taken into Consideration at the Board Mr Turing demanded a public investigation into

into the Truth of its Contents and requested that Ball Kistna and Mr Cooper might be ordered to repair immediately to Madras but he objected to Ball Kistna Proposition of examining his Evidence at Ganjam and was of Opinion that his Witnesses should accompany him to the Presidency where the Enquiry must necessarily be instituted—

The President and Mr Davidson expressed their Apprehension that the bringing hither a number of Witnesses from so great a Distance many of whom must be employed in the Revenue Branch might be attended with great Inconvenience and Distress and that therefore the Chief and Council should be directed to take their Depositions because unless those Depositions went to establish the Charge against Mr Turing there would be little Occasion for further Enquiry and if they did that then Ball Kistna and his Witnesses might be ordered to the Presidency and the matter proceeded upon in due form before us—

The Majority of the Board however resolved that Ball Kistna and Mr Cooper should be directed to proceed hither immediately and that the Witnesses whom Ball Kistna meant to produce in support of his Petition should not be examined at Ganjam for the

Ganjam

Ganjam for the present nor sent to this place
untill the Enquiry into the Foundation of the
Charges against Mr Turing was regularly entered
upon by us— Mr Turing recorded his Dessent
to any Examination or Enquiry being taken but
in his Presence and therefore repeated his Opinion
Consl 20th October that Ball Thistnas Witnesses should be ordered
to accompany him to Madras—

After various Delays about
the middle of last Month Ball Thistna arrived
here Mr Coopers attendance we had at his desire
Consl 22d Novr dispensed with an Account of the Inconvenience
that he represented would probably arise to him
from coming here, and as his Presence did not appear
to be absolutely necessary

But when we summoned Ball
Thistna to be present at a Meeting held the 24 January
Dcary 23d Jany he assured us that it was utterly impossible for him
to quit his house on account of his private Creditors
One of whom he understood had actually sued out
Consl 24 Jany a Warrant of Commitment against him in the
Mayors Court—

This Circumstance greatly embarrassed
Consl 24 Jany us In justice to Mr Turing We fell every Inclination
to gratify the anxiety he had from the first
Dcary 13 Jany repeatedly shewn to have speedy Enquery made
into

Consl 15 Jany into the Charges exhibited against him but we were
Dcary 19 Jany really much at a Loss in what manner to proceed
at length however by desire of Mr Turing the sitting
Magestrate went to Ball Thistnas House and there
Dcary 27 Jany formally received Ball Thistnas Attestation on Oath
of the Truth of the several Matters contained in his
Petition—

The Petition thus attested became a
Subject of our Deliberations at the succeeding Meeting
of Council Mr Turing in a Minute delivered in by him
on this Occasion observed that "the Foundation of
Ball Thistnas Complaints as set forth in his Petition
against him so far as they appeared immediately
to concern the Company rested upon the truth
of his Assertion that he had Collected from the
Districts he rented barely sufficient to pay his
Rents to the Company and that the Discharge
of Mr Turings private Bond Debt &c was the cause
of Ball Thistna being in Arrears to Government

In Repetation of that Assertion
Mr Turing referred to the Letters from the Chief &
Council of Ganjam under Date the 15th July 1783
the 20th July 1784 and the 2d October 1784 entered
in the Consultations specified in the Margin
with Account of Ball Thistnas Collections which
accompanied them these Accounts had been twice
examined and had been twice Confirmed by the
positive

positive Declarations of the Parties concerned had been very minutely remarked upon by the Chief and Council and had Ball Kistna's Receipts in proof of their Authenticity By them it appeared that Ball Kistna had actually collected from the Zemindars and Renters during the time he held the Farm ---------- 1148591. 11. 6

His Payments to the Company Amounted to 695805. 11. -

Mr Turing observed that consequently Ball Kistna had received a Surplus of ---- } 452786. -- 6

Exclusive of Claims for outstanding Ballances of 234,111. 13. 15

The above were the Arguments used by Mr Turing in his Minute and he submitted to us what Degree of Credit ought to be given to Ball Kistnas attestation relative to the Amount of his Collections indirect Opposition to such palpable Proofs Mr Turing in addition moved that Ball Kistna should be again called upon for the Payment of his Ballance due to the Company and that whell yet within the Power of the Board he should be obliged to give Security for the Amount

The Specific Charges contained in Ball Kistnas Petition have not as yet been in proof before us but from the above mentioned Accounts formerly transmitted to us by the Chief & Council at Ganjam

at Ganjam nothing certainly appears to substantiate Ball Kistna's Assertion that his Ballance to the Company arises solely from the Transactions which happened on Account of his Debt to Mr Turing and of Course every proper means should be taken to secure from him the Amount of the Companys Claims — We shall hereafter have the honor of acquainting you with whatever further Proceedings may be had in consequence of Ball Kistna's Pettn and of the Charges contained therein against Mr Turing when Mr Turing shall reply to the other parts of the Petition at present we do not see that we can take any other Precaution then we had before ordered for the security of his Balance which was to have a Guard placed round his House at Ganjam to prevent any of his Property from being conveyed away from thence unknown to us but your honor may depend on our missing no Occasion that may occur of realising the whole or any part of the sums due from him to the Company —

At Mr Turing Request we have directed Ball Kistnas Original Receipts to be sent hither from Ganjam —

A true Extract

Chas Freeman
Secy —

Mr Turing — I deny that I ever as Resident of Ganjam made any false Representation to Government concerning Ball Kistna I appeal to the Records or to the Members of the Board who are now setting on the Bench —

Question — Did you see Ball Kistna before you were appointed Resident at Ganjam ?

Deponent — I might have seen him but had no conversation with him

Question — Did Ball Kistna or any other person before or at the time he brought you the Bond mention any thing of a higher Interest than 12 ℘ Cent ?

