Series XIII

Mayor's Court Records Cont'd.
Quarter Sessions (Vol 9)
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At a general Court of Quarter Sessions of the Peace holden at the Town Hall in Fort Saint George on Wednesday the Eleventh day of January One Thousand Seven Hundred and Ninety two

Before The Honorable Sir Charles Oakeley Baronet Acting President William Petrie and John Huddleston Esquires Justices assigned to keep the Peace and also Commissioners of Oyer and Terminer and General Goal Delivery for the Town of Madraspatnam Governm of Fort Saint George and its dependencies

The Sheriff returns his Precept

The Court being duly opened the Court is adjourned to Wednesday the First day of February next for continuing the present Sessions

At an adjourned Court of Quarter Sessions of the Peace holden at the Town Hall in Fort Saint George on Wednesday the first day of February One Thousand Seven Hundred and Ninety two

Before The Honorable Sir Charles Oakeley Baronet Acting President and William Petrie Esquire two of the Justices assigned to keep the Peace and also Commissioners of Oyer and Terminer and General Goal delivery for the Town of Madraspatnam Governm of Fort Saint George and its Dependencies

John Huddleston Esquire another of the said Justices being present attending by permission of Indisposition

The Court being duly opened the same is adjourned to Wednesday the Fourteenth day of March at Eight O'Clock in the forenoon for continuing the Sessions

At an Adjourned Court of Quarter Sessions of the Peace holden at the Town Hall in Fort Saint George on Wednesday the fourteenth day of March One thousand Seven Hundred and Ninety two.

Before the Honble Sir Charles Oakeley Baronet Acting and President William Petrie Esquire Justices assigned to keep the Peace and also Commissioners of Oyer and Terminer and General Goal delivery for the Town of Madras patnam Garrison of Fort Saint George and its dependencies

The Court being duly opened the same is Adjourned to Wednesday the Fourth day of April Instant for continuing the Sessions.

At an Adjourned Court of Quarter Sessions of the Peace holden at the Town Hall in Fort Saint George on Wednesday the fourth day of April One thousand Seven Hundred and Ninety two

Before the Honble Sir Charles Oakeley Baronet Acting President and William Petrie Esquire Justices assigned to keep the Peace and also Commissioners of Oyer and Terminer and General Goal delivery for the Town of Madras patnam Garrison of Fort Saint George and its dependencies

The Court being duly opened the same is Adjourned to Wednesday the Eleventh day of April Instant for continuing the Sessions.

At an Adjourned General Quarter Sessions of the Peace holden at the Town Hall in Fort Saint George on Wednesday the Eleventh day of April One thousand Seven Hundred and Ninety two.

Before the Honble Sir Charles Oakeley Baronet

Acting President William Petrie and Ernst William Tolfrey Field Esquires Justices assigned to keep the Peace and also Commissioners of Oyer and Terminer and General Goal delivery for the Town of Madras patnam Garrison of Fort Saint George and its dependencies.

The Court being duly opened the following Gentlemen are Sworn as for the Grand Jury.

Andrew Ross Esquire Foreman

William Jones	Alexander Cockburn
Peter Cobb	John Smart
Joseph Greenhill	John Tulloh
Daniel Joyce	Robert Woodroffe
Lionel Place	John Read
Laurence Bourdieu	George Ross

and John London

The King against Thomas Parsons, John Deane, John Boyden, Daniel M.c Namara, John Walker, Owen Macauley and John Dobson For Robbery

The King against John Holmes for Robbery

The following Gentlemen who were summoned to appear on this Grand Jury and answering to their names after having been duly called over are ordered by the Court to pay a fine of Three Pagodas each. William Jones J.H Ogilvie and Cecil Smith

The Clerk of the Peace having reported to the Court that notwithstanding he had served the Order of Court of the Fifth day of October last on the several Gentlemen who had been found by the Court on the Thirty first day of January and first day of February One thousand Seven Hundred and

and

and Jurie were sworn and answering the Questions as Indicted & Jury from
and other Juries had been ordered by the Court to be peremptorily Cared the Jury
not required any one of the Jurie, except from Thomas Stephens the sum of
Five Pounds. Ordered that the Clerk of the Peace Stand over to the
Sheriff the List of names of those other Persons who were fined as above
and that it is the order of Court that the Sheriff do forthwith levy the
same.

The Grand Jury came into Court and delivered in the
said Bill of Indictment against Thomas Berman, John Deane,
John Boyden, Daniel Mc Namara, John Walker, Owen Mc Carthy and
John Dobson endorsed a True Bill. The Prisoners are thereupon put to
the Bar and the Court proceeds on their Trial.

Clerk of the Peace Thomas Berman, John Deane, John Boyden, Daniel Mamamara,
John Walker, Owen Mc Carthy, and John Dobson all of Madras Portuguese Soldiers
in the Service of the United Company of Merchants of England trading to the
East Indies on the Twenty Sixth of October in the Thirty second Year of the
Reign of our Sovereign Lord George the Third now King of Great Britain
France and Ireland defender of the Faith and so forth about the hour of
one in the night of the same day with Force and Arms at Fort Saint
George aforesaid in the Inner division of the Court Thirty one pieces
of Bengal Cloth of the Value of Twenty Pounds of the Goods and
Chattels of William Abbott in the Main House of Edward Shaw and
there being did then and there feloniously 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 Robbery whereof you stand Indicted
and Guilty?

Thomas Berman Not Guilty
John Deane Not Guilty
John Boyden Not Guilty
Daniel Mc Namara Not Guilty

Owen Mc Carthy Not Guilty
John Dobson 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 following Gentlemen are then Sworn on the Petit Jury
the Prisoners being first informed they might object to any of them as
they came to the Book to be Sworn and before they were Sworn.

Erskine Jerome Foreman
Thomas Stephens — Lord Bonifas
John Hall — William Turner
Peter Mossey Capon — Robert Henderson
Hugh Jones — Joseph Morton
Edward Jones — John Henry Morton
William Foster
Mr Charles Walker Summoned to attend on the Petit Jury took
having answered to his name after having been duly called over & objected by
the Court to pay a fine of Five Pounds

Clerk of the Peace Gentlemen of the Jury Look upon the Prisoners and hearken unto their
Cause. You shall know that they stand Indicted by the names of
Thomas Berman, John Deane, John Boyden, Daniel Mc Namara
John Walker, Owen Mc Carthy and John Dobson Private Soldiers
in the Service of the United Company of Merchants of England trading
to the East Indies (here the Indictment is read over) upon the Arraignment
upon which Indictment they have been Arraigned and thereunto
pleaded not Guilty and for their Trial have put themselves upon
God and their Country, which Country you are. Your Charge is
therefore to enquire whether they are Guilty of the Robbery whereof
they stand Indicted or not Guilty and hear your Evidence.

George Bowman Private in the Honble Battalion of
European Infantry called and Sworn

Clerk of the Peace Relate what you know concerning the Robbery whereof the Persons
stand Indicted.

Q.

A. When I came off Guard at Three o'Clock in the Morning on the Twenty Seventh of October I heard the deceased Thomas Pinan say that there were not above two or three good men in the First Grenadier Company – He asked if any one would go along with him and shew where the Cloth was – none went – after the Guns were grounded after Guard in the Morning I went to carry my Bedding to the Barracks. I saw two or three pieces in the Deceased Thomas Pinan's Custody of which I informed Sergeant Miles

John Thespard Private in the Second Battalion of European Infantry Sworn

Clerk of the Peace Relates what Evidence knowing the Nothing as to any of the Prisoners stand Indicted.

A. On the Twenty seventh October last about a quarter before Three in the Morning on waking I thought I heard a noise at the Window – in getting up to see what it was I saw the Prisoner John Deane come thro' the Barrack Yard and went thro' the Barracks into the Barrack Yard on which I followed them as far as the Door and saw him receive some pieces of white Cloth which were thrown over the Barrack Yard Wall – He appeared in waiting as if he expected them – I did not Ask any Questions being afraid and knowing that but reported to Joseph Jones the Orderly Sergeant of the Company

Q. By the Court – You say it was dark how did you know him?

A. I saw him come thro' the Window and knew him by the Voice.

Q. Why was you afraid?

A. It was dark and I was afraid of them

The Cloth is produced to the Witness

Q. Do you know the Cloth?

A. I cannot say – It was white Cloth

Miles Miles Sergeant of the Second Battalion of European Infantry Sworn

On the Twenty sixth of October last I was Sergeant of the Main Guard and after Retreat Beating in the Evening I saw John Worsden, John Walker and Thomas Pinan, asking Owen Mc Carthy Sago with them to the Barracks to get some Liquor but he would not go for a long time – at last he consented and went with them – Between the hours of Seven and nine at night I saw a Man in the Guard Room whom I suspected was bringing Liquor to the Prisoners in the Main Guard – it being my Duty to stop that I went up to the Centinel and asked who he was – he answered John Dobson who was confined in the Ravelin Gate – On the Twenty seventh in the Morning I heard of a Robbery which had been Committed over night and as soon as I was dismissed off Guard I went to Captain Anderson and told him that I heard of a Robbery which had been committed over night and asked him to go to the Barracks with me and when we were standing by the Barracks Joseph Ainsworth in the Regiment came and told me that some Cloth had been put on his Cot by some one but he did not know who, and I went to the Cot along with Captain Anderson and found the Cloth – Captain Anderson went to the other side of the Barracks to search some Boxes – when he was away I went to Thomas Pinan's Basket and I found two pieces of Cloth and a piece of Stock Muslin and I gave them to the Adjutant Lieutenant Brooke who took them to the Town Major and George Bannisman and George Allan came to me frequently in the Day of the Twenty seventh and asked me to go to the Barracks to search for Cloth as they had some Suspicion – I asked them if they had any clear evidence – they said they had not I told them it was a matter of Consequence and as they had clear Evidence I dare not go and search which might take a Man's Character away – In the Evening George Bannisman

Pte Sergeant Broadshaw if your Corps that there was a piece of Cloth in Thomas Burkes Basket which he Suspected to belong to Thomas Durans, and Sergeant Broadshaw ordered me to go with them, and we went and found the Cloth.

The Cloth is produced to the Witness who says — I cannot swear positively, but this seems the same Quality of Cloth.

John Broadshaw Sergeant of the Second Battalion of European Infantry Sworn

I was Sergeant of the Wall Piece Guard on the Twenty Sixth October and about Five or Six in the Morning I heard a Noise on the Bridge but could see nothing — I then heard some one Jump from the works into the Ditch I went before the Battery and in many way found one piece of Cloth and on getting on the Battery and looking over the Bridge I saw some men swimming — I then saw some Man swimming in the Ditch, on which I alarmed the Parrell Guard and ordered the Corporal to take the Cloth into Custody and search for the man — he immediately could not find him — George Allen informed me that Owen Mc Carthy had some Cloth under his Petticoat —

John Handling Private in the Second Battalion of European Infantry Sworn

I was planted Centinel on the Twenty Seventh of Oct. at the Door of the Secretary in Council, I saw two Men pass me by, one in Regimental dress, Philip Mason — the other in Short and Trowsers, John Dobson I challenged who came there and they answered a Friend — they returned in half an hour or three Quarters after they passed me — The Man who was Regimentally dressed came towards me with a Quantity of Cloth under his Arm, and under his Right Arm had a Bar of Iron about a Yard or Yard and half long — The Man with the Iron bar

struck and Prisoner walked to the Post Office — we about three returned back and proceeded off towards the Main Guard and not knowing him I asked the Centry at the Post Office who he was and he said it was John Dobson — I was relieved at three O'Clock — returning to the Main Guard I saw John Deane, Owen Mc Carthy John Walker and Thomas Durans walk towards the Church and I walked softly after them, when I heard one say they would go as soon as the Rounds were over — I returned back to the Guard and Owen Mc Carthy called me and said there was a Bale of Cloth opened and asked me if I would go and see — I walked towards the Grand Magazine and met John Deane, Philip Mason, Thomas Durans and Daniel Mc Namara — Arthur Shepard Colonel Collins House Colonel Collins challenged them and pursuing the words "I think any "Lads you are at it again" — I returned to the main Guard and when at Five we were ordered to Parade in John Deane fell in to the left of me with his Bayonet broke in two, one of the Men Dobson to take it off his Piece which he did after he was relieved — I saw John Deane offer a Piece of Cloth to William Gray for Sale which Gray refused

Dr By the Jury — Did you hear any other Conversation pass between the Prisoners and what was it?

Ans Prisoners asked if they had any Questions to put to the Witness

Dr By Daniel Mc Namara — At what time did you see me near the Grand Magazine

Ans Between four and five in the Morning

Mary Nolan wife of George Nolan Inhabitant Sworn

Says that Daniel Mc Namara on the Morning of the Twenty seventh October between Five and Six put a piece of white Cloth under my Cot much like the Cloth now before the Court —

Dr By the Jury — What did you do with the Cloth?

Ans

Ans. I handed it over to the Adjutant Lieutenant Bore.

Patty Macdonald Sworn

Says I live in the King's Barracks, that about half past Seven in the Morning of the Twenty seventh of October last Daniel Mc Namara brought a piece of Cloth to the Front of the Barracks where I was and asked me to go and take it — I said I will do no such thing do you carry it to the Guard — I left him at the Guard —

Joseph Hale Corpl. in the Second Battalion of European Infantry

On the Twenty seventh October at Five in the Morning as I was Corporal on the outside of Ware Lane Gate, John Dobson who was then a Prisoner was given into my Charge by Corporal King with four pieces of Scotch Cloth — I asked him from whom he had the Cloth he said he had it from John Dobson and he told me he was to have been and all night to get this Cloth and then to be deprived of the Enjoyment of it — and I have since seen the same cloth that before the Court — a short time afterwards I saw him with a knife strip the out off a piece of the Cloth — I called the Corporal of the Guard and the Cloth was taken from him — Edward Philips Mason and John Dobson very they had drunk some good wine in the course of the night — I also heard John Dobson declare that during the course of the night they had broken open one of the Shops at four Locks — the Cloth was afterwards taken away by Dobson to the Main Guard — I understand the Cloth had been thrown down from the Ramparts and taken up by Corporal King

Qr. By the Jury — Did John Dobson speak without being desired of the Cloth? did you ask any Question?

Ans. I did not.

George Bellis Private in the Second Battalion of European Infantry Sworn

I was plunder Centry at the Grand Magazine on the Twenty seventh October at Five in the Morning — shortly afterwards I saw Corporal with his Firelock and Bayonet and fully accoutred — I challenged him he answered Friend and passed me — Soon after two Men came by and went down the North Gate Street and soon returned and passed near me — the one who was farthest from me had a Bundle under his right Arm — I do not know who he was — the other was John Boyden — I stopped Boyden and questioned him as to what was going on. he said a Godown was broken open and which Cloth taken from it but he had no hand in it — I told him after what they had pronounced Colonel Collins it was wrong to do so — he persuaded the other to hand in it and followed the other Man who had gone before and turned down the Street leading to the Barracks —

George Allan Private of the Second Battalion of European Infantry Sworn

I was at the Main Guard on the Twenty sixth of October last between nine and Ten at Night I saw John Walker, John Deane John Boyden Daniel Mc Namara Denis Mooney and Thomas Pinan standing together at the Main Guard on nothing when they should go — John Walker said there was some Wine in the Captain of the Man of War's House but they thought the Centry would not let them in — they removed from the Front of the Guard towards the Church I went with them — Walker said he thought there was a Godown very Rich and they might easily Rob them — John Dobson and he asked which they could as there were so many Black People in the House John Deane said they might distant two European Sentries with Bayonets drawn, one European to go in and run a Bayonet thro' his Arm and bid him deliver his Life or their Money — Philip Mason and

there was a Godown in the South Street which the same open some days before and it was full of fine Cloth and might easily be broke open for there was but one Lock on the Door – the rush of the People and it was too soon in the Evening and they would disperse – they then proposed to Rob the Treasury – that if they could passe the two first, they would run a Bayonet thro' the Arm of the third Centinel and spike him down. they observed all of them that a Black Man was following them and that they would be discovered if they did not remove from the[m] they were – Before they moved John Downe said it was to no purpose to go on any Business like they first got a Bible and Swore to be true to each Other – I pretended to Sleep and saw nothing more of the matter like about Six or Seven in the Morning I saw Owen [illegible] with this Pillow Case and cover it with Blocks

2d By Daniel Mawanna. Did you see me Between the hours of nine and ten the night along with the Iron and where?

A. Yes in Front of the Guard Room

2d Did you see me any where else with Them?

A. No.

William Abbott Sworn

On the Twenty seventh of October last on coming into the Fort my Servant Arrighony informed me that the Godown in South Street had been broke open the preceeding night and Thirty one Piece of Benjeen Cloth taken out of one Bale – he informed me that some Europeans belonging to the Seventh Battalion of European Infantry had been taken up who they suspected to be the persons who had committed the Robbery. I then sent for the Cloth of the Justices and procured some pieces of Cloth which I produced

to be mine, and is the same now before the Court.

William Chittleton Private in the Second Battalion European Infantry Sworn

On the Morning of the Twenty seventh of October between Two and Three o'clock I saw John Walker lay up a Pillow Case with white Cloth on a couple of Pegs in the Barracks – I went to Serjeant Dyson and told him of it – In the meantime Walker was confined to the Barrack Guard – then Dyson returned and with Serjeant Childs took the Cloth away to the Barrack Guard

2d By the Prisoner John Walker – was it in the Morning or Afternoon?

A. In the Morning.

2d Did you report this Immediately to Serjeant Dyson?

A. Yes.

2d Did Serjeant Dyson come with you immediately to the Place where you saw me hide it?

A. Yes he did and in that time Walker was confined.

Prisoners Defence

John Walker Sworn Miles Miles to be Sworn

Miles Miles Sworn

2d By the Prisoner John Walker. What time did you confine me on the Twenty seventh of October?

A. I confined him between the hours of Seven and Eight in the Evening.

2 Did you see me with any Cloth?

A. No.

Prisoner John Down – I have nothing more to say – I am Innocent of the Charge.

John Brayden – I have nothing to say – I am very Innocent of it.

John Brayden All I can say is it is strange that George Butler who swore to me should not be able to distinguish the other Man, He is not so far to the

Portuguese

Pris.r you're Trial — I am Innocent of the Charge.

Owen Macarthy Calls Paul Bose Acting Adjutant of the Second Battalion of European Infantry

Q.r On the Morning of the Twenty seventh did you not overhaul my Cot. and did you find any Cloth there?

A.r On the Morning of the Twenty seventh I overhauled the Barracks Generally with a view to discover what I could respecting the Robbery in Question, but I cannot recollect to mind that I examined Owen Macarthy's Cot as he was not then accused — nor did it ever enter my Head to examine a Pillow to look for Cloth. this I know that I confined More Men on other Cots I found any Cloth, and they were committed or liberated afterwards according to the Evidence.

Owen Macarthy then says, I am Innocent of the charge.

John Dobson I am Innocent of the Charge.

Daniel Macnamara Calls Isaac Crozier Private in the Second Battalion of of European Infantry Sworn

Q.r Do you recollect pleading me at Cantonment on the Twenty seventh of October at Three in the Morning?

A.r No. I do not recollect it.

Q.r Do you recollect pleading me on the Sea Jaw on the Night of the Twenty sixth at Nine O'Clock.

A.r No. I do not

Daniel Macnamara I am Innocent of the Charge.

The Prisoners having pleaded their Defence the Petit Jury withdrew to consider on their Verdict a Bailiff swearing two persons to keep them, and after a short time a Verdict being Pronounced they came into Court and Answered to their Names

Clerk of the Peace Gentlemen of the Jury how are you agreed of your Verdict?

Jury Yes.

Clerk of the Peace Who shall say for you?

Jury Our Foreman.

Clerk of the Peace How say you Gentlemen do you John Devine, Thomas Dwan, John Walker John Dobson, Daniel Macnamara, and Owen Macarthy Guilty of the Robbery whereof they stand Indicted or not Guilty?

Foreman Not Guilty which being recorded

Clerk of the Peace Gentlemen of the Jury hearken unto your Verdict as the Court has recorded it. You say that John Devine, Thomas Dwan, John Walker John Dobson, Daniel Macnamara and Owen Mc Carthy are not Guilty of the Robbery whereof they stand Indicted and so you say all.

Jury Yes.

The Prisoners are remanded to Prison

The Court is then adjourned Vitæ Nine O'Clock to morrow the Eleventh Instant for Continuing the present Sessions

Tuesday the Eleventh April One Thousand Seven Hundred and Ninety two

Present

Sir Charles Oakeley Baronet Acting President

William Pettie and Ernest William Talbot Esquires Justices

The Court being duly opened this Grand Jury returned a Bill of Indictment against John Holmes for Robbery Endorsed a true Bill

The Prisoner is then brought up to the Bar and arraigned as

follows

Clerk of the Peace — John Holmes Hold up your right hand — You stand Indicted by the name of John Holmes a Private in the Second Battalion of European Infantry on the Second day of October in the Sixty first Year of the Reign of our Sovereign Lord George the Third now King of Great Britain France and Ireland defender of the Faith and so forth about the Hour of Eleven of the Night of the same day with Force and Arms at Fort Saint George One Piece of Gingam of the Value of Twenty Pounds of the Goods and Chattels of the United Company of Merchants of England trading to the East Indies in the Storehouse of the said United Company there and then being And them and there feloniously did 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 Robbery whereof you stand Indicted or not Guilty?

Prisoner — Not Guilty

Clerk of the Peace — How will you be tried?

Prisoner — By God and my Country.

Clerk of the Peace — God send you a good Deliverance.

The following Gentlemen are then Sworn on the Petit Jury the Prisoner being first informed he might object to any of them as they came to the Book to be Sworn and before they were Sworn

Ephraim Nimmo Foreman

John Hall — William Bonner

Peter Mafsey Capon — Robert Henderson

Hugh Jones — Joseph Horton

Edward Jones — John Henry Horton

Paul Bonifas — William John Chester

and

Thomas Thomas —

Clerk 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 John Holmes a private in the Second Battalion of European Infantry (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 Robbery whereof he stands Indicted or not Guilty and hear your Evidence

Lieut Rose — Acting Adjutant of the Second Battalion of European Infantry Sworn

On the Sixth October One Thousand Seven Hundred and Ninety One I received Information from the Town Major that the Company's Export Ware House had been broke open in the night and that some Gingams had been stolen out of it — I immediately attended the Barracks accompanied with one or more Non Commissioned Officers but was unsuccessful — some little time after being informed by the Quarter Master Serjeant of the Garrison that Six pieces of the same Gingams which had been stolen were concealed in the Box of John Elton a Corporal in the Regiment I immediately went and opened it and took the Six pieces out of it — I asked him where he got the Gingams from and he told me to the best of my Recollection he had bought them from John Holmes of the Grenadier Company for a Rupee a piece — When John Holmes was sent for in the presence of the Town Major and my self he seemed much confused at being questioned on the subject and said at last that he had found a Role of Gingams in the Street as he was coming off Sentinel on the Night and had taken some pieces out of it — John Elton who had been ordered into Confinement was some time after released on it

Appearing

Appearing that he had no Hand in the Robbery but had purchased
this Gingam — I was informed by the Sergeant Major of the Regiment
that one John Irwine a Private in the same Regiment had told
him that plenty of the same Gingam was to be purchased in the
Barracks at a Rupee a piece — I complained that John Irwine
had the medicine of the Sergeant Major to purchase some of
this Gingam in order to find out the Thieves if possible and would
Considerable time for that end, but I suspect that the Prisoner knew
any more in the Business and declined the knowledge of the matter
some time after Sergeant Dyson of the Second Battalion of European Infantry
told me that when he went to the Necessary of the Barracks he saw a
Coat number of Pieces of this Gingam thrown into a Well, I ordered to be
taken out and delivered to the Guard Coat ordered to be delivered to the
Quarter Master of the Garison

Qr. By the Clerk of the Peace — How or on any more reason to believe this
is the Man who Committed the Robbery?

Ar. From other Man what arises from the Circumstances I have stated and
that I believe the Man or Staple of this Robbery for the Man by no means a
good Character in my Opinion.

Qr By the Court — Has it come to your knowledge that the Prisoner has
been Guilty of Irregularities in the Regiment?

Ar. He has been guilty of Irregularities but nothing that has come to my
Knowledge by which I can impeach his Honesty.

Qr By the Prisoner — Did I not tell Mr Bose that I found the
Gingams in the Street between four and five in the Morning as I
was coming off Centinel?

Ar. He told the Town Major and me that he had found the Gingams in

the Street as he was coming off Sentinel, and I think he said between
four and five in the Morning but I am not certain.

Gingams produced

Qr. Are these Gingams of the same sort?

Ar. They are of the same sort, and I have no doubt they are the same Pieces
that were found in the Barracks.

William Mc Dowland Sergeant of Supernumeraries
in the Garrison Sworn

In the Month of October last I was doing Duty as acting Quarter Master
Sergeant — On the Morning of the Fourth of October I was sent for by Mr
Cunningham Fort Adjutant who informed me that the Company's
Godowns in the charge of Mr Michele had been broken open — I made
an Effort to find out the Theft but that day it was ineffectual — On
the next the Town Major brought a piece of Gingam of the same sort
now before the Court to the Office — I carried it home my own Family with
an Injunction that if any of the same sort was offered for Sale to let
me know — On the Sixth of the Month I happened to be in Company
with Sergeant William Irwin who had been under Suspension from the
Twenty fourth Battalion and now doing Duty as a Private in the Second
Battalion of European Infantry and Sergeant Scott Orderly Sergeant —
The Conversation turned on the late Robberies Committed in the Garison
and as I judged Sergeant Irwin must know something of the matter I
addressed myself particularly to him, who said that several Pieces
were to be disposed of at a Rupee a piece — I then said I wished to
have some — He said that Corporal Elton had some pieces to dispose
of — I was told that nine Pieces had been purchased by Sergeant Scott's
Wife and sent out to Sergeant Gleyn's Wife of the Twenty fourth
Battalion — I requested him to the Town Major who sent

me

me to Glyn's house and I brought this three Pieces to the Town Majors Office — Objaliah Bore was then sent for and I went with him to Corporal Elton's Box in the Kings Barracks — Mr Bore desired Corporal Elton to open his Box where he found six pieces more which was also brought and lodged in the Town Majors Office — The Gingaws now before the Court appears to be of the same sort.

John Elton Serjeant of the Second Battalion of European Infantry Sworn.

On the fourth of October between Seven and eight in the Morning the Prisoner came to enquire if I wanted buy any Cloth — I told him to bring them he brought some under his Arm and by his manner of carrying I did not think it was Clandestinely taken — he brought Seven Pieces and I bought Six at a Rupee each; I put the Cloth in my Box and have no more of it till the Sixth in the Morning when Objaliah Bore Serjeant Mr Farland and myself found the Six Pieces of the Cloth and I said I had Six Pieces — I opened my Box and took the Six Pieces out — I was brought before the Town Major who had me Confined in the Guard — After being fourteen days in Prison I was brought before some Gentlemen and some questions asked and then I was released. The Gingaws now before the Court in the same sort as that I bought of the Prisoner.

Henry Pinckney Mitchell Mariner East India Company's Export Warehouse Keeper Sworn

On the Morning of the Third of October before Sunrise I was informed by one of the Ware House Peons that a Bale of Manufacture Goods had been taken away from the Ware House the preceding Night — In my way to the Ware House I was met by one of the Peons who informed me that a Bale of Calidatore Goods had also been cut open —

On my Arrival at the Ware House I examined the Manufacture Bales and finding one missing I examined the rest in order to discover what the missing Bale contained and found it to be a Bale of Blue Gingaws containing three Corge or One hundred Pieces — I then Examined the Calidatore Bale which had been Cut by some Sharp Instrument, I think a Knife and caused the Bale to be opened to discover how many Pieces had been taken out — found that Six pieces of the Calidatore Good Blue Handkerchiefs had been taken out of that Bale — One or two days afterwards I heard that some Pieces of Blue Handkerchiefs had been hawking about in the Barracks — I never could trace any thing of the Six pieces of Blue Handkerchiefs that had been taken away — the Pieces of Gingaw before the Court are Counterparts of that and of the same kind which had been taken on the Night of the Second or Morning of the Third of October.

Hugh Scott wife of Serjeant Scott of the Second Battalion of European Infantry Sworn.

Qn Did you buy any Gingaws and of whom?

Ans Yesterday morning about Six in the Afternoon a Portuguese Man brought some Gingaws to sell and I bought Nine pieces at three Rupees each — the next Morning I carried them to Serjeant Glyn's Wife to have them made up into Cloaths and Jackets for my self my Brother and Child: — I have not got them for Mrs Glyn told me Serjeant Mr Farland had taken them away as they had been Stolen.

Robert Day Private in the Second Battalion of European Infantry Sworn.

Qn Have you bought a Piece of Gingaw lately and when?

Ans I bought a piece from the Prisoner Holmes for a Rupee I do not recollect the Month — about the same time Corporal Elton bought some.

Qn Where did the Prisoner say he got it?

Ans He told me he found it on the Street.

Qn Look at the Gingaw before the Court. was it the same sort?

Ans Yes. it was.

The Prosecution here closed and the Prisoner called on for his Defence —

Prisoner — I found the Gingam in the Street near the Well as I was coming off my Post after being relieved at four O'Clock in the Morning — I gathered it up and carried it openly to the Barracks and exposed it to Sale, many saw who would buy — I am Innocent of the charge — Lee and Mooney saw me who saw me pick it up out of the Street can now here — I might have them examined

Thomas Lee private of the Second Battalion of European Infantry Sworn

Q. By the Prisoner — Did you see me pick up any Gingams and when?

A. On the Sixth of October at Nine O'Clock in the Morning of the parking the Cattle and just at day break. I went out from the Main Guard and seeing a Bundle of some Cloths, I went towards them — I asked him what his name was — he said Jack Holmes, after he picked up the Cloth I threw no more about it — I do not know where he carried it.

Charles Mooney Private of the Second Battalion of European Infantry Sworn

Q. By the Prisoner — Did you see me pick up any Gingams and when?

A. I did on the Fourth of October in the Morning at day break, I was going towards the Bazar between the Main Guard and the Cattle saw Jack Holmes picking up some Cloths, I stepped in like the Cloth before the Court.

Q. By the Court — Who was with the Prisoner at the time?

A. He Lady only Holmes and myself —

Q. Does any private ever leave the post without being relieved by a Corporal's Party?

A. Never.

Q. By the Jury — Had the Prisoner his own or other persons Cloths in his possession?

A. I did not take Notice of any

The Prisoner having called his Witnesses the Petit Jury were returned a Bailiff being first Sworn to keep them, and after a short time a Verdict being Proclaimed they came into Court and answered there unto

Clerk of the Peace — Gentlemen of the Jury hearken unto your Verdict as the Court hath recorded it.

Jury — Yes.

Clerk of the Peace — Who shall say for you?

Jury — One Freeman.

Clerk of the Peace — Look upon the Prisoner — How say you Gentlemen is John Holmes Guilty of the Robbery whereof he stands Indicted or not Guilty?

Freeman — Not Guilty

which being recorded

Clerk of the Peace — Gentlemen of the Jury hearken unto your Verdict as the Court hath recorded it. You say that John Holmes is not Guilty of the Robbery whereof he stands indicted and so you say all?

Jury — Yes. The Prisoner is then remanded to Prison

The Court proceeds to the Trial of Patrick Mundy against whom a Bill of Indictment was found for Murder, who being put to the Bar is arraigned as follows.