Deponent — No —

Question — Did you ever desire Poonacoty or any other person to demand a higher Interest than 12 ℘ Cent from Ball Kistna ? —

Deponent — No and when the offer was made to me of an additional Interest I rejected it —

Question — Did the Prisoner understand you meant to demand payment of your money soon after your arrival at Ganjam —

Deponent — Yes —

Question — What time passed after your arrival at Ganjam before the money was demanded from the Prisoner ? —

Deponent — A few weeks —

Question — Was any part of money paid at Madras ?

Deponent — No —

Question — Did you not wish to procure the payment of your money from the Prisoner as soon as possible ? —

Deponent — Yes —

Question — Did the Prisoner repeatedly urge to you that giving you an Order for Rupees 84000 or Corsojee & Mahomed Gauze would bring distress and inconvenience upon him ? —

Deponent — I do not recollect that he did on the contrary he made excuses for having Disappointed me so long

Question — Did the Prisoner desire that he might pay off the balance due to you in smaller sums and at different times ? —

Deponent — No I have no recollection of his making such a request —

Question — Did you take 20000 Rupees of the money paid in by Corsojee in part payment of the Bond by the desire & consent of Arnachellum Brother and Agent of Ball Kistna ? —

Deponent — I received the 20000 Rupees at Arnachellum Solicitation

Question — Was this sum paid without the Knowledge of Ball Kistna ? —

Deponent — No Arnachellum had just before received directions from Ball Kistna to pay me as far as Rs 30000 —

Question — Did Arnachellum ever intimate to you that Ball Kistna would be displeased with such a step? —

Deponent No —

Question Could the payment of your Bond have prevented his paying the Company's Rists —

Deponent — The Accounts delivered in prove the Contrary

Question — What advance do you suppose the Prisoner made to the Husbandmen for Grain telling Implements or other purpose —

Deponent The Accounts before the Court will shew that the Amount of balance due to the Prisoner on that Account is only Rupees 5936. 8. 6. —

Question — By endeavouring to convince the Board you had distressed his Affairs dont you think he might have expected in consequence some indulgence with regard to his balance due to the Company? —

Deponent — That appeared to have been one of his views —

Jury Has the principal & Interest of the Bond been cleared off? —

Deponent — There was an unadjusted account between us —

The following Questions are put to Mr Turing by the Prisoners Counsell —

Question — Do you know whether any Interest was specified to be given more than 12 ℘ Cent ℘ Annum on the Bond? —

Deponent — No —

Question — Do you know any thing of a note of hand given by Ball Kistna to your Dubash for an Additional Interest of 12 ℘ Cent on the Bond —

Deponent — I do not know of such a note having been given —

Question — Is it customary for your Dubash Mr Turing to transact money matters without your knowledge and Directions? —

Deponent — I never authorized him to transact any matters of business without my knowledge —

Question — Did you receive the Sum of Rupees 84000 — — from Corsojee & Mahomed Gauze —?

Deponent yes I did —

(Toonacooty Bramin is then sworn)

Clk of the Peace Relate what you know —

Deponent — In the month of January in the Year 1780 after Mr Turing was appointed Resident at Ganjam The Prisoner came to me and desired me to go with him to Visit Mr Turing I went accordingly and visited Mr Turing at Vepery — a Week afterwards Ball Kistna came to me again and told me he heard Mr Turing had some money and that he wanted to borrow some — at that time I thought Ball Kistna to be an honest man and about this time Mr Turing considering about sending some money to Ganjam thinking Ball Kistna to be a man of Credit I recommended him to

to Mr Turing who agreed to lend him Twenty thousand Pagodas payable on Demand at twelve P Cent Interest P Annum and Mr Turing said on his arrival at Ganjam he would consider whether the Money should be paid there or at Madras Ball Krishna agreed upon these terms and made out the Bond payable on Demand at 12 P Cent Interest and delivered the Bond himself to Mr Turing some Days after Ball Krishna came to me again and told me that he wanted to please Mr Turing he therefore wished to allow him 12 P Cent more — I told him I would acquaint Mr Turing and let him know his Opinion accordingly I told Mr Turing) of Ball Krishnas Offer and he answered that he would not have any such thing and said he considered the Loan to Ball Krishna as a remittance to Ganjam and if Ball Krishna paid this money immediately at Ganjam he would not receive any Interest at all which I told Ball Krishna about two months afterwards my Brother who was Dubash to Mr Turing at Ganjam wrote to me to demand the money from Ball Krishna and I accordingly demanded it — Ball Krishna told me as soon as he went to Ganjam he would pay the money I received after Ball Krishna went from Madras four Letters from him — The before mentioned Letters marked No. 1. 2. 3. 4. produced the Dept

declares

declares they are the same Letters he received from Ball Krishna —

Question — Did Mr Turing or any other person to your knowledge on his Name demand a higher Interest of Ball Krishna than 12 P Cent P Annum on the Bond? —

Deponent — Not to my knowledge —

Question — Did Ball Krishna understand that Mr Turing meant to demand payment of his money soon after his arrival at Ganjam? —

Deponent — Yes he certainly did —

Question — What did Ball Krishna say when you told him that Mr Turing rejected his Offer of an additional Interest? —

Deponent — He said nothing —

Question — Did not Ball Krishna often express that he was obliged to Mr Turing for the Loan of money) —

Deponent — Yes —

Question — Did Ball Krishna ever complain to you in his Letters that Mr Turing treated him unhandsomely or that (discharging) his Bond had brought Destress upon him —

Deponent — No —

(Questions from the Prisoner counsell)

Question — Are you Dubash to Mr Turing) —

Deponent — yes but not at the time of delivering the Bond

Question — Did you know a man of the name of Rajavachery)? —

Deponent — Yes —

Question — Did he ever bring you any note of hand from Ball Thistna for the payment of a Sum of money?

Deponent — No —

Question — Who transacted the loan of 20000 Pagodas between Ball Thistna & Mr Turing —

Deponent I did —

Question — How was the money advanced by Mr Turing to Ball Thistna?

Deponent — I paid a part myself — I do not recollect how the other part was paid —

Question — Do you recollect the sum you paid to Ball Thistna in ready money?