Clerk of the Peace — Patrick Mundy hold up your Right hand — You stand Indicted by the name of Patrick Mundy of Carnamaller within the Jurisdiction of this Court Private in His Majesty's Seventy Second Regiment of Foot not having the Fear of God before your Eyes but being moved and seduced by the instigation of the Devil on the Twentieth day of September in the Thirty first Year of the Reign of our Sovereign Lord George the third now King of Great Britain France and Ireland defender of the Faith and so forth with Force and Arms at Ramagee in the County aforesaid in and upon one Richard Clark also a Private in the Majesty's Seventy Second Regiment of Foot and a true and lawful Subject of your said Lord the King then and there being feloniously wilfully and of your malice aforethought did make an Assault and that you the said Patrick Mundy a certain Brick of the Weight of half a Pound which you the said Patrick Mundy in your Right hand then and there had and held against

and

and upon the said Richard Clarke then and there feloniously wilfully and of your Malice aforethought did throw and fling and that you the said Patrick Mundy with the Brick aforesaid out of your right hand aforesaid as thrown and flung the said Richard Clarke in and upon the back part of the head of him the said Richard Clarke with the Brick aforesaid did strike penetrate and wound giving to the said Richard Clarke then and there with the Brick aforesaid so as aforesaid thrown and flung in and upon the back part of the Head of him the said Richard Clarke one Mortal Wound of the depth of two Inches and of the Breadth of three Inches of which said Mortal Wound the aforesaid Richard Clarke from the Twenty fifth day of September in the Year aforesaid until the Twenty fifth day of the said Month of September in the Year aforesaid at Pomamalla aforesaid did languish and languishing did live on which said Twenty fifth day of September in the Year aforesaid the said Richard Clarke at Pomamalla aforesaid of the said Mortal Wound died and so the Jurors aforesaid upon their Oath aforesaid do say that you the said Patrick Mundy the said Richard Clarke 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 How say you Patrick Mundy 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 be tried?

Prisoner — By God and my Country.

Clerk of the Peace — God send you a good deliverance

The following Gentlemen were then Sworn on the Petit Jury the Prisoner being first informed he might object to any of them as they came to the Book to be Sworn and before they were Sworn

Mr Thomas Stephens Foreman

William Bell	Daniel Reid
Daniel Murray	John Wright
William Moore	Alexander Stewart
Alexander Nelson	James Sinclair
George Reynolds	John King

James Johnson Private in His Majesty's 72nd Regiment of Foot called and Sworn

A few days after the Accident happened by a Brick Bat to Richard Clarke the Deceased I went into the Hospital and was conversing with him a while and he expressed a great deal of Satisfaction at the Prisoner being released after having been confined so long because he said he should be sorry he should be flogged or any Punishment come upon him for what happened at Play — I have nothing more to say than that there never was any Grudge or Malice between the Deceased and the Prisoner We three came out in the same Ship and were always Friends — The Prisoner came to the Hospital and brought the Deceased some Chocolate after the Accident happened and I heard him more than once express his Sorrow for what had happened and that he said he believed it was done in Play

Qr By the Court — What Character has the Prisoner born?

A From Portsmouth to Portsmouth between one and two Years from the Time the Prisoner was Confined I never knew him Guilty of Irregularity or in any Riot or ever in Liquor —

John Gibson Private in His Majesty's Twenty Second Regiment of Foot Sworn

On the Twenty sixth of September Instant at 4 o'Clock in the afternoon I was lying on my Cot at Pomamalla I saw Patrick Mundy the Prisoner at the Bar Blacking his Shoes at his own Cot he had his Mouth full of Water going to Spout it on the Chatty to put the Brush into it to Blacken his Shoes Richard Clarke the Deceased came from his own Cot and began to make game of him — with that he Spouted the Water from his Mouth on Richard Clarke's Trowsers the Prisoner then was out of the Veranda — Richard Clarke took up a Tin Pot almost full of Water from under his own Cot and threw it on his Shoulder that he had going out to Duty that afternoon — with that Patrick Mundy picked up a Brick Bat and flung it at Richard Clarke as he was going with the

Barracks

Barnacks — a fortnight they went with the Barnacks and he fought and
Jobed together and Richard Clarke went to the Hospital that night and
Patrick Mundy brought him some Cherries to Smoak and Richard Clarke
died in the Hospital for some days and then was removed by Doctor Cuming
to a House near them where he died — The Prisoner was often in the
Hospital and used to sell his Dinner for Tea Boards and buy Cherries
to carry to the Deceased and they were as great as two Brothers — The
Deceased often said he hoped the Prisoner would be Sparing the Suit
was all done Mirth Play and Fun — I have known the Prisoner about
fourteen Months — He always had a good Character and the Prisoner
and Deceased were always as intimate and Friendly as two Brothers
could be — The Prisoner often expressed his Sorrows for what had happened

Q^r. By the Court — what Size was the Brick bat?

A^r. A little Bit.

Q^r. Did he seem in Anger or say any thing when he threw it?

A^r. No. They were both laughing and he did it out of Play.

The Prosecution here closed and the Prisoner called on for his
Defence.

Prisoner The Lad and I were only playing together it is a customary thing for
Comrades to be playing together — he was running after me and I after
him when I unfortunately threw the Brick bat

The Petit Jury withdraw with a Bailiff being first Sworn to keep
them and after a little time Verdict being proclaimed come into Court and
answer to their names

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

Jury Yes.

Clerk of the Crown Who shall say for you?

Jury One Foreman.

Clerk of the Peace How say you Gentlemen is Patrick Mundy Guilty of the Felony and Murder
whereof he stands Indicted or not Guilty?

Foreman Not Guilty which being recorded

Clerk

Clerk of the Peace Gentlemen of the Jury hearken unto your Verdict as the Court hath recorded it.
You say that Patrick Mundy is not Guilty of the Felony and Murder whereof
he stands Indicted and so you say all?

Jury Yes.

The Prisoner is thereupon Discharged by Proclamation

The Court next proceeds to the Trial of Daniel Dillon
against whom four several Bills of Indictment were found for Felony
Murder and Robbery who being put to the Bar is arraigned as follows

Clerk of the Crown Prisoner at the Bar you are Right hand — You stand Indicted by the name of
Daniel Dillon a private Marine in the Service of the United Company of
Merchants of England trading to the East Indies being an ill disposed and
disorderly person of a wicked and Malicious disposition and not regarding
the Laws and Statutes of this Realm nor the fear and dread of this Power Con-
trived after the First day of June in the Year of our Lord One thousand
seven Hundred and Twenty three to wit on the Twenty fifth day of January
in the Thirty Second Year of the Reign of our Sovereign Lord George the Third
now King of Great Britain France and Ireland defender of the Faith and
so forth with Force and Arms at Sea to wit within the Jurisdiction of this
Court with a certain Gun loaded with Gun Powder and a Leaden Bullet
which you the said Daniel Dillon in the Right hand of him the said Dillon then and there had and
held you the said Daniel Dillon with the said Gun so being loaded as
aforesaid did then and there wilfully maliciously unlawfully knowingly and
feloniously shoot at Jonathan Thomas and there being in the
King's Highway against the Form of the Statute in such Case made

and

and proceed in the most Example of all others in the like Case offending and against the Peace of our said Lord the King his Crown and Dignity and the said Jurors do further present that you the said Daniel Dillon on the Day aforesaid and at the place aforesaid in and upon the said Sorbon in the Peace of God and of our said Lord the King then and there being feloniously did make an Assault and him the said Sorbon in bodily fear and danger of his Life in the Highway aforesaid then and there feloniously did put and one Turbon and Cloth of the Value of Two Shillings of the Goods and Chattels of him the said Sorbon from the Person and against the Will of the said Sorbon in the Highway 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 Daniel Dillon are you Guilty or not Guilty of the Felony and Robbery Clerk of you stand Indicted or not Guilty —

You also stand Indicted by the name of Daniel Dillon a Dillon a private Matross in the Service of the United Company of Merchants of England trading to the East Indies being an Ill disposed and disorderly Person of a wicked and malicious disposition and not regarding the Laws and Statutes of this Realm nor the pains and penalties therein contained after the first day of June in the Year of our Lord One thousand Seven Hundred and Seventy three to wit on the Twenty fifth day of January in the Thirty third Year of the Reign of our Sovereign Lord George the third now King of Great Britain France and Ireland defender of the Faith and so forth with Force and Arms at Sydney to wit within the Jurisdiction of this Court with a certain Gun loaded with Gun Powder and a leaden Bullet which Gun you the said Daniel Dillon in both your hands then and there had and held you the said Daniel Dillon with the said Gun so being loaded as aforesaid then and there unlawfully maliciously and feloniously did shoot at Commissary Scott the said

Commissary

Commissary Scott being then in the Highway aforesaid and at the time aforesaid against the Form of the Statutes in such Case made and provided to the evil Example of all others in the like Case offending and against the Peace of our said Lord the King his Crown and Dignity. How say you Daniel Dillon, are you Guilty or not Guilty — You stand indicted Guilty of the Felony Murder you stand indicted

You also stand Indicted by the name of Daniel Dillon a private Matross in the Service of the United Company of Merchants of England trading to the East Indies that not having the Fear of God before your Eyes but being seduced and enticed by the Instigation of the Devil on the Twenty fifth day of January in the Thirty second Year of the Reign of our Sovereign Lord George the Third now King of Great Britain France and Ireland defender of the Faith and so forth with Force and Arms at Sydney within the Jurisdiction of this Court in and upon one Pomachitty in the Peace of God and of our said Lord the King then and there being feloniously wilfully and of your Malice aforethought did make an Assault and that you the said Daniel Dillon a certain Gun of the Value of Five Shillings then and there charged with Gun Powder and one leaden Bullet which Gun you the said Daniel Dillon in your Right Hand then and there had and held to against and upon the said Pomachitty then and there feloniously wilfully and of your Malice aforethought did shoot and discharge and that you the said Daniel Dillon with the leaden Bullet aforesaid out of the Gun aforesaid then and there by force of the Gun powder shot and sent forth as aforesaid the aforesaid Pomachitty in and upon the Body of him the said Pomachitty then and there with the leaden Bullet aforesaid out of the Gun aforesaid by you the said Daniel Dillon so as aforesaid shot discharged and sent forth feloniously wilfully and of your Malice aforethought did strike and wound him the said Pomachitty then and there with the leaden Bullet aforesaid, so as aforesaid shot discharged and sent forth out of the Gun aforesaid by you the said Daniel Dillon in and upon the Body of him the said Pomachitty one Mortal Wound of the depth of Twelve Inches and of the Breadth of half an Inch of which said Mortal

Mortal wound the said Bernachitty from the said Twenty fifth day of January
in the Year aforesaid at Clydagh aforesaid until four hours after the receiving the
said wound at the place aforesaid did languish and languishing did live at
the Expiration of which said time of four hours on the said Twenty fifth day of
January in the Year aforesaid the said Bernachitty at Clydagh aforesaid
within the Jurisdiction aforesaid of the said Mortal wound did die and the
Jurors aforesaid upon their Oaths aforesaid do say that you the said Daniel Dillon
the said Bernachitty 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 — How say you Daniel
Dillon are you Guilty of the Murder whereof you stand indicted
or not Guilty Gentlemen and You Indicted by the name of Daniel Dillon as
aforesaid Malefactor in the Murder of the Hunted Company of Merchants of England
trading to the East Indies not having the Fear of God before your Eyes but being
moved and seduced by the Instigations of the Devil on the Twenty fifth day of
January in the Thirty Second Year of the Reign our Sovereign Lord George the
Third now King of Great Britain France and Ireland defender of the Faith and
in Parish with Force and Arms at Clydagh within the Jurisdiction of this Court in
and upon one Crookshapen 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 you the said Daniel Dillon a certain Gun of the Value of three Shillings
then and there charged with Gun Powder and one Leaden Bullet which Gun
you the said Daniel Dillon in your right hand then and there had and held
to against and upon the said Crookshapen then and there feloniously wilfully
and of your Malice aforethought did shoot and discharge and that you the
said Daniel Dillon with the Leaden Bullet aforesaid out of the Gun aforesaid then
and there by force of the Gun Powder shot and sent forth as aforesaid the aforesaid
Crookshapen in and upon the Head of him the said Crookshapen then and there
Temples of him the said Crookshapen then and there with the Leaden

Bullet

Bullet aforesaid out of the Gun aforesaid by you the said Daniel Dillon &c
as aforesaid shot discharged and sent forth feloniously wilfully and of your Malice
aforethought did strike penetrate and wound giving to the said Crookshapen then
and there with the Leaden Bullet aforesaid so as aforesaid shot discharged and
sent forth out of the Gun aforesaid by you the said Daniel Dillon in and upon the
said Head of him the said Crookshapen One Mortal Wound of the Depth of Six Inches and of the Breadth
Crookshapen one Mortal Wound of the Depth of Six Inches and of the Breadth
of one Inch of which said Mortal Wound the aforesaid Crookshapen then and
there instantly died and so the Jurors aforesaid upon their Oaths aforesaid do say
that you the said Daniel Dillon the said Crookshapen 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 — How say you Daniel Dillon are you Guilty of the
Murder whereof you stand Indicted or not Guilty?

Prisoner Not Guilty.

Clerk of the Peace How will you be tried?

Prisoner By God and my Country.

Clerk of the Peace God send you a good deliverance.

The following Gentlemen are then Sworn on the Petit Jury
the Prisoner not having any objections to any of them.

Mr. Thomas Stephens Foreman

William Bell	Daniel Reed
Daniel Murray	John Wright
William Moore	Alexander Steward
Alexander Melvin	James Austin
George Reynolds	John King Lane

and Robert Dyer

Clerk of the Peace Gentlemen of the Jury look upon the Prisoner and hearken unto his Cause — You shall have that the
Charges Indicted by the Name of Daniel Dillon a Malefactor in the Indictment for the better and more Easy Understanding of the Jury

Solicitor This is the first Witness on Behalf of the Prosecution

Called and Sworn after the Custom of Methodists

* Creating of Malice Forethoughts and
Express Malice Implied and Proved by the
Manner Weapon Instrument or Means used or Intended to be used by the
Prisoner at the Time of Committing the Fact Charged in the Indictment
as Manifested by the Circumstances Attending the Fact and the Conduct
of the Party Offending before at the Time and after the Fact Committed
according to the Nature and Degree of Offence Leading to Conviction
Incidental to the Fact Evidence Conducing to Prove the Same and
Rebutting Evidence that may be Offered on the Other Side
Considered by the Court and Counsel
Learned in the Law

Counsel for the Prisoner Mr. Ridgeway Mr. Ridgeway Mr. Ridgeway Mr. Ridgeway

About the Twenty fifth of January last about Eight O'Clock in the Evening Souben, Condapen, Poddacaun, and Evodapen were at one of the Houses at Sydapet they heard two Reports of a Musquet – they came out to enquire in one of the Bazar Streets a Cart was passing in the Street they suspected when they came near the Cart and stood and directly they saw the Flash of a Man firing and directly a Ball struck him and he fell down – out of the four Men Evodapen and he were wounded, Evodapen died afterwards I know not how soon – I lost my Turban and Cloth – I fell on the Ground and do not know who took them – The Blood came from my Wound and I was Senseless till three or four hours before day, as my Wounds perceived my Turban and Cloth had been taken – Evodapen and I were near each other both wounded I believe by the same Ball, for we both fell as soon as we saw the Flash –

Turban and Cloth produced and Sworn to by the Witness who says he knows them by their Marks.

Condapen Sworn

Towards the latter end of January on Wednesday about Eight O'Clock in the Evening Souben, Evodapen, Poddoo, and I were sitting in one of the Houses at Sydapet when they heard two Reports of a Musket and hearing heard of the Dacoits being there they were afraid and were afraid to go to the Mount, and as they were going thro' one of the Streets where a Cart of Bandies was, when they were near the Cart one Musquet was fired – two Men fell on the Ground at the same time I believe by the same Ball and I and Poddoo ran away and returned back in the Morning, Evodapen was lying dead in the same place where he fell and Souben was in the House – Souben informed me afterwards he had lost his Turban and Cloth – I saw this Wound it appeared to be by a Musket Ball it went in near my Shoulder and came out near the other I do not know who fired the Shot but when I saw the Flash I perceived it was an European, and he appeared dressed in Dark Cloths.

Souben Sworn

In the Month of January last when the Evening's Hour were at Sydapet Souben Condapen, Evodapen, and Souben were in the House of the Gomastas in the Evening we heard two Reports of Guns, directly we came out of the House into Street with intention to go to the Mount we turned into another Lane where we saw a Cart full of Bandies and those Men fired – by the Flash I saw he was a European – on his firing Souben and Evodapen fell down I and Condapen ran away to Moonthe Pettam where we staid all Night and returned in the Morning – Evodapen was lying dead in the same place and Souben was in the House and we carried him to the Mount the same Morning – his wound appeared to be in one Shoulder and thro' the other we carried him to a Malabar Doctor to cure the wound – the European had a dark Coloured Coat – Souben took one Turban and two Cloths – it was too dark to distinguish the Man, I only knew from the Flash that he was an European – the distance was about Twenty five feet the European fired from behind a Cart.

Cumrapah Chetty Sworn

At Sydapet about eight O'Clock in the Evening in the Month of January the Fifteenth Malabar date, where I was residing at my House at Sydapet Pramaney Thirtnah, called me out, and spoke to me in the Street and then went the North Road – while I was sitting on my Street Gyalle about half an hour after an European came and on seeing he was European I instantly got up and he directly fired at me and the Ball went thro' my Arm near my Elbow – I went into the House and when I went into the Entry my Cloth was burnt which I untied and went into the Yard and threw it on the Ground – when the European entered into the House – I got up from the Yard and went into the Gate when the same European who first followed me and attempted to stab me

which

Wounded – a Piece from the Cartridge was drawn in his Eye and by the light of it I could see the Blood running from one of his Shoulders – I observed the Eye of that Man and while I was with him I saw the Prisoner at the Bar a little way in front of us – as soon as he saw us advancing towards a Building apparently a Church – tho' I cannot say exactly what Building it was – as soon as he got tho' the Church he turned about and fired and the Ball struck one of the Pillars close to me and the Splinters struck me in the Face – I fired at him and believe I injured him – he then ran away and we lost sight of him for near a quarter of an hour – We walked at different ways and in about a quarter of an hour he came marching up in the Front of us – I challenged who comes there he answered a Friend and discharged his Piece at which I heard Spitting and imagined going off – then Sergt Godfrey fired at him – after Godfrey had fired the Prisoner answered it was Dillon belonging to the Artillery – I ran up to him and nearly knocked him down with the back end of my Piece and drawing the Sword cut him on the Head, he threw down his Firelock and when he saw he could not get away he begged for God's sake we would spare his life – at this time I made him Prisoner and he had many things belonging to the Black People he had plundered in his Coat – Cloths and Turbans – I cannot know many of the latter sort, and several small bags with Pieces of different kinds with the Value of them or for I am in them – and a small Wooden Box of Women's Trifling Trifles, nothing of any Value – a Piece of Cotton Tape was tied round with that Tape we tied him Prisoner and marched him to the Ground – when we arrived there with the Prisoner and the said he had Major Fuller's Name and name to that for Johnson

We found some on him –

The Cloth and Turban the Black Servant Boy being shewn to the Witness, he believes them to be the same he took from the Prisoner – The Cloth he knows by the Mark and the Turban by the Blood and it's being torn in the same Manner he tore it in taking it from the Prisoner –

When we took him his Piece was loaded – the Cock was drawn and the spring cut – the Pan had been now Cartridge left – he might have had time

Q.r By the Court. was his Bayonet fixed when you took him?

A. Yes.

Q.r Had he his Regimentals?

A. Yes he had his Regimental Coat Hat and Trowsers.

Q.r Did you examine the Gun and find it the Appearance of having Gunning just before?

A. I examined the Gun particularly and it had that appearance and the Piece was quite hot.

Q.r By the Prisoner – The first time you saw the Flash of my Gun how far was you off?

A. About Forty Yards the first time and twelve the second time.

Q.r By the Court – Did any of the Country People speak to you?

A. Many did, but I do not know what they said as they spoke the Country Language which I do not understand – Many shut their Doors and seemed frightened when we came.

Q.r By the Jury – Did the Prisoner appear Intoxicated?

A. No.

John Godfrey Matross in the Coast Artillery

On the Twenty fifth of January last between Eight and nine in the Evening I was ordered with Frederick Williams Fisher under the Command of

Sergeant

Sergeant Potts the 2d in command of Daniel Dillon's Party deserted with his Arms and Accoutrements — We went towards Sydapet where we came near the long Bridge we heard the Report of a Firelock or Fusee and another Report after we crossed the Bridge when we got into the Madras Road we met some Bandies which were going towards Sydapet and we followed them — Two or three went into Sydapet and as soon as they entered we heard the Report of another Firelock — as soon as we entered the Village we found one Black Man about a Yard — a few paces farther we found a Second — a few paces further we saw a third who was wounded in the Thigh — about fifteen paces farther a Ball was fired between Sergeant Potts and me — Sergeant Potts then fired his Piece and the Prisoner ran away — we went then into a Choultry and staid there about fifteen Minutes when the Prisoner advanced upon us and Sergeant Potts hailed who comes there — The Prisoner answered a Friend and immediately attempted to fire his Piece — the piece did not go off, it only burnt Priming — I immediately fired my Piece over him — The Prisoner then called out to Dillon belonging to the Choultry — we all three immediately ran out and took him Prisoner — we tied his hands behind him and Marched him to the Ground — we found some Turbans and Cloths wrapped round his Body — We did not examine them that night — so I cannot swear to them before the Court — Dillon begged we would not kill him —

Prisoner's Defence

I acknowledge I left the Cantonments but it was not with any bad intent and I throw myself upon the Mercy of the Court

The Court Jury then retire & Bailiff being Sworn to keep them and after a short time (a Verdict being Proclaimed) they return into Court and Answer unto their Names

Clerk of the Peace Gentlemen of the Jury have you agreed of your Verdict?

Jury Yes.

Clerk of the Peace Who shall say for you?

Jury Our Foreman.

Clerk of the Peace Gentlemen of the Jury look upon the Prisoner — How say you is he Guilty of the Felony Murder and Robbery whereof he stands Indicted or not Guilty?

Foreman Guilty — which being Recorded —

Clerk of the Peace Gentlemen of the Jury hearken unto your Verdict as the Court hath Recorded it — You say that Daniel Dillon is Guilty of the Felony Murder and Robbery whereof he stands Indicted and so you say all?

Jury Yes —

The Prisoner is thereupon remanded to Prison

The Court proceeds to the Tryal of Emanuel Cavers as charged in a Bill of Indictment and found for Murder who being put to the Bar is arraigned as follows.

Clerk of the Peace — Emanuel Cavers hold up your Right Hand — You stand Indicted by the name of Emanuel Cavers a Slave belonging in the Service of the United Company of Merchants of England trading to the East Indies that not having the Fear of God before your Eyes but being moved and seduced by the Instigation of the Devil on the Eighth day of March in the Thirty Second Year of the Reign of our Sovereign Lord George the Third now King of Great Britain France and Ireland King defender of the Faith and so forth with Force and Arms at Ingannahgoody within the Jurisdiction of this Court in and upon one Beeram Saib 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 you the said Emanuel Cavers with a certain Dagger or Creese of the Value of Six pence which you the said Emanuel Cavers in your Right Hand then and there had and held the said Beeram Saib in and upon the upper part of the back of the left Side of him the said Beeram Saib and Mortal Wound of the Breadth of three Inches and of the depth of Six Inches of which said Mortal Wound the said Beeram Saib from the said Eighth day of March in the Year aforesaid at Ingannahgoody aforesaid until two hours after the receiving the said Wound of the Blow aforesaid did languish and languishing did live, at the Expiration of which said time of two hours on the said Eighth day of March in the Year aforesaid the said Beeram Saib at Ingannahgoody aforesaid within the Jurisdiction aforesaid of the said Mortal Wound died — And so the Jurors aforesaid upon their Oath aforesaid do say that you the said Emanuel Cavers the said Beeram Saib 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 — How say you are you Guilty of the Murder whereof you stand Indicted or not Guilty?

Prisoner Not Guilty.

Clerk of the Peace How will you be tried?

Prisoner By God and my Country.

Clerk of the Peace God send you a good deliverance. — Gentlemen of the Jury take heed to the Prisoner and the Evidence that you give between our Sovereign Lord the King and the Prisoner at the Bar, for he stands indicted by the name of Peerum Beeram Saib late of the Service of the United Company of Merchants of England trading to the East Indies for that he the said Peerum Beeram Saib not having the fear of God before his eyes but being moved and seduced by the instigation of the Devil on the 15th day of January in the year of our Lord 1757 at Bombay aforesaid in the Island of Bombay aforesaid in the Bombay Castle aforesaid and within the Limits of this Court did feloniously wilfully and of his malice aforethought make an assault upon one Thomas Restieaux Jouveau in the peace of God and of our Sovereign Lord the King then and there being and him the said Thomas Restieaux Jouveau with a certain Knife of the value of one penny which he the said Peerum Beeram Saib in his right hand then and there had and held feloniously wilfully and of his malice aforethought did strike and stab in and upon the left side of the belly of him the said Thomas Restieaux Jouveau giving to him the said Thomas Restieaux Jouveau then and there with the Knife aforesaid in and upon the left side of the belly of him the said Thomas Restieaux Jouveau one mortal wound of the depth of six inches and of the breadth of one inch of which mortal wound he the said Thomas Restieaux Jouveau languished from the said fifteenth day of January until the sixteenth day of the same month and then died and that he the said Peerum Beeram Saib him the said Thomas Restieaux Jouveau in manner and form aforesaid feloniously wilfully and of his malice aforethought did kill and murder against the peace of God and our Sovereign Lord the King his Crown and Dignity and against the form of the Statute in that case made and provided. How say you Peerum Beeram Saib are you guilty of the Felony and Murder whereof you stand indicted or not guilty? — If you find him guilty you are to inquire what Goods and Chattels he had at the time of the Murder committed or at any time since. — If you find him not guilty you are to inquire if he fled for it. — If you find that he fled for it you are to inquire what Goods and Chattels he had at the time he fled or at any time since. — 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

The Clerk of the Peace having acquainted the Prisoner of his Privilege

being Prisoner at the Bar and his Country that they must try you and your charge is to enquire whether you are Guilty of the Felony and Murder whereof you stand indicted or not guilty. — If you find him guilty you are to inquire what Goods and Chattels he had at the time of the Murder committed or at any time since. — If you find him not guilty you are to inquire if he fled for it. — If you find that he fled for it you are to inquire what Goods and Chattels he had at the time he fled or at any time since. — 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

Thomas Restieaux Jouveau

William Bell
Daniel Murray
William Moore
Alexander Milburn
George Reynolds

Sworn by Six Europeans and Six Moors

Sujee Cubbay Mashey
Coolla Merval Cubbay Mashey
Maiden Mashey
Mahomed Ibram Saib
Shake Pareed Cubbay Mashey

Sworn by Six Europeans and Six Moors

Meera and Cawn

Meer Saib Subedar Prisoner called and Sworn

All Regularly good by at Seven O'Clock in the Evening last Month I was at my House there — the Prisoner and this Evidence and Hyssein Beg Subedar came and sent in my Boy to where my Wife then was, Hyssein Beg Subedar desired me to return some things which the Prisoner left with me some time ago — I answered it was three Years past and I would enquire of the would call on me in the Morning, some high words passed between the Prisoner's Brother and my Wife — I desired Hyssein Beg to carry the Prisoner away as some quarrel would happen and that we would settle all in the Morning — Accordingly Hyssein Beg came the Prisoner I suppose five feet distant — The Prisoner returned to the same place and asked me what I would do, what Authority I had — Then Beeram Saib the deceased came near to the place where the Prisoner stood and seized him and pushed him against the Wall they then both fell upon the Ground, and the Subedar Beeram Saib got up and said he was stabbed — directly the Prisoner took his Purse and gave the deceased a second Stab on the back — I then seized the Prisoner took the Purse from his hand and tied him and carried Beeram Saib into my

House Beeram Saib begged to be carried to the Doctor's, I went to get the Doctor but could not, and he remained in my House till he died — The affair happened at Seven O'Clock and he died about half past Nine the next Morning I reported to the Town Major.

Q.r Was there any previous Quarrell between them?

A. About three Months before there was a dispute about a Cot which the Prisoner had lent the deceased, and the Prisoner demanded it but the Deceased refused unless the Prisoner would pay him three Pagodas.

Q.r By the Court. — Was there any Appearance of Resentment between them on the day this affair happened?

A.r None at all.

Q.r What passed in the Struggle?

A.r The Deceased pushed the Prisoner against the Wall

Q.r Did he push him with Violence?

A.r When the Deceased pushed him they both fell down and the deceased got up Immediately and said he was stabbed.

Q.r Between his saying he was stabbed and receiving the Stab on the back what time passed?

A.r He received the Stab on his back while he was speaking.

Q.r Did the Prisoner say any thing after he had stabbed him?

A.r He did not say any thing.

Q.r Did he not express any Sorrow?

A.r I do not know what he felt but he did not say any thing

Q.r Did the Prisoner attempt to escape?

A.r He without he stabbed the deceased I seized him.

Q.r Did the Prisoner appear to be in a Passion at the time

A.r He appeared to open his Eyes and was standing and I asked what was the reason of this but he made no Answer.

Q.r Did the Prisoner usually carry a Purse?

A.r I do not see: —

On last Month, when I was sitting in my House at Ingaramal yoddy Beeram Subedar who is dead came and spoke to me — The Prisoner and Mura Saib Subedar were speaking something I did not hear and presently after the Prisoner went away between Sun and Sun the Deceased said that the Prisoner was saying something of him whereupon the Deceased got up and seized him and pushed him against the Wall, and they both struggled together and fell on the Ground, and I heard Beeram Saib Subedar say he was stabbed I then saw the Wound and that the Prisoner had a Knife in his hand about ten O'Clock Beeram Saib died. —

Q. By the Court — Did the deceased strike the Prisoner?

A. I did not see.

Q. Did the Deceased push him against the Wall?

A. He did push him hard against the Wall.

Q. Did the Prisoner say any thing?

A. No.

Q. By the Prisoner — Do you not know I was sent for by Beeram Saib?

A. I do not know.

Prisoner's Defence

I was in my own House — I am a Prisoner and know him only from his coming Mura Saibs House and there was but two or three times before — at first I supposed to go but afterwards as they said they only wanted to speak two or three words I went — The Woman began to abuse me and I intended to go home but they stopped me in the name of Hur Got the Nabob and the Governor and the Priest then Mura's Wife sent for Beeram Saib who is dead, he came and my Mother then went to bring Thyseen Boy and when he came my Mother begged him to carry me away — he went a little way in front Beeram Saib came and seized my Mother's Hair and flogged her, and left her with the women and returned back to the Place where I was — I asked the Subedar why he beat my Mother — The Subedar then abused me and gave me a Slap in the Cheek and my Turban fell down — then Beeram Saib — Mura Saib and a Lascar Man beat me and pushed me on the Ground — since I lost my Arm I used to carry a Cutcherry and while Beeram and I was struggling on the Ground this happened God knows how — I was so astonished at this

Accident that I know not how it happened whether by me or any other.

The Petit Jury then retire a Bailiff being Sworn to keep them after some time they come into Court (a Verdict being proclaimed) and Answer unto their names

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 — Gentlemen of the Jury look upon the Prisoner — How say you is he Guilty of the Murder whereof he stands Indicted or not Guilty?

Foreman — Guilty of Manslaughter.

which being recorded

Clerk of the Peace — Gentlemen of the Jury hear then unto your Verdict as the Court hath recorded it — You say that Emamu Caun is Guilty of Manslaughter on killing Beeram Saib and so you say all.

Jury — Yes.

The Court then sentences the Prisoner to Pay Pagodas and to remain in Prison till the same is paid

The Court now proceeds to the Tryal of William Jones and James Smyth against whom a Bill of Indictment was found for Felony who being first to the Bar are arraigned as follows.

Clerk of the Peace William Jones and James Smyth stand to your Deliverance — You are Charged & Indicted by the names of William Jones and James Smyth both Private Men in the Second Battalion of European Infantry in the Service of the United Company of Merchants of England trading to the East Indies on the Fifth day of September in the Thirty first Year of the Reign of our Sovereign Lord George the Third now King of Great Britain France and Ireland defender of the Faith and so forth with Force and Arms at Fort Saint George within the Jurisdiction of this Court Two Pipes of Madeira Wine of the Value of Twenty Pounds of the Goods and Chattles of one Frances Latour in the Warehouse of him the said Frances Latour then and there being found then and there Privately and felloniously did steal take and carry away against the Peace of our Sovereign Lord the King his Crown and Dignity How say you are you Guilty of the Felony whereof you stand Indicted and Guilty?

William Jones Not Guilty.

James Smith 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 following Gentlemen are then Sworn on the Petit Jury the Prisoners not Objecting to any of them.