Deponent — I dont remember —

Question — Was the Bond delivered to Mr Turing before or after the Money was paid: —

Deponent The Bond was first executed and then the money was paid —

Question — you dont know of any other note from Ball Thistna to Mr Turing in consequence of the loan of Twenty thousand Pagodas —

Deponent No —

/Mr Stephan Popham sworn/

The following Questions are put to the Deponent by desire of Mr Turing: —

Question — Did you not go to Mr Turing at different times in the name of Ball Thistna with a view to accommodate difference? —

Deponent I wish to make up matters between Mr Turing and Ball Thistna — but as I was employed on behalf of Ball Thistna I beg to decline answering certain questions —

The Counsell for Ball Thistna also objects to Mr Popham Evidence on that account on which Mr Turing acquaints Mr Popham he does not wish to take advantage of his situation & that he leaves it to himself to answer such questions as he may judge proper —

Question — Did Mr Turing shew you this Paper

/Mr Turing produces the following Paper/

It is indispensably necessary Ball Thistna should satisfy the President & Council that the several Complaints & accusations contained in his Petitions Dated 28th August 1784 the 5th & 6th April 1785 are false and groundless — which can be done only by an open public recantation & confession acknowledging his malicious motives & declaring who were his instigations —

The

The Board must not only be fully satisfied of the Falsity of Ball Thestina's charges against Mr Turing but it will depend upon the President & Council whether Mr Turing can drop the criminal prosecution — unless Ball Thestina in the first instance throws himself on the clemency of the Board & craves their interposition Ball Thestina must give both Mr Turing and Nicatachellum full Satisfaction respecting an adjusted Accounts —

Deponent — I went from Ball Thestina to Mr Turing with a view to accommodate matters upon the business to Mr Turing he gave the aforegoing Paper — It is the same which Mr Turing delivered to me and I carried a copy of it to Ball Thestina who would not agree to the Terms —

/ Mr Charles Darke sworn /

Clk of the Peace — Relate what you know —

Deponent — On the 18th July last between 7 & 8 in the morning a Dubash that I had known for some years came and told me that Ball Thestina wished to speak to me I replied I did not know Ball Thestina and that I understood he was to be tried at

at the Sessions and that as I was summoned on the Jury I did not think it proper to see him — The man told me he did not wish to speak to me about the Business of the Sessions but to ask my favor in order to get Mr Turings — I then desired he might go into an apartment in the Garden and after breakfast I went to him and asked if he was Ball Thestina and what was his Business — he answered that he was come to beg me to intercede for him with Mr Turing that he got into a very disagreeable and bad Situation and those that had encouraged him had left him I asked him what he would wish me to do or say for him to Mr Turing as I thought there was no impropriety after what he had said in my speaking to Mr Turing Ball Thestina said he would give to Mr Turing any Paper he pleased — I asked him what he meant by any Paper and he said he would give in a Petition to the Governor & Council denying upon Oath every thing he had charged against Mr Turing I told him he appeared to me a sensible man and I wondered how he could have made such Charges and now offer to contradict them upon Oath and that Disgrace any way must come upon

upon him — he then said he had done wrong and that he was sorry for it — I told him I would go to Mr Turing and let him know the purport of what he had said. Ball Thestina desired he might stay at my house until I returned — I went to Mr Turing and relate the substance to him of what had passed Mr Turing told me he could say nothing at all to it, that if Ball Thestina was sorry for what he had done it was necessary for him to convince the Board to whom he had made his complaint I returned and informed Ball Thestina that Mr Turing would say nothing till the Board was satisfied his complaints were groundless. Ball Thestina seemed very much distressed and said that he and his family would be ruined and that he should lose his outstanding balances at Gayana Ball Thestina again said that those who had encouraged him had left him and that if Lord Macartney had remained he should have been protected through the business unhurt — Ball Thestina then said he would go to Mr Popham and draw up a Petition to Government denying all that he had charged to Mr Turing which he should have done, he said fifteen days sooner but

but that he was afraid it would prove all his Petitions false which had been delivered to Government against Sir Thomas Rumbold which would ruin his business that was gone to England against him — I told Ball Thestina any how he must be very much disgraced and he answered he would go to Mr Popham and get the Petitions drawn up which he would deliver in to the Board and swear to it — he also begged me to intercede with Mr Turing which I promised him I would do — but I never saw him to speak with him afterwards —

Question — Did the Persons complain to you that Mr Turing had used him ill —

Deponent — Ball Thestina said Mr Turing had been much his Friend & he hoped he would again and then he should get his balances —

Question — Did Ball Thestina mention the names of the people who had instigated them to prefer complaints against Mr Turing —

Deponent — No he did not — Ball Thestina said he would disclose the names of the Gentlemen in his Petition to the Board —

2 Questions

Questions from the Councel for the Prisoner

Question — Did you recommend a reconciliation to Ball Thistna and say to him if there was a vacancy at the Board Mr Turing) would succeed to it—

Deponent — Yes I did — and as he had by his own account done wrong I advised him to it—

Question — During your conversation with Ball Thistna did you not trust that if he was brought to a Tryal he would be ordered to be put in the Pillory or sent to Bencoolen—

Deponent — I told Ball Thistna that I was one of the Grand Jury by whom the Bill of Indictment was found that I can and heard proof against him in the Charges he had alledged against Mr. Turing) — and that I believed he would be found guilty and that he would be publicly disgraced or punished —

/Robert Barclay Esqr sworn/

Question — Did you ever know that Mr Turing) during the time you were a member of Government made any false or unjust Representation at any meeting of the Board concerning Ball Thistna or that he has to your knowledge at any other time —

Deponent — Never to my knowledge — but on the contrary his representations were always considered as very just and well grounded—

Mr Turing) having informed the Court he shall not call upon any further Evidences the Prisoner is then asked if he has any Witnesses to be examined and he desires that Captain Burr with three other Persons may be called upon —

/Captain Daniell Burr sworn/

Clk of the Peace Relate what you know

Deponent — In the year 1781 Shortly after Ball Thistnas arrival from Madras he was one morning with Mr Turing in the Ganjam Factory house I happened to be there at the same time Mr Turing) said in a loud and angry manner stamping with his foot that he was determined to have this money and that if Ball Thistna did not contrive to let him have it he would make him and humble his consequence too Ball Thistna urged the necessity of discharging the Companys Rents first of all as it was impossible he said to give Mr Turing) an order for so large a Sum as Rupees Eighty four Thousand on the Sub Renters without doing great injustice to his other Creditors and that

a

failure in his Rests. at these bad times might possible bring on his ruein — Mr Turing) said he would take Care that nothing should ever happen to him — that he would assist him with any Sum at any other time but that he must and would have his own money now & therefore Desired Ball Thistna to get along and see about it immediately as he should hear from him again —

[Questions from the Prisoners Council]

Question — Do you know if Ball Thistna gave Mr Turing Sunkas or Orders on the Sub Renters for the Sum of Rupees 84000 —

Deponent Ball Thistna gave Mr Turing a Sunka on Corsoje Lalla Sub Renter for the Sum of Rupees 64000 — and another on the late Mahomed Gawze for the Sum of Rupees 20000 — which they Discharged —

The Twenty thousand Rupees paid by Ball Thistnas Brother Arnachellum was taken by Mr Turing to the Discharge of his Private Bond Debt from the forty thousand Rupees Thists paid by Corsoje Lalla Sub Renter on account of the Company before Ball Thistnas arrival at Ganjam — Turing

Arnachellum

Swinachellum Ball Thistnas Brother in Tears one Morning I asked him the cause of it he told me Mr Turing had used him very ill and related the particulars about the Twenty thousand Rupees — I had some Business with Mr Turing — that morning and took that opportunity to observe to him that I was astonished how he could reconcile taking 20000 Rupees of the Companys Cash from the Manager Arnachellum and apply it to his own use, I were threatned Mr Turing) that I would inform the Board of Madras with his illegal Proceedings —

Mr Turing) replied that I had better not that the Person comming into the House put a end to the conversation —

[Questions from the Prisoners Counsel]

Question — Are you of opinion that the payment of the aforesaid Sum of Rupees 84000 — and Rup.s 20000 occasioned the failure in the payment of Ball Thistna Thists to the Company —

Deponent Yes I have understand so — I cannot say so from my own knowledge —

Question — Were you ever applied to by the Renter Ball Thistna for Assistance of the Sepoys you commanded —

yes

Deponent — Yes I have and also by his Manager before Ball Ristna arrived —

Question — Did you assist the Renter agreeably to his Demands for such assistance —

Deponent Yes I did

Question — Were you ever prevented from rendering the Assistance that was desired by the Renter at any time

Deponent — I was prevented — Ball Ristna wrote to me several times to request that I would give him Sepoys — Mr Turing always refused me and said if he wanted them let him come himself and ask him Mr Turing for the Assistance of such Sepoys — The Manager Arnachellum wrote to me two Letters desiring I would immediately send a Company into the Gumsoor Demindary and go myself to see what was going on — I thought it would be best to go down to Ganjam and when I went to see Mr Turing he asked me by whose orders the Troops had been sent into the Gumsoor Country — I told him I had received an Order from the Manager to that effect — Mr Turing said if the Manager ever dared to send any Troops into the Demindary again without his Orders he would put him in Irons and confine him in the Main Guard — I then told Mr Turing I had received Orders from the Manager to withdraw the

the Company and that I would set off that night for that purpose —

Question — how long have you known Ball Ristna

Deponent — I have known him Ten years and a half or thereabout

Question — Can you speak as to his general Character —

Deponent — Mr Cokford his Old Master and Mr John Holland had the highest Opinion of him and placed much confidence in him as I have understood —

Question — Has Ball Ristna generally been considered an honest man and not a promoter of vexations quarrels or Disagreements —

Deponent I have always understood he was an honest man and of good Character I never heard that he was a promoter of Disputes of any kind —

The following Questions are then put for the Prosecution —

Question — Were you at Ganjam when Mr Turing first arrived there —

Deponent — Yes I was

Question Did you not say to Mr Turing you were going upon dangerous service into the Gumsoor Country and that you came to take leave of him as you did not know whether you should return again —

Deponent Yes I did —

Question — Did not Mr Lurving express to you his surprise telling you that he would not allow any act of Hostility to committed in the District without his previous Sanction and express authority and desired you to defer the intended expedition —

Deponent Yes He did — and I replied that hostilities had already been committed —

Question — Did Mr Lurving at any time interfere in the internal management of the Sebbundy Corps under your Command —

Deponent Yes he did several times —

Question — Did you ever make any written representation in consequence?

Deponent — I do not recollect that I did —

Question — Do you know if the Renter or Manager ever made any written representation on that Subject — or in regard to sending the Sepoys under you to his Assistance —

Deponent No I do not recollect —

Question — From what you have heard and from your own knowledge do you believe the Collections made by Ball Krishna as Renter of Sholapour exceided his payments to the Company? —

Deponent I am unable to judge of that Question so as to give an answer to it —

Question — Are you at all interested in the event of this prosecution —

Deponent No I am not

Question — If it from your own knowledge that you say Mr Colesford and Mr Holland placed much confidence in Ball Krishna

Deponent I have heard so —

Chinna Tombey Sworn —

Clerk of the Peace Relate what you know

Deponent — In Governor Rumbolds Time I went to Ball Krishna on some Business of my own on my going there I saw one Ragavachurry setting in the house — Ragavachurry said Ball Krishna had borrowed from Mr Turing 20000 Pagodas on Bond at only 12 ℔ Cent Interest and he desired Ball Krishna in Poonacody's name to give an agreement for an additional 12 ℔ Cent there were some other people present I dont recollect who they were Ball Krishna asked Ragavacherry for a balance due from the Pagodas 20000 — and

if he would bring) that he would give him such an agreement Ragavacherry told Ball Kistna if he would grant him the agreement he would bring the Balance — Ball Kistna afterwards gave him the agreement in the Gentoo Language specifying that he Ball Kistna had given a bond for 12 ℘Cent to Mr Turing) and the agreement expressed that he was to pay 12 ℘Cent more altogether 24 ℘Cent