Mr Erskine Thomas Freeman

Peter Mayor Esqr Robert Henderson

Hugh Jones Daniel Reid

Edward Jones John Wright

Paul Bonifas Alexander Stewart

William Bunn James Austin

and

John King Lane

Joseph Wilkins Private in the Second Battalion of European Infantry Sworn

In the Year One thousand Seven Hundred and Ninety one I remember the Twelfth day of the Month between the St. Thomas Gate and the Little Magazine there was a Gathering the Prisoners and there was some Liquor in it — they proposed to run to go and break it open — it was agreed upon — we went between the hours of Twelve and One O'Clock in the Day a Gun was carried for the same purpose by one of the Two — when we were there we had not been long upon a Black Fellow came and we returned to the Guard — the Grand Rounds were going Round and Williams Jones was with us we suspected that a Black fellow had made some Alarm — The Grand Rounds returned and William Jones made Answer all was safe — A Report was made — he agreed to go again. I followed them — I was not with them — when I came there I stood about 12 Paces off — Wm Jones and James Smith went up to the Door and one of the Men drew the Staple from the Door — William Jones afterwards said the Door was Open — the Pipe of Wine was carried they came home and asked who I was — I told them — Jones then said we cannot do any good there the Pipe of Wine is too near the Door — I desired them to leave it alone and come to the Guard as they could not open the Door, Stop a Bit Jones said I will go with you — he turned back immediately and one of the Men unbarring the Door — they then went inside and turned One Pipe into the Road — some other Men they took out and turned the Pipes on their Mouths — a Bottle that was standing by was broke for the purpose of drinking the Wine — I do not know whose Wine it was or whose House it was — I returned to the Guard and they came part of the way with me —

Q.r By the Jury. What became of the Pipe of Wine that was turned out into the Street?

A.r It was left there.

Q.r Was the Door hung again?

A.r Not that I know of. There were Men belonging to the Regiment who went

with the Wine drinks the Wine but I do not know who they were — after the Godown was opened they came.

Q.n Where did You get the Iron Bar?

A. I do not know, I first saw it at the Main Guard and it was carried to the Godown by one of the Prisoners but I do not know which of them

Q.n Did You partake of the Wine?

A. Yes I drank some of it.

Q.n Did either of the Prisoners carry any of the Wine away?

A. Not that I know of.

Q.n How far did the Men come with You?

A. I cannot say — they may have come all the way but I am not certain

Q.n By the Court — Do You mean to say you did not observe at the time how far they came or that it is so long ago You have forgotten the Circumstance?

A. It is so long I have forgotten it.

Q.n By the Jury — Did they return to the Godown afterwards?

A. Not that I know of.

Q.n By the Court — Did You drink so much as to be Intoxicated?

A. No I was not Intoxicated.

Q.n How much did you drink?

A. About a Pint

Q.n By the Jury — when you went away did the Strangers remain at the Godown?

A. They were there when I came away.

Q.n How much was drunk in Your presence?

A. I cannot say.

Q.n How many Strangers were there?

A. About ten or twelve.

Q.n Did you not know any one?

A. Not one.

Q.n Did You mix with those Strangers?

A. No. I was about five hours after more.

Q.n By James Smith — About what time was this Pipe broken open?

A. Between two and three.

Q.n By William Jones — At what time did the Guard Rounds return to the Guard?

A. I cannot say whether before two or after.

Q.n Did the Strangers come before the Door was nothing or after?

A. After the Door was nothing to the best of my knowledge. I saw none before.

Q.n Was it before or after the Pipes were rolled into the Street?

A. I was after.

Francis Lotson Sworn

On the Sixth of September last my Corporal came to the Guard to inform me my Godown at the End of St. Thomé Street was broken open — I came to the Fort Immediately and found the Door had been broken open and a Pipe of Wine in the Street and the Bungs taken from three of the Pipes — I waited on the Town Major and informed him of the Circumstance he came along with me and Examined the Godown — I ordered the People to take the Wine and Start the Remainder into two Casks — there was enough to fill up two Pipes — I took two Pipes — it appears to me the Door was nothing because as there were two Pipes Four and Off they could not Knock the Door open tho' the Staple was forced out.

Q.n By the Court — was the Wine on the Ground?

A. It was.

Q.n Were the Pipes so situated as to be rolled easily into the Street?

A. No. They were so stowed that it was necessary to Capsize them.

Q.n How many Men would it take to do that?

A. Four or six Men.

Q.n By the Jury — was the Wine which had been taken out, from the Pipe in the Street or Wine in the Godown?

A. Out of all.

Q.n How much was taken from the Pipe in the Street?

A. About half.

Q.n Would it take four or six Europeans or four or six Natives to Capsize a Pipe?

A. Four or Six Europeans.

Q.ⁿ Admitting that half a dozen Men were employed in Rolling the Pipes from the Godown into the Street?

A. I should suppose it would take three Men.

Q.ⁿ Could they take any Wine from any of the Pipes in the Godown without part of the Pipes being taken out into the Street?

A. They might have done it by a Principal but not otherwise.

The Prosecution there closed and the Prisoners put upon their Defence —

William Jones — I am not Guilty — I came off Centry at Eleven O'Clock at Night — I was warned to attend the Grand Rounds which I did — It wanted five Minutes of One when I left the Main Guard — I first went to St. George's Gate when the Clock Struck One — We proceeded round the Garrison, we called at different Guards, so that by the time we came by this Godown it must be better than half past one — we were then about Half round the Garrison — when we returned to the Guard it could not want much of three O'Clock I laid down there and went to Sleep and did not wake 'till I went Centry at three O'Clock —

James Smith — I came off Centry at Eleven O'Clock and went the Grand Rounds with Jones after returning from the Rounds we lay down together I went Centry again at three O'Clock

Witness produced and sworn on behalf of the Prisoner —

Thomas Hinds Private in the Second Battalion of European Infantry Sworn.

James Smith — Did You see me lie down after I came from the Rounds on the Sixth of September?

A. I did — he and Wm Jones lay along side of me from the time they came from the Grand Rounds 'till they went for Centry again at three O'Clock — they returned from the Grand Rounds about three O'Clock —

Thomas Lee Private in the Second Battalion of European Infantry Sworn

Q.ⁿ By the Prisoners — Did you go along with them the Grand Rounds on the Sixth of September?

A. I did not go with them — I saw three two Men fall in to go with the Grand Rounds and return with them.

Q.ⁿ By the Jury — Do you keep any Books or how do you know that the Prisoners fell in that Night?

A. I recollect it because it was the Night the Godowns were broken open and we heard of the Robbery the next day.

Q.ⁿ By the Court — were the Men confined that Day?

A. No.

Q.ⁿ After the Men came in from the Rounds did they lie down or what became of them?

A. I saw them go to their Beds and saw no more of them.

Q.ⁿ Do you know every Person on the Rounds or did you notice the Prisoners from any Suspicion having fallen on them?

A. I do not know the other two — Four Men go with the Officer — I knew the Prisoners as they belong to my Company, the other two belonged to the Battalion Company — I did not hear of any Suspicion having fallen on them — they have done duty here within this day or two

Q.ⁿ By the Court — Why did You remark those two Men?

A. Because I heard their Names called.

Q.ⁿ Who went the Rounds with them four Men?

A. An Hanoverian Officer.

Q.ⁿ By the Court — Suppose I name a particular Night at the distance of One or two Months can You tell me one or two Men who went the Grand Rounds?

A. Yes if I saw the Men.

Q.ⁿ Can You tell from Memory?

A. Yes I can tell I saw the Men that Night

Q.ⁿ When were You on Guard again and can You recollect the Men who went the Grand Rounds?

A. We were off for four days — I do not recollect the Men — I cannot take notice every Night.

Nathaniel Mc Cann Private in the Second Battalion of European Infantry Sworn

Q.ⁿ

Q.n By the Prisoners — Did You see us come in from the Grand Rounds on the 5th of September last?

A. I dont recollect the day of the month but on the night of the Circumstance now before the Court the Prisoners awoke me in the two in the Morning on their Return from the Grand Rounds and William Jones lay down near me — I then went to the Governors Square to get some Water and asked Joseph Wilkins who was Centinel there for some Tobacco — I then returned to the Guard Bed and was awake and saw the Prisoners till three O'Clock when I awoke William Jones to go Sentry.

Q.n By the Jury — Where were they placed Sentry?

A. I do not know.

Q.n By the Prisoners — did we appear in Liquor or any way disordered when we got up to go Sentry?

A. No You appeared perfectly Sober

James Esmond private in the Second Battalion of European Infantry Sworn —

Q.n By the Prisoners — did You see us going the Rounds on the 5th of September last?

A. No I did not.

Q.n did you hear Wilkins say falsely that he would do all in his Power to hurt us for having been the Occasion of turning his Woman out of the Barracks?

A. In Consequence of some disturbance and Wilkins's Woman having turned out of the Barracks Wilkins said "as to you Mr Jones the you are a Lons Corporal I'll be damned if I don't sweat You and then entering the Guard Room he said to Smith and Jones I will take care and have You hanged as high as one of the Pigs in the Cooking that is Similar to the Expression he used.

Robert Bruce Ensign in the Second Battalion of European Infantry Sworn.

Q.n By the Prisoners did You hear Wilkins make use of any threatening language to us?

A. I did hear him on the Nineteenth of March after Evening Parade (about Ten o'Clock) in Consequence of the Prisoners having Drummed Wilkins's Woman out of the Barracks for having been disorderly and giving some of the Men the Venereal Disease.

Q.n By the Court — What threatening Expressions did he make use of against the Prisoners?

A. I only heard him use this Phrase against them

Q.n How long have You known us and what Character have we born during that time

A. since I Joined the Batt.n about the Seventeenth or Eighteenth September last I hunted Smith with upwards of One hundred Pagodas worth of things and I always received them back very honestly I do not know so much of Jones but from what I have seen he was a good Clean Soldier.

David Campbell Lately Captain in the Second Batt.n of European Infantry Sworn —

Q.n How long have You known us and what Character have we born during that time?

A. I have known them both upwards of Twelve Months they belonged to my Company, and during that time they behaved altogether in a most unexceptionable manner. Mr Jones for his remarkable good behaviour I promoted to a Lons Corporal last Month and James Smith I intended for that he would provide for.

Lieut Bose Acting Adjutant of the Second Battalion of European Infantry Sworn

Q.n How long have you known the Prisoners at the Bar and what Character have they born during that time?

A. I have known them both upwards of Twelve Months and have always considered them of the most unexceptionable Character and would have staked my Life on their honesty at any time.

The Court Jury then withdrew a Bailiff being sworn to attend them

them and after some time a Verdict being given Prisoner called
and Answer made to their Names

Clerk of the Peace — Gentlemen of the Jury have you agreed of your Verdict?

Jury — Yes.

Clerk of the Peace — Who shall say for you?

Jury — Our Foreman.

Clerk of the Peace — Gentlemen of the Jury Look upon the Prisoner. How say you is he
Guilty of the Felony whereof they stand Indicted or not Guilty?

Foreman — Not Guilty.

Which being recorded

Clerk of the Peace — Hearken unto your Verdict as the Court hath Recorded it. You say
that William Jones and James Smith are not Guilty of the Felony whereof
they stand Indicted and so you say all.

Jury — Yes.

The Prisoners are thereupon Discharged by Proclamation

The Court next proceeds to the Tryal of James Fox against whom
a Bill of Indictment was found for Murder who being brought to the Bar is arraigned
as follows.

Clerk of the Peace — James Fox hold up your right hand — You stand Indicted by the name
of James Fox a private Soldier in the Service of the United Company of Merchants
of England trading to the East Indies that 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 March in the Thirty second Year of the Reign of our
Sovereign Lord George the third now King of Great Britain France and
Ireland defender of the Faith and so forth with Force and Arms at Madras
aforesaid in the Island of Coromandel aforesaid 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 you the said
James Fox with a certain Bayonet of the Value of Six pence which
you the said James Fox in your right hand then and there had and held
the said Mootoo Raick in and upon the left Breast of him the said Mootoo
Raick then and there feloniously wilfully and of your Malice aforethought did strike
and thrust giving to the said Mootoo Raick then and there with the Bayonet
aforesaid in and upon the aforesaid left Breast of him the said Mootoo
Raick one Mortal Wound of the Breadth of Two Inches and of the depth
of Six Inches of which said Mortal Wound the said Mootoo Raick then
and there instantly died and so the Jurors aforesaid upon their Oath
aforesaid do say that you the said James Fox the said Mootoo Raick 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 — How say you are you Guilty of the Murder
whereof you stand Indicted or not Guilty?

Prisoner — Not Guilty.

Clerk of the Peace — How will you be tried?

Prisoner — By God and my Country

God

Clerk of the Peace God send you a good Deliverance.

The following Gentlemen were then Sworn on the Petty Jury the Prisoner being first informed he might object to any of them as they came to the Book to be Sworn and before they were Sworn.

Mr Erskine Jemmo

Peter Massey Esqr Foreman
Hugh Jones
Edward Jones
Paul Bonifas
William Purser
John King and Lane
Robert Henderson
Daniel Reid
John Wright
Alexander Stewart
James Austin

Clerk 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 James Fox a Private Soldier in the Service of the United Company of Merchants of England trading to the East Indies (here the Indictment is read over and thereunto he hath pleaded not Guilty and for his Trial hath put himself upon God and his Country which Country you are now charged therefore to inquire whether he is Guilty of the Murder whereof he stands Indicted or not Guilty. If you find him Guilty you are to inquire what Goods and Chattels Lands or Tenements he had at the time of the Murder committed or at any time since. If you find him not Guilty you are to inquire if he fled for it. If you find that he fled for it you are to inquire of his Goods Chattels Lands and Tenements the same as if you 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.

Father Mahomed Sworn the first Witness on behalf of the Crown Called and Sworn

Clerk of the Peace Look at the Prisoner and tell us what you know Concerning the Death of the Person standing Indicted.

Father Mahomed Last Ramathan when I was in the Barracks near the Hospital by Order of the Colonel the Serjeant came and ordered me and four Sepoys to Patrole the

Prisoner who had killed an Havildar — Accordingly I went with four Sepoys to the place where the Prisoner was but he would not let us come near him — I ordered the four Sepoys to stay at a distance and went behind the Prisoner — I ordered the four Sepoys to stay at a distance and went behind the Man and seized him at that time the Prisoner had a Bayonet in his Right Hand which he put into his Left and stretched the Arm out, his Right Hand which he put into his Left and stretched the Arm out, then the four Sepoys came to my Assistance and snatched the Bayonet which the Prisoner had in his hand and we took him to the Guard before the Colonel who ordered the Prisoner to the Main Guard — There was Blood on the point of the Bayonet and it appeared fresh on it as if it had not been put into the Scabbard since the Blood was on it — before I went to the Apprehend the Prisoner he was much in Liquor

Ramalinga Subedar Sworn

Last Ramathan about twelve O'Clock in the day as I and Mootoo Naick Havildar were at the Bazar and were coming back near the Hospital we think the Prisoner had a Bayonet in one hand and a Stick in the other and was much in Liquor and threatening the Sepoys — Swear going before and Mootoo Naicks Sepoys returned to Mootoo Naicks and Stabbed him — he was then so far backwards — he cried out he was stabbed and came to me I then saw the Wound on the left side — when I had all I could do to make him stand I could not for he fell down and died — I ordered the Prisoner to be taken Prisoner and saw the Prisoner strike him with a Bayonet behind for Mootoo Naick and saw the Prisoner strike him with a Bayonet Mootoo Naick did not speak to the Prisoner or give him any Provocation — he was in Liquor

Prisoners Defence

When I was going to the Guard Godown I got a Drink they would not let me I was going to the Guard Godown I got a Drink they would not let me then I came it then the Guard struck me and then Mootoo Naick beat after me, then I came it then the Guard struck me and then Mootoo Naick beat after me, then this Havildar who they say is killed came after me and struck me several this Havildar who they say is killed came after me and struck me several times on the Head I threw down and I threw my Bayonet in my own defence times on the Head I threw down and I threw my Bayonet in my own defence they struck my left arm gave me several Wounds in my Head and then my shoulder they struck my left arm gave me several Wounds in my Head and then my shoulder the Havildar gave me several Blows on my Head before I threw my the Havildar gave me several Blows on my Head before I threw my Bayonet in my own defence I had no Intention to take him's life — I called Bayonet in my own defence I had no Intention to take him's life — I called on Mr Dunbar to bear me witness. on Mr Dunbar to bear me witness.