Ball Kistna read the agreement and delivered it to Ragavacherry who soon after went away) —

Question — Who was Ragavacherry —

Deponent — A Broker and Merchant who dealt in Linnen

Question — Where is Ragavacherry —

Deponent — He went up to Masulipatam and about 3 months ago I heard of his death

Question — Had Ragavacherry any particular connection with Poonacooty

Deponent — I heard from him that he used sometimes to borrow money from Poonacooty —

Question — Was Ragavacherry any way known or connected with Mr Turing? —

Deponent — I dont know —

Question — Did the agreement specify that the additional

12 ℘Cent

12 ℘Cent Interest was to be paid to Mr Turing — can you repeat the words of it? —

Deponent — I cannot recollect it — The agreement mentioned that a Bond had been given for 12 ℘Cent Interest and that Ball Kistna was to pay 12 ℘Cent more to Mr Turing

Question — Was one Mootialleah present when the agreement was read or delivered —

Deponent — I dont remember

Question — Did you read the agreement which Ball Kistna delivered to Ragavacherry —

Deponent — No Ball Kistna read it and delivered it to him

Question — Do you understand the Gentoo Language? —

Deponent — Well enough to understand the agreement when it was read —

Question — Can you read the Gentoo Language —

Deponent — No —

Question — Do you know if Ball Kistnas Signature was to the agreement —

Deponent — Yes it was —

Question — Did you see it

Deponent — No but after Ball Kistna read the agreement he also read his own name —

Question — Have you any Connection with Ball Kistna

Deponent — Only his Friend —

Mootialliah Sworn

Clk of the Peace — Relate what you know -

Deponent — In Governor Rumbolds time Ball Kistna Chinna Lomby and myself were setting at Ball Kistnas House Ragavacherry came there and said to Ball Kistna you have borrowed from Mr Turing 20000 Pagodas at 12 ℘ Cent and Poonacooty has ordered me to get from you an agreement for 12 ℘ Cent more by order of Mr Turing Ball Kistna then drew out the agreement and delivered it to him I then left Ball Kistna Ragavacherry and Chinna Lomby and went away -

Question — Do you know in what Language the agreement was written -

Deponent — Yes in the Gentoo Language

Question — Do you understand the Gentoo Language? -

Deponent — No -

Question — How do you know then it was written in that Language -

Deponent — Ball Kistna as kid Ragavacherry in what Language the agreement should be and he said the Gentoo Language

Question — Did Ball Kistna read the agreement before he delivered it to Ragavacherry -

Deponent — No -

Question — Were you present when Ball Kistna delivered it to Ragavacherry

Deponent — No

Question — Who was Ragavacherry -

Deponent — He was a Linnen Merchant

Question — Had he any particular acquaintance with Ball Kistna

Deponent — I have heard they were a long time connected together and had dealings with each other -

Questions from the Prisoner Counsel -

Question — During the Time the agreement was going on were you not frequently absent -

Deponent — I was present from the Time Ball Kistna wrote the agreement until he delivered it to Ragavacherry -

Annachellum Sworn

Deponent — In the year 1781 I paid Forty thousand Rupees to Mr Turing at Ganjam for the Company's Rents - out of that Sum he took Twenty thousand Rupees on his own account and gave me a Company's Receipt for Twenty thousand Rupees -

Question — Did not your Brother Ball Kistna write you to sell thirty thousand Rupees worth of Paddy and pay the money to Mr Turing) -

Deponent — Yes he did

Question — Did Mr Turing receive the 20000 Rupees after you had received your Brothers Orders for selling the Paddy and to pay him the amount—

Deponent — yes

Question — Was the sum of 20000 Rupees paid in lieu of the 30000 Rupees which you were ordered by your Brother to pay to Mr Turing from the sale of Paddy

Deponent — yes—

Question — Why was the Paddy not sold immediately

Deponent — It was at a low price at the time

The Prosecution being closed and the Prisoner having no other Witness to be examined Mr Spencer makes a Defence as Counsel for the Prisoner — after which the Petit Jury withdraw and an Officer is sworn to keep them—

Clk of the Peace — Gentlemen of the Jury are you agreed of your Verdict

Jury — Yes

Clk of the Peace — Who shall say for you

Jury — Our Foreman

Clk of the Peace — Look upon the Prisoner — how say you is he guilty of the Misdemeanour whereof he stands indicted or not guilty?

Foreman — Guilty—

Clk of the Peace — Gentlemen of the Jury hearken unto your Verdict as the Court hath recorded it— you say that Ball Ristna is

is Guilty of the Misdemeanour whereof he stands indicted and so you say all—

Jury — Yes

The Foreman then represents to the Court that as many circumstances have appeared in the course of Ball Ristna Trial which shew that he had been led away by bad advisers and in Consideration of his long Services to the Company his advanced state of life and large Family added to his misfortunes the Jury beg leave to recommend him to the clemency of the Court in the strongest manner

The Chairman then addresses Ball Ristna as follows—

Chairman — You have been found guilty of Misdemeanour whereof you were indicted and the Court has in consequence adjudged that you shall pay the fine of Forty Pounds or 100 Pagodas and to be imprisoned until such fine be discharged — Ball Ristna is then removed from the Bar—

The Court is adjourned till tomorrow morning at 9 oClock for continuing the Sessions—

Question — Did Mr Lewing receive the 20000 Rupees after you had received your Brothers Orders for selling the Paddy and to pay him the amount—

Deponent — yes

Question — Was the sum of 20000 Rupees paid in lieu of the 30000 Rupees which you were ordered by your Brother to pay to Mr Lewing from the sale of Paddy

Deponent — yes

Question — Why was the Paddy not sold immediately

Deponent — It was at a low price at the time

The Prosecution having closed and the Witnesses having no other Witness to be examined Mr Spence makes a Defence as Counsel for the Prisoner — after which the Petit Jury withdraw and an Officer is sworn to keep them —

Clk of the Peace — Gentlemen of the Jury are you agreed of your Verdict

Jury — yes

Clk of the Peace — Who shall say for you

Jury — Our Foreman

Clk of the Peace — Look upon the Prisoner — how say you is he guilty of the Misdemeanour whereof he stands indicted or not guilty?

Foreman — Guilty—

Clk of the Peace — Gentlemen of the Jury hearken unto your Verdict as the Court hath recorded it — you say that Ball Ristna is

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The Court is adjourned till tomorrow Morning at 9 o'Clock for continuing the Sessions —

Thursday 27th October 1785

Justices present

The Honble Alexander Davidson Esqr. Chairman

Sir John Dalling Bart. James Daniell Esqr.

The Court is duly opened —

Vencatachellum against whom a Bill of Indictment for Felony was found yesterday is brought to the Bar and arraigned as follows —

Clk of the Peace — Vencatachellum hold up your hand you stand indicted by the name of Vencatachellum of Madraspatnam, Inhabitant for that some time in or about the month of April in the Twenty fourth year of the Reign of our Sovereign Lord George the third King of Great Britain &c. by force and arms at Tripalmadore one thousand pieces of Gold Coin called Star Pagodas of the value of four hundred Pounds sterling or thereabouts of the Goods and Chattels and monies of one Captain James Robertson belonging to his Majestys Seventy third Regiment then and there being found feloniously did Steal take and carry away and did afterwards feloniously bring into and detain the said one thousand pieces of Gold Coin called Star Pagodas of the value of four hundred Pounds sterling or thereabouts to Madraspatnam with —

within the Jurisdiction of this Court against the Peace of our said Lord the King his crown and Dignity —

Clk of the Peace — How say you are you guilty of the Felony whereof you stand indicted or not Guilty —

Prisoner — Not guilty

Clk of the Peace — How will you be tried —

Prisoner — By God and my Country

The Prisoner choosing a Jury of Six Europeans and Six Natives they are accordingly sworn as follows —

John Leatham	Tongly Chingleroya Moodelly
James Stringer	Poannary Trevengada Moodelly
Alexander Melvin	Ramalinga Pilly
Thomas Unpherston	Conjevogel Mootue Comrapa Moody
Samuel Crawford	Doaddy Vencata Moodelly
Neil McKenzie	Davy roy Pillah —

Clk of the Peace — Gentlemen of the Jury look upon the Prisoner and hearken into his Cause you shall know that he stands indicted by the name of Vencatachellum / here the Indictment is read as in the Arraignment / upon this Indictment he hath been arraigned and thereunto hath pleaded not

not Guilty and for his Tryal hath put himself upon God and his Country which Country you are now your Charge therefore is to enquire whether he is guilty of this Felony whereof he stands indicted or not Guilty If you find him guilty you are to enquire what goods and Chattels he had at the time of the Felony committed or at any time since If you find him not Guilty you are to enquire if he fled for it if you find that he fled for it you are to enquire of his goods and Chattels the same as if you had found him guilty if you find him not guilty and that he did not fly for it, you are to say so and no more and hear your Evidence—

Captain David Baird of the 73d Regt Sworn—

Clk of the Peace — Do you know the Prisoner

Deponent — No— a few days after our Regiment came down to Madras about 21 August, Serrain my Dubash informed me that he could give me information who had stolen Captain Robertsons thousand Pagodas

Question — Were you in Camp when the money was stolen

Deponent — No—

Captain John Hamilton—

Clk of the Peace — Do you know the Prisoner

Deponent — Yes

Clk of the Peace — Do you remember when the money was stolen

Deponent — Yes about the month of April 1784

Clk of the Peace — Was not the Prisoner confined on suspicion of stealing it,

Deponent — A sum of money was sent up to Captain Robertson as Pay master for the purpose of inlisting men for the 73d Regiment— the money was in bags— about three or four days afterwards Captain Robertson came and told me he had met with a great loss as one of the bags containing a thousand Pagodas had been stolen he suspected this man in particular and I advised him to confine him which he did and the Prisoner was confined about 4 months but did not discover any thing himself in regard to the money

Clk of the Peace — How did the Prisoner behave before this happened

Deponent — I never heard that Captain Robertson complained of any dishonesty in him before this—

Sawmy Dubash Sworn—

Chief of the Peace — Do you know the Prisoner

Deponent — yes about five or six Months ago I went to Colundes about Dinner time — there was a rattan Basket and three or four women round it — the lock to it had been opened but they could not get the Key out again — Colunda said the Prisoner had beat her and taken her Joys and that she opened the basket to find Joys but instead of which she found a bag of money in it — I then asked her to whom the Basket and the money belonged and she replied to the Prisoner — after this I was going away, but she called me back and desired me to count the money I accordingly counted as far as 150 Pagodas and she said there is enough Colunda then said don't tell the Prisoner or any other person of this Money — two or three Days after I desired her to lend me 20 Pagodas which she did accordingly on my mortgaging some Jewells — I went immediately to the Country near Trepassore — three days after I had been there Colunda Achee and the Man who kept the latter came to me — the man whose name I dont know told me that Colunda and achee were come to speak to me about the bag of money which I had seen at Colundas house

house a few days before — the Two women then came near me Colunda said dont tell what you saw the other day at my house to the Prisoner or any other person — about 25 Days afterwards I returned to Madras and having considered what Colunda had said to me I went to Captain Dubash and asked him who the Prisoner served for some time past — Dawsey told me in answer he had served Captain Robertson and that his master had lost 1000 Pagodas and the Prisoner had been confined 6 Months in consequence — Dawsy asked me if I had seen any money in the Prisoners hands — I told him, no at first but Dawsy said you must have seen some thing from what you had said — I then confessed and told him what I had seen and heard at Colundas house — Dawsy said it would soon become public we then seperated about 20 Days after the Prisoner and myself were going to Peddy Naig's house as we were returning we saw Dawsy and some other people with him — we then talked together and when we came near to Colundas house as Dawsy was leaving us the Prisoner asked him when he would pay him the 10 Pagodas which he owed him — Dawsy replied the time is not expired