Paul Bose called and Sworn

Q. By the Court — How long have you known the Prisoner and what Character has he born?

A. I have known him upwards of twelve Months he has always maintained a most inoffensive Character and is an Excellent Soldier. I never heard his name brought in question in the smallest Degree before — and that Character he universally bears in the Regiment

George Hutchins Sworn

Clerk of the Peace Relate to what you know Concerning the Murder whereof the Prisoner stands Indicted

A. I was going towards the Hospital and I saw a Body of People coming out of the Street and one European — the Black People had Billets of Wood and Brick Bats which they threw at him at a great distance off — the Man had his Bayonet in his hand to defend himself — when I saw that I ran up to him to see what was the matter — I saw several Strike him and knock him down with Billets of Wood and the People threw Brick Bats at him after he was down — this is all I saw — the Guard of Sepoys then came and took him away.

Q. By the Court. What did the People say at the time?

A. I did not hear them say any thing except that the Man had been making some disturbance.

Q. By the Jury. What Guard took him a Sepoy Guard or a Cavalry Guard?

A. Some Cavalry Sepoys and an European named Lyons.

Q. By the Court — were there any wounds on his head?

A. Yes.

George Dunbar Serjeant Major to the Second Battalion of European Infantry Sworn

Clerk of the Peace Have you lately attended the Prisoner?

A. He was a Patient of mine — about a fortnight ago he was dismissed from the Hospital — he had received three Wounds on the Head and are there in the Cure about a Month ago.

Jotheen Mathewed called again

Q. By the Court. Did you see the Prisoner receive any Wounds when he was taken?

A. He had one in his Head and another in his Leg.

Q. Do you know when he received those Wounds?

A. I heard that the People who were about him at the time were throwing Brick

Bats at him.

Ramalinga called again

Q. By the Court — When you saw the Prisoner were there any Wounds on him?

A. There were no Wounds on him when he attacked Mosto Naick.

Q. Before that time did you see any People throwing Stones or throwing Brick Bats at him?

A. I did not see any Stones thrown at him — the People ran away from him avoiding him every way.

The Jury then retire a Bailiff being Sworn to keep them and after a short time Verdict being proclaimed come into Court and Answer to their Names.

Clerk of the Peace Gentlemen of the Jury have you agreed of your Verdict?

Jury Yes.

Clerk of the Peace Who shall say for You?

Jury Our Foreman

Clerk of the Peace How say You Gentlemen is James Fox Guilty of the Murder whereof he stands Indicted or not Guilty?

Foreman Guilty. which being recorded

Clerk of the Peace Gentlemen of the Jury hear him unto Your Verdict as the Court hath recorded it — You say that James Fox is Guilty of the Murder whereof he stands Indicted and so You say all

Jury Yes. but in Consequence of the ..... Intimacy in favor of his Character we beg leave to Recommend him to Mercy

The Grand Jury come into Court and make the following Presentment

We the Grand Jury of the Town of Madras Fathom Town to inquire for our Sovereign Lord the King for the Body of the said Town, being justly and truly sensible of the many Advantages arising to this Place by the Gracious dispensation of the Royal Charter, as well as Laws connected with it the Laws of England and prescribed the proper Method for putting those Laws into Execution —

Do present and to this Honorable Court that it hath come to our Knowledge that two Persons have within the course of three or four Months died in the Felons Jail — the one a European by name Thomas Quinn of a Natural Death, and the other a Native named Condapah, who was stabbed by a Lunatic named Paul Lindsay, confined in the same Goal; and that in neither of these instances the salutary and necessary Injunctions of the Law were observed in holding an Inquest on the Bodies of the Persons And that this Jury have reason to believe that in many instances the Injunction of the Law on this Subject have been neglected although this Jury at the same time understand there is a Person appointed to officiate in the Capacity of Coroner.

And the Jurors of our Lord the King do further present that it hath come to their knowledge that John Jones who hath been and still remains confined in the Goal of Criminals under the Custody of the Sheriff since the 8th Day of February 1791 is a Lunatic

And that Paul Lindsay committed on the 28th July 1791 for Felony, who remains in Confinement in the same Goal is also a Lunatic, and that it hath come to the Knowledge of this Jury that the said Paul Lindsay still remaining in the same Situation has found means to spill the Death of his Fellow Prisoners by stabbing him

him with a Knife, and of which he died the Day following

And the Jurors of our Lord the King do moreover present that they do verily believe that many Enormities and Wickedness have in a great Measure proceeded from too frequent an Access to or use of Spirituous Liquors which are notoriously known to be obtainable within the Limits and in the Opinion they are still more confirmed by the recent instance of the Murder of Mootoo Nayg who was killed by an European Soldier near the Gate of the Company's Hospital, while in a state of deep Intoxication

All which matters and things are contrary to the Peace of our Sovereign Lord the King his Crown and Dignity

Town-Hall
12th April 1792

Foreman
Andrew Ross
William Jones
Alexr Coll
Joseph Greenhill
Danl Joce
Lio. Place
James Brodie
L. Bowden
Alex Cockburn
John Smart
J. Fullerton
Robert Wood
John Read
Geo. Ross
Wm Landon

There being no more Business the Grand and Petty Juries are dismissed with Thanks for their Services —

The Court is adjourned to Wednesday the eleventh day of July next for Holding another Session

P. Macrae
D. C. P.

At a General Court of Quarter Sessions of the Peace holden at the Town Hall in Fort Saint George on Wednesday the Eleventh day of July in the Year of our Lord One thousand Seven hundred and Ninety two.

Before

The Honble Major General William Medows President, Sir Charles Oakeley Baronet and Ernest Williams Tollofield Esquires Justices assigned to keep the Peace and also Commissioners of Oyer and Terminer and General Goal delivery for the Town of Madraspatnam Garrison of Fort Saint George and its dependencies.

The Court being duly opened the Sheriff returns his precepts and the following Gentlemen are then sworne on the Grand Jury.

Andrew Ross Esquire	Foreman
The Honble Basil Cochrane	Lieut. Gov.
William Orme	Charles Baker
George Wynche	Cecil Smith
Thomas Kingscote	John Hugh Donnel Eglise
William Hawkins	John Reed
Thomas Cockburn	John Jervis
Joseph Greenhill	Hugh Boyde
Josiah Webb	Laurence Bonsanq.

The Clerk of the Peace delivers to the Grand Jury a Bill of Indictment against Arnadanum Paupiah Bramin, Arnadanum Ramah Sawmy Bramin, Sumbanapooram Venkatachella Chitty, and Ettayengar Bramin for Conspiracy

One of the Gentlemen of the Grand Jury come into Court to sw the following Witnesses sworn upon the said Indictment

David M.Eliburton, Polapankum Cendapah Sawmy of Nynaveram, Reincu Row, otherwise called Appaye Row, Sunkar Chinnah Reddamah Chitty, and Charles Nicholas Wicke.

After some time the Grand Jury come into Court and deliver in the said Bill of Indictment endorsed a true Bill, the

Prisoners

Clerk of the Peace

Answers and Pleas [illegible] put to the Bar and arraigned as follows.

Avadanum [illegible] Pauliah Bramin, Avadanum [illegible]
Sawmy Bramin, Sunkaraporam Venadachilla Chitty and
Oppeyengar Bramin [illegible] late of Your Royal Lands. You are
indicted by the Names of Avadanum Pauliah Bramin
Avadanum Ramah Sawmy Bramin, Sunkaraporam Venkata-
chella Chitty and Oppeyengar Bramin then of Madraspatam
aforesaid being Persons of Evil Name and Fame and of Diskon-
Conversation Wickedly devising and intending unjustly
to defame David Haliburton Esquire Senior Merchant in the
Service of the United Company of Merchants of England
trading to the East Indies and under the Presidency of Fort
Saint George within the Jurisdiction of this Court of his good
Name Credit and Reputations and also to subject the said
David Haliburton without any just Cause to the Loss of the
Station [illegible] Member of the Board of Revenue and Seesaun
Court which he then held under the said Presidency of Fort
Saint George several Days and Times in the Months of
May June July August and September which were in
the Twenty Ninth Year of the Reign of our Sovereign Lord
George [illegible] King of Great Britain France and Ireland
Defender of the Faith and so forth and in the Year of our
Lord One thousand Seven hundred and Eighty Nine at
Madraspatnam aforesaid among Yourselves did Conspire,
Combine and Agree falsely to Charge and accuse the said
David Haliburton of divers Offences and Misdoings contrary
to your Duty as a Servant of the said United Company and
to the Oaths aforesaid upon their Oath aforesaid do further
Say and that You the said Avadanum Pauliah Bramin,
Avadanum Ramah Sawmy Bramin, Sunkaraporam Venkata-
chella Chitty and Oppeyengar Bramin, afterwards to wit
on the Fifteenth day of September in the Year aforesaid at
Madraspatnam aforesaid according to the Conspiracy Combination

and Agreement between You at the several illegal Meetings as
aforesaid had and held did falsely and unlawfully excite and
encourage One Colapaukum Cundapah then of Madraspatnam
aforesaid and one Sawmy of Aynaveram to charge and accuse
the said David Haliburton of divers Offences and Misdoings
and to subscribe their Names to a Written Paper or Petition
containing among other things an accusation against the said
David Haliburton for that he the said David Haliburton
had advised the said Colapaukum Cundapah and Sawmy of
Aynaveram to pull down certain Choltries or Custom Houses erected
by Vencoo Chinna Kistnamah Chitty Renter of the Betle and
Tobacco Farm and to Commit such disturbances as to bring a
Complaint before the Committee he the said David Haliburton
promising in that Case to exert the Utmost of his power for removing
the said Cottries and declaring that the said Colapaukum Cundapah
and Sawmy of Aynaveram relying on such promises of the said
David Haliburton had pulled down the said Choltries and
further that you the said said Avadanum Pauliah Bramin,
Avadanum Ramah Sawmy Bramin, Sunkaraporam Venkata-
chella Chitty and Oppeyengar did excite and encourage them the
said Collapaukum Cundapah and Sawmy of Aynaveram to
present the said Written Paper or Petition to John Holland
Esquire the Governor of Fort Saint George and President of the
Council thereof and further that you the said Avadanum
Pauliah Bramin, Avadanum Ramah Sawmy Bramin,
Sunkaraporam Venkatachella Chitty and Oppeyengar Bramin
did encourage and excite the said Collapaukum Cundapah
and Sawmy of Aynaveram to go before the said John Holland
President of the Council of Fort Saint George aforesaid on the
Twenty second Day of the said Month of September in the said
Year of our Lord One thousand Seven hundred Eighty Nine
and then and there falsely declare on their respective Oaths
that one Venaiguem Moodelly had sent on behalf of a

Gentleman

Tenth Inst meaning the said David Haliburton to
Collapaulcum Condapah at the House of Sawmy of
Oyneyvaram on the Nineteenth Day of the said Month of
September the Sum of Five Hundred Pagodas by the hands
of One Appaje Row a Bramin under a promise to give the said
Condapah Five Hundred Pagodas more if he would retract
the Declaration he had so given before the said John Holland
and his Council on the said Fifteenth Day of the said Month
of September and the Jurors aforesaid upon their Oaths
aforesaid do further present that the said Avadanum
Paupiah Bramin, Avadanum Ramah Saumy Bramin,
Sunkaraporam Vencatachella Chitty, and Oppeyengar Bramin
did further on the Nineteenth Day of the said Month of
September encourage excite and persuade One Rencoo Row
otherwise called Appajee Row to support and maintain
certain false Charges and accusations tendeing to injure the said
David Haliburton and amongst other things the said Avadanum
Paupiah Bramin did on the said Nineteenth Day of the said
Month of September in the Year aforesaid desire the said Rencoo
Row otherwise Called Appaje Row by threats and encouragements
to carry Five Hundred Pagodas to Collapaulcum Condapahe
Modelly saying that he the said Rencoo Row otherwise Called
Appaje Row was desired by Venaugum Moodelly to give it
to him the said Colapaulcum Condapah if he the said
Colapaulcum Condapah would Retract the Petition he had
given to the Council on the said Fifteenth Day of September in
the said Year and say that Mr. Haliburton meaning the said
David Haliburton was ignorant of the Business and that
accordingly on the said Nineteenth Day of the said Month
of September he the said Rencoo Row otherwise called
Appaje Row at the House of the said Avadanum Paupiah
Bramin, when and where the said Avadanum Paupiah
Bramin, Avadanum Ramah Saumy Bramin, Sunkaraporam
Vencatachella

Vencatachellah Chitty and Oppeyengar Bramin were present did Receive at the
Hands of the said Oppeyengar Bramin the Sum of Five hundred Pagodas
in an Handkerchief and did accordingly as he was directed and advised by the
said Avadanum Paupiah Bramin Avadanum Ramasawmy Bramin
Sunkaraporam Vencatachellah Chitty and Oppeyengar Bramin carry the
above Sum of Five hundred Pagodas to the said Collapaulcum Condapah
on the Nineteenth day of the said Month of September at the House of the
said Sawmy of Oyneyvaram he the said Sawmy being then and there
present and then there did deliver the Message to the said Colapaulcum
Condapah as he had been instructed to do by the said Avadanum Paupiah
Bramin Avadanum Ramasawmy Bramin Sunkaraporam Vencatachella
Chitty and Oppeyengar Bramin. The Jurors aforesaid upon their
Oath aforesaid do further present that you the said Avadanum Paupiah
Bramin, Avadanum Ramasawmy Bramin Sunkaraporam
Vencatachella Chitty and Oppeyengar Bramin did encourage
excite and persuade the said Renoo Row otherwise called Appaje Row
to come on the Twenty Second day of the said Month of September before
John Holland Esquire President and James Henry Casamajor and
Edward John Holland Members of the Council of Fort Saint George
and forming the Government thereof and did make a false Declaration to
them that he had been sent on the Nineteenth Day of the said Month
by One Venaugum Moodelly on the part of a Gentleman meaning
the said David Haliburton with five hundred Pagodas to Received by
him the said Renoo Row otherwise called Appaje Row at the hands
of the said Oppeyengar Bramin and with a promise of Five hundred
Pagodas more to endure him the said Colapaulcum Condapah to Retract
from the Declaration he had given on the said Fifteenth day of September

against

against the said David Haliburton altho he the said Renos Row otherwise called Appajee Row knew the same to be false and maliciously contrived by the said Avadanum Paupiah Bramin with a view to draw upon him the said David Haliburton the censure of the said John Holland James Henry Casamajor and Edward John Holland as the Government of Fort Saint George aforesaid and thereby Subject the said David Haliburton to the Loss of the Stations he held as a Member of the Board of Revenue and Persian Translator and the Jurors aforesaid upon their Oath aforesaid do further present that you the said Avadanum Paupiah Bramin, Avadanum Ramasawmy Bramin, Sunharaporam Venkatachella Chitty, and Oppeyengar Bramin by reason of your Conspiracy aforesaid did Cause and Occasion that the said John Holland James Henry Casamajor and Edward John Holland then forming the Government of Fort Saint George aforesaid on behalf of the United Company on the Grounds of the false Charges so as aforesaid made against the said David Haliburton on the Thirtieth Day of the said Month of September in the said Year of our Lord One thousand Seven hundred and Eighty Nine Remove the said David Haliburton from his said Stations of Member of the Board of Revenue and Persian Translator by which Conspiracy as aforesaid of the said Avadanum Paupiah Bramin, Avadanum Ramasawmy Bramin Sunharaporam Venkatachella Chitty Oppeyengar Bramin and the Removal of the said as aforesaid he the said David Haliburton David Haliburton hath been grievously injured and oppressed which Actings and doings of the said Avadanum Paupiah Bramin Avadanum Ramasawmy Bramin Sunharaporam Venkatachella Chitty and Oppeyengar Bramin are to the Damage and disgrace of the said David Haliburton to the Evil Example of all others in the like Case offending and against the Peace of our said Lord the King his Crown and Dignity.

How

How say you Avadanum Paupiah Bramin, are you Guilty of the Conspiracy whereof you stand Indicted or not Guilty?

Prisoner. Not Guilty.

Clerk of the Peace. How say you Avadanum Ramasawmy Bramin, are you Guilty of the Conspiracy whereof you stand Indicted or not Guilty?

Prisoner. Not Guilty.

Clerk of the Peace. How say you Sunharaporam Venkatachellah Chitty, are you Guilty of the Conspiracy whereof you stand Indicted or not Guilty?

Prisoner. Not Guilty.