when

when it is I will pay it — the Prisoner said the time is out and you must pay it — they then had some words together — Dawsy said to the Prisoner when you have spent the money in the Chest I will pay you the 10 Pagodas the Prisoner said where have I got any money and Dawsy said your 1000 Pagodas in the Rattan Basket we then went to Colundas House and set in the Hall — the Prisoner said to Dawsy if you heard any thing about the money why could you not come and talk to me about it without making a noise in the street — we then went into another room — the Prisoner give to Dawsy and to me 200 Pagodas each — Acher and shooly Vencatachellum were also in the Hall — The Prisoner took back the 200 Pagodas which he had given to me and to Dawsy & wanted to distribute part of it to the other two — we returned it accordingly and the Prisoner then paid Acher 50 or 60 Pagodas to shooly Vencatachellum the same sum to this Deponent 138 and to Dawsy 142 — the Prisoner then declared he would pay no more money to any other Person & got up — Vencatachellum's Aunt came and asked what was the matter the Prisoner said we were only playing together and she went away we soon after all went away from Colundas

Colundas House — two or three days after the Prisoner desired Dawsy myself, shooly Vencatachellum Colunda and Acher to go to Trevatore Pagodas to swear to keep the money matter which they had seen at Colunds house secret — we accordingly went and swore at Trevatore —

Clk of the Peace — Did not the Prisoner confess that he had taken the money from Captain Robertson —

Deponent — He told us he had taken a great deal of Trouble in getting the money —

Clk of the Peace — Why did the Prisoner give you and the other People money —

Deponent — Not to discover what we had seen at Colundas House and at Trevatore — but not before he mentioned his having taken the money from Captain Robertson — we then entered into an agrument with him not to discover what we had seen —

Clk of the Peace — How much money did you receive from the Prisoner altogether —

Deponent — 220 Pagodas for which I granted a Bond to Basam Modely

Question — Had you not been confined before you gave the Bond for 221 Pagodas —

Deponent — Yes — 12 Days through the means of the Prisoners Brother and People who applied to the Justices Dubash and was obliged to give the Bond —

Clk of the Peace — Do you know what sum was in the bag at Colunda's house —

Deponent — I understood a thousand Pagodas —

Ackell Sworn/

Clk of the Peace — Do you know the Prisoner

Deponent — yes — I was at Colunda's house in the month of January last Colunda desired me to open a Box but I told her to send for a Smith — Colunda told her mother to go to Sawmy and get his Keys she went and brought the Keys and delivered them to Colunda — I stood by the Door and Colunda opened the Box to take out some of her Joys but found a bag of money — she took out the bag and put it on the Ground — Sawmy came there at this time and Colunda asked him if he could untie the bag and tie it again with the same knot Sawmy said he could and accordingly untied it and gave 150 Pagodas into Colunda's hands — Colunda said it was enough — Sawmy then tied the bag and asked Colunda to whom the box and money belonged — she said it belonged to the Prisoner — Colunda said it was surprising that the Prisoner could take her Joys when he had so much money — as she could not find her Joys she said she would take so much

much money and told Sawmy to keep it a secret — we went some time after that into the Country to Sawmy and Colunda desired him not to mention what he had seen at her house and gave him 30 Pagodas and also to me 20 Pagodas — about three months afterwards Colunda came and prostrated herself to me and desired me not to say what had passed respecting the money — at this time Shooly Vencatachellum came there to whom I related all that had happened he then went to the Prisoner who was at Colundas house and told him what he heard from me — the Prisoner then came to me and gave me 40 Pagodas and told me I must go to Trevatore and Swear as I had broke my word once before in the business — that he got this money in the bag from Captain Robertson at the risk of his Life — after that I went to Trevatore with Dawsy Sooly Vencatachellum Colunda and Sawmy & we there agreed with the Prisoner not to discover what had passed at Colunda's house with respect to the money which the Prisoner said he had taken from Captain Robertson — the next day the Prisoner took back from me 5 Pagodas — Vencatachellum Dawsy and Sawmy told me not to make away with the 55 Pagodas I had received from the Prisoner as it belonged to an European Gentleman —

Shooly Vincatachillum Sworn—

Clk of the Peace — Relate what you know

Deponent — about 6 months ago I went to Colundas house there were present the Prisoner Sawmy and Dawsy the Prisoner gave me 59 Pagodas not to discover what ache had told me — two or three days after we went to Trivatore and we agreed not to discover any thing about the money which the Prisoner had taken from Captain Robertson—

Clk of the Peace — Did the Prisoner mention that he had take the money from Captain Robertson—

Deponent — yes at Trivatore—

The Prisoner desires the following Witnesses may be examined—

Coopy Sworn

Clk of the Peace — Relate what you know—

Deponent — Sawmy, ache Dawsy and the Prisoner came to Colunda's house I was there in the Veranda— they quarrelled with the Prisoner and afterwards went into Colunda's Room— the Prisoner told them they had behaved ill in taking the money belonging to his Brothers— they then agreed to keep it secret and went away—

Ponapah Sworn

Clk of the Peace — Relate what you know

Deponent — I often went to the Prisoners Brothers House— they had one day a quarrel the elder Brother declared he would have the Estate devided between them and told the Prisoner he had kept a Woman for 10 years and that he would make a wedding for him— The Prisoner one day at his Brothers house opened a Chest and took some Cloth and a bag of money containing 700 Pagodas— the Prisoners Mother complained to me that the Prisoner had taken away this money— I asked the Prisoner why he took it— The Prisoner said his Brother had not made a wedding and therefore he had a right to take the money—

Clk of the Peace — When did the Prisoner take this money from his Brothers house—

Deponent — The latter end of January last—

Poluri Condapah Sworn

Deponent — Dawsy came to me and said he was much at a Loss for money and said I will apply to the Prisoner who has brought some money from his Brothers house he will lend you some— I told him it was very improper to borrow the money from the Prisoner that if it came to his Brothers knowledge it would not look well—