Clerk of the Peace. How say you Oppeyengar Bramin are you Guilty of the Conspiracy whereof you stand Indicted or not Guilty?

Prisoner. Not Guilty.

At the Request of Sunharaporam Venkatachella Chitty Mr. James Stuart Hall is admitted by the Court as his Counsel — Avadanum Paupiah Bramin Avadanum Ramasawmy Bramin and Oppeyengar Bramin Request that Mr. John Wilkinson be Admitted as their Counsel — The Court refuse the Application as Mr. John Wilkinson was not admitted to plead in the Court, but the Court inform the Prisoners they may have the option of any Gentleman who has the Authority of the Court to plead therein —

All the Prisoners then pray leave till next Sessions to Traverse which is over Ruled and the Prisoners are informed that their Trial will come on the next day, and if they will give in the names of any Witnesses they wish to call — The Court will Order the Sheriff to Summon them —

The Prisoners pray to have half the Jury Natives — Refused as being granted only Where the Offence is Capital —

The following Gentleman are then Sworn upon the Petit

Petit Jury the Prisoners not having any objections to any of them

Mr. William Jones Foreman

James Brodie — Thomas Stephens
Michael Topping — Peter Massey Casson
John Tulloh — John Hall
Henry Sewell — Hugh Jones
Francis Labour — Philip Mannington

and

Paul Bonifas

Clerk of the Peace Gentlemen of the Jury look upon the Prisoners and hearken unto their Cause — You shall know that they stand Indicted by the names of Avadanum Paupiah Bramin, Avadanum Ramasawmy Bramin, Sunkarapooram Venakatchella Chitty and Oppayengar Bramin then of Madras aforesaid (here the Indictment is read) upon which Indictment they have been arraigned and thereunto have pleaded not Guilty: your Charge is therefore to enquire whether they are Guilty of the Conspiracy whereof they stand Indicted or Not Guilty and hear your Evidence.

David Haliburton Called and Sworn: from the time that Mr. John Holland succeeded to the Government of Fort Saint George in February One thousand Seven hundred and Eighty Nine and that his Brother Mr. Edward John Holland came in Council Mr. Saunders Mr. Macbray and myself who then found the Board of Revenue observed a Disposition in Government, I mean the Majority of that Government, to thwart all the measures of the Board of Revenue and to find fault with them on Several

several Occasions as the Records will shew it was perfectly understood by all Classes of Natives that a disagreement subsisted between Government and the Gentlemen who composed the Board of Revenue, but particularly myself and the idea was very much encouraged by Avadanum Paupiah the Dubash of Messieurs John and Edward John Holland, who took Care on all occasions to represent his Masters Power and of Course his own the influence over his Masters being perfectly Notorious as Paramount to any Act that might pass from an Inferior Board. In February or March One thousand Seven hundred and Eighty Nine a Petition was sent to the Board of Revenue from certain persons amongst whom was Oppayengar one of the Prisoners at the Bar, praying that a fixed Waroo Chettum or standard for the division of the Government and Cultivators shares of the various Crops in the Sayhee and established by the Board of Revenue at the Recommendation of Mr. Brighton the Superintendant of the Sayhee in One thousand Seven hundred and Eighty Six, should be abolished and that another Division more favorable to the Petitioners should be substituted but the Board did not think proper to alter it. In the following May One thousand Seven hundred and Eighty Nine the Government Wrote a Letter to the Board of Revenue proposing the Expediency of altering the fixed Waroo Chettum established in One thousand Seven hundred and Eighty Six. The Board of Revenue on this Occasion also were unanimously of opinion that it would not be expedient and gave their Reasons at large on their proceedings for the Justice of the standard Established in One thousand Seven hundred and Eighty Six, which had never been Complained against before. In May or June One thousand Seven hundred and Eighty, the Government informed the Board of Revenue that they had been pleased to extend the limits of the Betle and Tobacco Farm to Ten Miles

Miles round Madras — about this time a Petition was received by the Board of Revenue from several hundred Inhabitants Complaining of the extension ordered, in consequence of which sensible of the hardship that would be imposed upon these People they recommended to Government to allow the Renter a Deduction in his Rent to the Amount he valued his Advantages by the extension Rather than to pursue a measure which was Considered as grievous and oppressive to the people, the remonstrance however of the Board of Revenue had no effect for the limits were extended according to their Order and Chokies or Custom Houses were erected to the distance of Ten Miles, nothing more came before the Board of Revenue on this Subject after that time but on the Twenty fifth or Twenty Sixth day of September One thousand Seven hundred and Eighty Nine I received the Letter which I now deliver into Court

Letter Read by the Clerk of the Peace as follows

To Mr. David Haliburton,

Sir

A Petition having been Delivered into Government by Condapah Inhabitants of Collapauk and Sawmy of Alyanavarim Representing as follows — "That Sunka Channa Pistamah Chetty Renter "of Pettle and Tarm has by Order of Government extended the limits "of the Mettoo or Chaukies as far as ten Miles your Petitioners and "some other Inhabitants come to the Fort to make a Complaint, Mr. "Haliburton who was then in the Fort Square Called your Petitioners "and told them that your Petitioners are ignorant and senseless "People and that if they will take advice their Business will "be effected your Petitioners Readily agreed to acquiesce to his Council "upon which Mr. Haliburton told them that the present Order for extending "the

"the limits of the Mettoo or Chokies as far as ten Miles has been given "only by the Governor, against the pleasure of his Committee and if "your Petitioners can pull off the Chokies or Huts now extended, and "Commit such Disturbances as the Complaint may be brought to "the Committee, he promised to exert to the utmost of his power for "Removing the Chokies — Your Petitioners relying on his promise "pulled off the Mettoo or Chokies" I am therefore directed to acquaint you the same is now Communicated to you in order that you may have an Opportunity of replying to what has been stated with respect to your interference —

I am Sir

Your most Obedient Servant

Chas. N. White Secy

Fort St. George

24th September 1789

Exam: Dan: Ince

With the Information which I then possessed and which proved afterwards to be true I thought it rather extraordinary that there should have been Deputations before the Governor and Council by these men Condapah and Sawmy and a variety of other informations given at the Board Relative to this Complaint without being Communicated to me in that Letter of the Twenty fourth September for it will be found that most of the Informations had been taken on the Twenty Second of September previous to the date of this Letter; I was informed that meetings had been held at the House of Daupah to concert a Scheme against me, at this distance of time it is impossible to recollect who these People were who gave me the information but I was perfectly convenced at the time

it

it was true — I only remember that the Bullie Reader himself Sunka Chennah Kistnamah Chitty came to my Garden House very early in the morning about the Twenty Fourth or Twenty Fifth of September and informed me that there was a Scheme carried to remove me from the Board of Revenue and he mentioned the names of the four Prisoners at the Bar but he would tell me no more from his dread and apprehension of Paupiah who had the authority of the Place over the Natives, and it was to this Fallacy in my Letter to Government of the Twenty eighth of September in answer to the Letter of the Twenty fourth of September in which Letter after denying the whole Charge I said it was a fabrication of Men who wished to injure my Character and Deprive me of my Situation in the Service but the most Remarkable part of the Plot and on which Sunka Chenna Kistnamah Chitty did not chuse to speak to me was with Regard to the five hundred Pagodas which I was afterwards informed the four Prisoners had Contrived to send by a Bramin to whom they chose to give on that occasion the name of Appagee Row whose real name however is Renga Row as has been discovered within these few Days which Money they sent by Appagee Row to Collapenkum Condapah as if it came from Venaguen as on my part, at the same time Collapenkum Condapah being privy to the Scheme tending to Charge me with Subornation of Perjury in wishing Condapah to Retract from the Information he had before given to the Board — On the Thirteenth of September I was summoned to attend the Consultation Room and this is an Extract of the Minutes of Consultation which passed on that

Occasion

Occasion

Extract from the Minutes of Consultation 30th September 1789

Mr. Haliburton attends agreeable to the Resolution of yesterdays Consultation.

Having applied for a Committee to be appointed Mr. Haliburton is informed that the Board are ready to enter into any further enquiry on the Subject and that he will be at Liberty to Cross examine any Person or to produce any other Witness or Evidence Relative to the Representations against him.

Mr. Haliburton Replies that he made application for a Committee to be appointed and if his request cannot be complied with he wishes to decline further Proceedings in the Matter — declaring likewise that he is ready to affirm on Oath in the most Solemn Manner, that what has been alledged against him is false and a Fabrication — Mr. Haliburton is then desired to withdraw.

The President observes he is so fully sensible of Mr. Haliburton misconduct in this Business that he proposes Mr. Haliburton should be removed from his Office at this Presidency and appointed Paymaster at Chunder Ghurry.

Mr. Edward John Hollond is of opinion that Mr. Haliburton should be appointed Paymaster at Chunder Ghurry as proposed by the President.

Mr. Casamajor does not think the fact of Mr. Haliburton's misconduct is established — it is only from the assertions

of Condapah and Savery that it can be established and he has already recorded his Sentiments of the insufficiency of the Evidence given by three Persons Mr Casamajor cannot therefore concur in the Removal of Mr Halliburton from his Station at the Presidency and he conceives the proceedings are informal in Reference to the Instructions contained in the General Letters from the Court of Directors dated 14th January and 13th April 1774.

Comp.

S Falconer

Esq.

A true Extract

Robert Clerke

Dep. Secy.

I shall here inform the Court that my Reasons for refusing to acquiesce in the enquiry being gone into before Council as proposed was that I had a Conviction in my mind that Messieurs John Holland and Edward John Holland composing the Majority of Council at that time were parties in the Business but rather Submitted to the hardship which I knew would be temporary.

The next day I received my Letter of appointment to Chinder Ghurry which I deliver into Court - Read as follows -

To Mr David Haliburton.

Sir.

I am directed by Government to inform you they have thought proper to appoint you to be Paymaster at Chinder Ghurry by which your Office of a Member of the Revenue Board and that of Persian Translator are vacated. You are in Consequence to deliver over to Mr Joseph Garrow the Charge of the Office of Persian Translator who has been appointed to succeed you in that Department

I am

I am further directed to desire you will proceed to your Station at Chinder Ghurry with all Convenient expedition.

I am Sir

Fort St George
30th September 1789

your most Obedient Servant
Chas N White
Secretary

The Court of Directors were pleased on the first view of the Proceedings to Restore me to my former appointments.

The Counsel for the Prisoner Sunkaraporam Venkatachellam Chetty objects to the hearsay Evidence which implicates him - particularly about the Five hundred Pagodas - Objection over Ruled by the Court.

The other three Prisoners pray the same Right of Objection - which is also Overruled.

Counsel for Sunkaraporam Venkatachellam Chetty asked for the Production of Papers before entered - Granted.

2d By the Prisoners Panpiah - was any person present at the Conversation between you and Sunka Chenna Krishnamah Chetty?

Ans No.

2d What reason had you to say I had such influence over Messieurs Hollands as to be paramount to that of any inferior Board?

Ans It was the General Opinion - It will be proved in the Course of the Trial that Panpiah was present at most if not all the Meetings of Council when the Enquiry took place - No other Governor's Dewan Dubash had ever been present before the Council especially where there was an Interpreter - it of course appeared therefrom that he had a Superior Influence over his Master.

2d You say we were all present when we contrived to send the Five hundred

Pagodas

Pagodas by Appagee Row to Colapauhaun Condapah — How do you know that as yow say you have forgot who told you so?

A.r It will be proved in the Course of Trial

2.d Recollect when and where you were so informed was it one time or often?

A. I cannot Charge my Memory at Present

2.d After the beginning of the Enquiry whereof Mr. Mitchell was a Member respecting this Business were you not at Pondal ul Comauk Garden?

A. Yes I have been there with the leave of Sir Charles Oakeley — The Committee has been appointed about five or Six Months

2.d Did you meet Condapah Sawmy and Appagee Row there at different times?

A. No. I never met them there at all neither Separately or together.

2.d Did you ever meet them at any other Place or Places?

A.r Yes frequently:

2.d Relate all that passed between you and them about this Business?

A.r A Man of the name of Audy Narrainah Brahmen in the Service of the Nabob came to me one Day and told me that three Men Colla=pauhaun Condapah and Appaveram Sawmy had been sammoned to attend the Committee and that they had Committed so great a Crime towards me they did not know what punishment might be inflicted on them and in short were full of Contrition for what they had done — I told Audy Nar=rainah that a Committee had been appointed by Government to enquire into this affair and however great the injury they had done me by the false Oaths they had taken I was Disposed to forgive them as far as Rested with me but they must tell the truth whatever it might be before the Committee and keep nothing concealed — Audy Narrainah went and told them what I said and upon that assurance one of them Condapah came to me and afterwards Sawmy — they fell at my feet and implored forgiveness for the crime they had committed and told me in General terms the manner in which they had been induced by threats from Paupiah to take a false Oath against me — I told them they must go to Mr. Mitchell.

2.d Are you sure you did not send for these People, or did they come voluntarily of themselves?

A.r

A.r As I understood from Audy Narrainah they came Voluntarily to him. I did not send for them.

2.d Have any other Person or Persons been at your Garden from Pondal ul Comauk on Account of this business?

A.r Not expressly on this Business.

2.d Declare what they said on this Business?

A.r Ram Row the Dewan of Pondal ul Comauk came and paid me one visit in which he mentioned a business in which Paupiah had been Immediately concerned with him about an Arrest he had against him and also to speak in favor of a Man Cawal Ram a Soucar whom Paupiah had used very ill, and in the course of Conversation Ram Row told me to the same purport I have just related, that those Men Condapah and Sawmy had come to him or Audy Narrainah and expressed their Sorrow for what they had done against me.

Robert Clark Sub Secretary Sworn

He says he was Sub Secretary in One Thousand Seven Hundred and Eighty nine — That the Paper he delivers in is the Translation of the Petition of Sawmy and Condapah by name Sawmy — The Original is not in the Office — I saw it in the Council Room when the Business was going on —

To the Honble John Holland Esq.r

President and Governor of Fort St. George

The Petition of Sawmy of Appaveram and Condapah of Collapauk

That Sunkoo Chuma Kistnamah Chitty Renter of Betle and Tobacco Farm has by order of Government extended the limits of Melloor or Chowkies as far as Ten Miles. Your Pet.rs and some other Inhabitants came to the Fort to make a Complaint — Mr. Halliburton who was then

in

in the Fort Square called your Petrs. and told them that your Petrs. are ignorants and senseless People, and that if they will take his advice, their Business will be effected your Petrs. readily agreed to acquiesce to his Counsel upon which Mr. Halibuton told that the present order for extending the limits of the Mettoor or Chowkys as far as ten Miles has been given only by the Governor against the Sibaums of the Committee, and if your Petitioners can pull off the Chowky or Huts now extended and commit such disturbances so as the Complaint may be brought to the Committee the power to exert to the utmost of his power for removing the Chowky your Petitioners relying on his promise and pulled off the Mettoor or Chowkys.

Condajah
Sammy

A true translation as near as can be from the original in Malabar Language

Anna Sammy
Translator

The Letter of David Halibuton which I deliver in Tribune the Original Letter he sent into Council.

To the Honble John Bolland Esqre
Governor in Council

Honble Sir

After a service of near Twenty Years in this Establishment during the greatest part of which I have held a confidential Station of Persian Translator and also been employed as a Member of the late Committee of assigned Revenue and of the present Board of Revenue you will easily conceive the Mortification I must feel in being called upon to answer the Representation stated in your Secretary's Letter to me of the 26th Instant.