/Ayah Sworn/

Deponent — In January last I called at the Prisoners Brothers house a Peon brought from Nellore 500 Pagodas which Condapah the Prisoners Brother locked in a Chest and went away — One Evening afterwards I was at Condapahs and a Girl came and told me that the Prisoner and Dawsy were quarrelling together — In the month of June the Prisoner took the Key of a Chest from his mother and carried away the bag of money containing about 600 or 700 Pagodas Condapah was then at Arcot — Dawsy and Shooly Vencatachellum came to me in the black Town some time ago and desired me to tell the Prisoner if he would get his Brother to give back the agreements they had given him for the Money the Prisoner had paid them they would leave the place and not appear against him at the Sessions I afterwards told Condapah this but he would not comply therewith

/Condapah Sworn/

Deponent — In the Month of January last a Peon brought me 550 Pagodas and I had 150 Pagodas in hand which were put into a Chest and in one bag — I went to Arcot in the same Month and on my returning in

in April last — I took the Key of the Chest from my mother and opening it I could not find the bag on which I asked her where it was and she said you have not made any wedding for your brother and therefore he has taken this sum —

The Prisoner then delivers a Paper containing his defence as follows —

The Petit Jury withdraw. the Chairman having first addrest them as follows—

To the Petit Jury

Gentlemen

The Guilt is established so strongly against the Prisoner that the Jury can have little doubt of the Felony

Captain Hamilton proves the suspicion of Captain Robertson against the Prisoner Vincatachellum that he was convinced some Months on opinion of his Guilt.— Captain Hamilton proves also that the Prisoner assisted in depositing Eight or ten thousand Pagodas in a Chest; that afterward Pagodas 1000 were stolen He deposes the Chest was not broken open. therefore that the Robbery must probably have been committed by one of Captain Robertsons Servants—

Sawmy Doctor Lucas Dubash, proves that a sum of money was deposited at the Prisoners House; tho he did not count it it appear it to him by the weight to be a bag of Pagodas 1000. It appeared also that Conalement was intended by Colunda a Prostitute living in the Prisoners House wishing that Sawmy alias Lucas Dubash might not divulge what

what he know about the Money—

It appears from all the Witnesses sworn at Trivatore Pagoda that Captain Robertsons name was mentioned as the proprietor of the Money taken by the Prisoner Vincatachellum

Choolah Vincatachellum heard from the Prisoners mouth at Trivatore that a sum of money was taken from Captain Robertson by him

Witnesses in defence of the Prisoner

The Witnesses brought in defence of the Prisoner depose as the Jury have heard in many instances, are against him—

The Prisoner wishes to establish that a sum of money from 500 to 700 Pagodas came into his possession by means of his Brother Punepah and Dyah depose to this purpose; but Cundapah appears to prove only that he the Prisoners brother had mercantile dealings not connected with the Robbery—

you will therefore of course find a just Verdict between the King and the Prisoner—

The Petit Jury return into Court Verdict having been first proclaimed—

Clk of the Peace — Gentlemen of the Jury are you agreed of your Verdict

Jury — yes—

Clk of the Peace — Who shall say for you—

Jury — Our Foreman —

Clk of the Peace — Nincalachellum hold up your hand

Do to the Jury — Look upon the Prisoner at the Bar How say you is he guilty of the Felony whereof he stands indicted or not guilty —

Foreman — Guilty —

Clerk of the Peace — What goods & Chattles do you find he had at the time the Felony committed or any time since

Jury — None to our knowledge —

Clk of the Peace — Gentlemen of the Jury hearken into your Verdict as the Court hath recorded it — you say that Nincalachellum is guilty of the Felony whereof he stands indicted and that he had no goods or Chattels at the time of the Felony committed or at any time since, and so you say all —

Jury — yes —

The Grand Jury come into Court and deliver the following Presentment which is publickly read —

Town of Madraspatnam ss —

We the Grand Jury of the Town of Madraspatnam sworn to enquire for the Body of the said Town. Jury justly sensible of the many advantages arrising to this place by the Gracious Dispensation of his Majestys

Majestys Royal Charter as it hath conveyed with it the Laws of England and prescribes the method of putting those Laws into Execution —

Do present that it is come to our knowledge by a Letter this day addressed to us by the sheriff of this Town that the apartments in the Gool are greatly in want of Repair and so incommodeus that unfortunate Gentlemen and others confined for small Debts are under the necessity of associating with convicts and Felony, that the well is in danger of falling in and the water reported by Doctor Anderson the principal Surgeon of the settlement to be unfit for use, and to such a degree as to endanger the Lives of the Prisoners —

And we do further present that notwithstanding the high price of Provisions and the Exertions and Extortions to which this is owing has been so repeatedly presented no remedy as yet appears to have been applied for the Prevention of so great an Evil

And we do further present that in the Black Town and Environs of Madras there are several Wells without Parapet walls to them of sufficient hegith by which Passengers are exposed to the great Danger and Risk of their Lives — which matters have been

been presented at former Sessions after they had been before repeatedly recommended to the notice of the Court without being remedied and are now therefore again brought forward in the hope and confidence that the proper course will be pursued for applying the necessary remedies, where delay is attended with manifest Inconvenience to the Public—

and we do further present that it appears to us a severe Hardship on the Individuals of and belonging to this Settlement that spirituous Liquors cannot now be purchased in a Less quantity than twelve Dozens, as very few Persons, if any who are not in affluent circumstances can afford the expenditure of so large a Sum in the purchase of one article of the necessaries of life—

All which matters and things are contrary to the Peace of our Sovereign Lord the King his Crown and Dignity—

(Signed) Bryan Scotney Foreman

Town Hall
the 26th October 1785

Thomas Lewis
Samuel Statham
Thos. C. Ogilvie
George Webster
William Balfour
F. Campbell
W. C. Jackson
Basil Cochrane
Hugh Vaughan
James Landon
Joseph Shawe
William Brown
George Proctor
Henry Norris

The

The Court is then adjourned till Tomorrow Morning for continuing the Sessions.