The improbability of what is therein specified must I think be evident on the smallest consideration of the subject for it cannot surely for a moment be supposed that after the determination of your Honble Board to support the Beattle Renta in this Claim was so well known, and after I had as a Member of the Board of Revenue obeyed your order on the subject I could in so unprofessional a manner have taken the forbidden method represented to you in opposing a Resolution of Government with respect to the Petitioners I am told Sammy has not the least Knowledge of the English language and is therefore Guilty of a palpable and glaring falsehood in asserting various circumstances to have been spoken by me and which he could not understand — I understand the other Petitioner is said to be a person of notorious bad Character, but to shew the falsehood of his motive I need only mention that he is an Inhabitant of the Village of Collespaukum situated beyond the innermost extended limits of the Beattle Renta and of course could not be affected by that measure yet inconsistent and improbable as the whole of their Story appears at first sight as I have been informed from Public Report that they have both Sworn to the truth of it before your Honble Board it is a Duty I owe to myself and Community at large to solicit an investigation of it, the more so as I have the strongest reason to believe there have been secretly the Instruments of others who have acted with a view to injure my Character and to deprive me of

My

my Jurisdiction in the Honorable Company's Service. —

I have therefore to request that you Honble Board will appoint a Committee of Gentlemen to investigate the matter fully with all the Injurious Circumstances — that they be desired to ascertain the Characters of the Petitioners and whether they have acted under the influence of Interest or Fear in bringing forward the Complaint against me that I be allowed to cross examine the parties or put questions to them through the Committee and produce evidence in Refutation of this charge — I make this request with greater confidence as I have not been found to the Servants of the Honble Company and that you will consider it as a fair and impartial mode of proceeding. I shall not at present trouble you with the Answers to the Petitioners Condapah and Sawmy are false, unfounded which I am ready to affirm in the most solemn manner. — I have the Honor to be

Honorable Sir
your most Obedient
Humble Servant
David Haliburton

Fort St George
28th Sept. 1789 —

The Papers shewn to me marked B is a true Extract of the Consultation — Book F containing the Board of Consultation is Sworn to by this Witness. —

At the instance of the Counsel for Soobaraya Vencatachellum Chitty, the Petition of Sawmy and Condapah Depositions of Sawmy & Condapah and Letter of Mr. Haliburton

Haliburton have been read together with the following Depositions of Condapah and Sawmy Read as follows. —

Fort St George 15th September 1789.

Sawmy being called in and questioned as to what he knows of the matter declares that one day he was near the Bell place in the Fort Square and saw Mr. Haliburton beckon to Condapah to come to him, at this time Condapah called him and they both went accordingly — Condapah spoke English to Mr. Haliburton which he did not understand but heard the words Government, and Committee, mentioned by that Gentleman — after leaving Mr. Haliburton, he asked Condapah why he called to him, and upon this the said Mr. Haliburton promised to protect them in case they pulled down the Chokies and made their Complaint to the Board of Revenue. —

Condapah being asked if the will take his Oath to the truth of what is stated in his Petition, and he answers that he is ready to swear to the truth thereof at Trevatore, or any other Pagoda and Sawmy says he is ready to attest his Declaration on Oath in the same manner. —

Being asked, if any other person spoke to him on the subject or held out any encouragement Condapah says only one Gentleman (Mr. Haliburton) had spoken to him. —

One of the Inhabitants attending named acquaints the Board that Venatachellum, belonging to Triwally Village sent for them, and persuaded them to use Violence and Complain to the Board of Revenue, and Condapah being asked if any other Inhabitants of Purra at Madras had used persuasion with them to Complain of ill

down

my Situation in the Honorable Company's Service —

I have therefore to request that your Honble Board will appoint a Committee of Gentlemen to investigate the matter fully with all the previous Circumstances — that they be desired to ascertain the Characters of the Petitioners and whether they have acted under the influence of Interest or Fear in bringing forward the Complaint against me that I be allowed to cross examine the parties or put questions to them through the Committee and produce evidence in refutation of this charge — I make this request with greater confidence as it has not been denied to the Servants of the Honble Company and that you will consider it as a fair and impartial mode of proceeding — I shall not at present trespass the time of your Honorable Board further than to declare that the representations made to you by the Petitioners Condapah and Sawmy are false, unfounded and unprovoked which I am ready to affirm in the most solemn manner. — I have the honor to be

Fort St George
28th Sept. 1789 —

Honorable Sirs
your most Obedient
Humble Servant
David Haliburton

The Papers shewn to me marked B is a true Extract of the Consultation — Book F containing the Proceedings of Consultation in Sworn to by this Petitioner. —

At the instance of the Counsel for Innumaraporam Venkatachellum Chetty, the Petitioner and Condapah Deposition of Sawmy & Condapah and Letter

Haliburton shewn before ordered together with the following Depositions of Condapah and Sawmy Read as follows —

Fort St George 15th September 1789.

Sawmy being called in and questioned as to what he knows of the matter, declares that one day he was near the Bell place in the Fort Square and saw Mr. Haliburton beckon to Condapah to come to him, at this time Condapah called him and they both went accordingly — Condapah spoke English to Mr. Haliburton which he did not understand but heard the words Government and Committee, mentioned by that Gentleman — after leaving Mr. Haliburton, he asked Condapah why he had been so long, and upon this the said Mr. Haliburton promised to protect them in case they pulled down the Chokies and made their Complaint to the Board of Revenue. — Condapah is asked if the wife of the Petitioner to the truth of what is asserted in her Petition, and he answers that he is ready to swear to the truth thereof at Trivalore, or any other Pagoda and Sawmy says he is ready to attest this Declaration on Oath in the same manner. —

Being asked, if any other person spoke to him on the subject or held out any encouragement Condapah says only one Gentleman (Mr. Haliburton) had spoken to him. —

One of the Inhabitants attending named acquainted the Board that Venkatachellum, belonging to Triwally Village sent for them, and persuaded them to give Evidence and Complain to the Board of Revenue, and Condapah being asked if any other Inhabitants or persons at Madras had used persuasions with them to Complain, or spoke

Down

down the Choultries, he answers that Venaigum Modelliar & the Rest of Such Magans that if he would persuade Addevanam to pull down the Choultries, he (Venaigum) would discharge Addevanams Debt and procure his release.—

The Inhabitants are then ordered to withdraw

Examined
Dm.d Jnce

John Holland
Jas. Hy. Casamaijor
Edwd. Jno. Holland

At a Consultation Present

The Honble John Holland Esqr. Gov.r President
James Henry Casamaijor. Edward John Holland

Minutes of last Consultation Read

Condapah and Saumy who attended at last Consultation are called in, and the Original Petition in the Malabar language Signed by them being read to them by Mhunniagaroy Sworn Interpreter to the Justices, they take their Oaths according to the Custom of their Cast to the truth of the contents

The Particulars mentioned by Saumy inserted in last Consultation, are read and explained to him by the Interpreter, and Saumy declares on Oath to the truth thereof

Condapah and Saumy are then ordered to withdraw

At a Consultation Present

The Honble John Holland Esqr. Gov.r President
James Henry Casamaijor Edward John Holland

Minutes of last Consultation Read

Condapah

Condapah and Saumy being called in, the Governor acquaints the Board that he has been informed attempts have been made to Suborn the Persons who gave Evidence at the two preceedings Consultations to retract their Declarations — the Sworn Interpreter to the Justices being employed as Interpreter.—

Condapah and Saumy are then Sworn to declare the truth to such Questions as may be put to them.—

Question— Have any Attempts been made by offering bribes to you, or in any other manner to make you retract your Evidence or declare differently from what was mentioned by you before this Board—

Condapah— On Friday afternoon at 5 Clock when I was staying near Saumy's House, a Braminy (pointing to the Person who is present) called Appagee Row, came to me and said to me you went and declared before the Board something against a Gentleman, and Venaigum Moodelliar, did you said he gain 10 Pagodas by it, and you being poor, I will give you 500 Pagodas in hand, if you will accuse Addee Narain, or leave this place and go to the Northward and as soon as I had proceeded one Stage he (Venaigum) would give another 500 Pags. I answered that he would not give 500 Pagodas but if he would bring the Money in hand, then I would do as he directed, afterwards in the Evening about Sun set the said Appagee Row and Venaigum Moodelliar were standing near Settambalam Moodelliars Garden, near Choolie, and they called me, and Venaigum Moodelliar told me that he would Satisfy me according as he had sent word by Appagee Row, if I would not declare any thing against him and Mr. Haliburton, Venaigum Moodelliar then told me to come to him on Saturday but I did not go to him — on Saturday at 11 Clock in the forenoon the said Appagee Row came to me and told me that I had not come to him (Venaigum) Moodelliar) as I had promised, I answered that I would never go to Venaigum Moodelliar, but if he was the Man that would give me

of 9 oClock in the Evening, I came to my house, and found Condapaik there, who asked me, where I came from, and I answered, from the Manilla Town, in the mean time Appaju Row, came and sit near Condapaike, when I ask'd Condapaike, what made Appaju Row come there at so late a time in the Evening before Condapaike made me any answer, Appaju Row took a bag of Money and put it into the hands of Condapaike saying at the same time as he was poor to take notice of him as soon as Condapaike had the Money in his hands he took it, and said to me what is to be done with this? I answered, this moment we should take the Money before the Governor and Sirgu Appaju Row, and if we do not do so, it will be bad for us, as we shall be punished, as I thought at the time, if we did, not make known the circumstances immediately to the Governor of the bribe offered, that we should bring ourselves into trouble, by being liable to be charged with receiving Money for the purpose of giving false Evidence — In the mean time Appaju Row said to why do you make this trouble take the Money and excuse Addee Narrain for having persuaded you to declare what you have said before the Board or leave the Settlement and go away — I answered, all this must go before the Governor to be settled; and Sirgu Appaju Row and was carrying away, when Condapaike called to Eddooya Saug the Neighbour house Man; as a Witness, that we carried Appaju Row to the Governor, and Condapaike Appaju Row, and I went with the Money and laid it before

The Governor

Governor, and after mentioning the circumstances, the Governor ordered us with the Money under Guard

I Sworny declares, that the handkerchief containing Money, and produced by Condapaike, is the same which was delivered into the hands of Condapaike, by Appaju Row, at his House, on Sunday night

Appaju Row is Sworn to declare the truth and declares as follows

I live at Triplicane and being without Employ I applied to Vinaigum Moodiliar to get me Employment, and I have since been working by him he promised to get me Employment but has not to this time — On Friday Vinaigum Moodiliar asked me if I would make an Agreement between him, Condapaike and Sworny, respecting the business of the Battle Pamochokies that they had against him and he asked what Condapaike he meant he answered Coolapauken Condapaike; I told Vinaigum that I know him, and he asked me, how I know him upon which I said I had known since the time of the War when we all came into this place as an Asylum — Vinaigum said the business of which I am going to request of you will you do it for me without telling any other person know it, I answered I will do it but if Condapaike does not come into the agreement what must I do Vinaigum said however you are acquainted with him; and you had better go and try and if he does not agree, then I will send some other person and make him agree — I told Vinaigum that I would go and try all that I could but if it was not Settled dont you accuse me of having spoiled the Business as I am poor

Upon unwaiting your favor Venaygum said very well and
soon afterwards I asked him what I should do he told me
to go to Condapaka, and say to him, did you gain 10 Pagodas
or any other Sum by informing and swearing before the
Board against him, and Mr Haliburton, and to say to Con-
dapaka if he would alter and declare before the Board that
Addie Narrain had persuaded to say what he had done
or else to leave the Settlement and go away, that he
would give him Condapaka 1000 Pagodas 500 of which
to be paid in hand, and the other 500 to be paid on
causing Addie Narrain, or on his business the Settlem
accordingly I went to Condapaka, and Sawmy and
related to them what Venaygum had said to me as
before mentioned they said very well, bring the Mo
and we shall speak to you about it Soon after I
back to Venaygum and told him what Condapaka
and Sawmy had said to me - Venaygum told me I
going to Tellumbiram Moodelliers Garden at Choolay
you had better go and bring them to me there - I accord
ly went to Condapaka and carried him to Venaygum Mood
liar I stood at a little distance, and they both Venayg
and Condapaka spoke together Condapaka came back af
speaking a little while, and Venaygum told me that Con
dapaka had promised to come to him the next day I
send my wife, and we went away - Notwithstanding
Condapaka did not come to Venaygum the next day
as he had promised, Venaygum Moodelliar told me
that Condapaka did not come as he had promised

Therefor

therefore said you will take the Money 500 Pagodas and go to Con-
dapaka and give it to him according to the Agreement you made
with him Accordingly on Sunday Venaygum gave me the
Money and after receiving it I desired him to send another
of his own people with me as I was afraid, it being so late at
Night to carry the Money alone Venaygum told you dont
know, my man should not be with you, and I will trust you
to carry it yourself I carried the Money to Condapaka where
he was sitting on Sawmy Moodelliars House, the Door being
shut I called out the name of Condapaka and he opened
the Door, and received me into his house, I went in, and
sat upon Pyal, and told Condapaka that I had brought
the Money from Venaygum Moodelliar for the purpose
of the business, I said Venaygum had mentioned to him
Condapaka desired me to give it into his hands, and I gave
it accordingly after receiving it into his hands, I told him
you have received this, and I being a poor Braminy give me
something for my Expence - Condapaka asked me how much
I wanted, and I said give me 50 Pagodas Condapaka said
very well, we shall carry this Money and keep it in the
presence of the Governor, and then I will relate this Matter to
the Governor, and if he gives the Money to us I will give you
50 Pagodas I asked him, why so, and Condapaka told me you
dont know the Conduct of Venaygum, he would now give the
Money and Tomorrow prosecute you in the Mayors Court
and get it back then it would happen trouble for you
and me, and Condapaka directly seized me to carry me to
the Governors Garden, - I told him, dont you force me I

will

him in such case which I promised him to do accordingly I then
I had Satisfied Paupiah and sent for Addee Narrain and told
him that I heard he incouraged the Country People to Oppose
the Orders of Government and that he was once ordered by the
Government to go out of the Settlement and if he acted imprope
by it would happen to him again In the Manner I made
Addee Narrain afraid in order to get his friendship and not
to give more trouble in applying to the Gentlemen of Govern
ment Addee Narrain told me he had nothing to do with it
and if it was inquired into, I should find out who was at the
bottom of it and I do not Recollect any thing more of the Matte
Tuncoo Chinnah Kistnamah Chitty then withdraws and Add
Narrain is called in sworn to declare the truth

Qr. Do you know any thing of the late Difficulties in establishing the
Battle Cholkies and who was the occasion of them

Addee Narrain, The name of the Inhabitants had been con
cerned by Order of Government for making trouble, I went to
Battle Renter Kistnamah Chitty in order to get leave to send the
Natives Venaiguim Moodeliar sent his Peon to call me to ans
for the Payment of a Debt I owed him of 500 Pagodas on a joint
Bond with three other persons accordingly I went to Venaiguem
Moodeliar who did not speak to me any thing about the
payment, but told me the Cholkies which was pulled dow
by his order I had indeavoured to set again with the Renter
and he begged me not to establish it, I told him I could no
do it when the Cholkies was established by Sepoys sent by
Order of Government and I said I did not think it was don
by the Renter himself, but by an Order of Government, afte
wards for five or six days I was kept at home and lately I was
a Slip at my house, when one of Venaiguem's Servants cal
Rajah awoke me and told me his Master wanted
me and I desired to go to him the Servant told me that he would

have the Money from me that same Moment by making me stand in the
Street untill I paid — I told the Servant it was improper for him to do
so while there is Justice to make me pay, and refused to go with him to
his Master one hour afterwards I went to Venaiguem and he told me
you assisted the Battle Renter in order to fix the Cholkies will you not
get the Money now to discharge the Debt? I answered nothing to it and
he said he would sue me in the Mayors Court for the recovery of it — I
came away directly — sometime after Settambalum Chitty sued me in the
Mayor's Court and caused me to Jail I desired my Brother and Pramboro
Comrapah Moodeliar to go to Settambalum Moodeliar by means of Venkiah
in order to release me from Jail upon making Agreement for the Debt —
when I heard from Comrapah Moodeliar and my Brother that Venaiguem
told Venkiah in their presence that I should not be released as I had
assisted the Battle Farmer in fixing the Cholkie to ruin 20 000 of the
Inhabitants and that in Case Settambalum Chitty should release
me that he Venaiguem would sue me in the Mayors Court and
make me to remain in Jail for ever. —

Ordered that the Handkerchief said to contain 500 Pagodas
be deposited in the Cash Chest under the Seal of the Company —

The Board adjourn untill to morrow Morning at 10 Clock

John Holland
Jas. Hy. Casamajor
Edwd. Wm. Holland

Examined
Danl. Innes

William Harrington Sworn

In One thousand Seven hundred and Eighty Nine I was Depety Secretary to the Board of Revenue and I am now Secretary thereof — I deliver in the Original Petition of the Inhabitants which had been delivered by Government, and by them sent to the Board of Revenue and was received I believe on the Eighteenth February One thousand Seven Hundred and Eighty Nine as endorsed thereon —

To the Honble Major General Sir Archibald Campbell K. B. President and Governor &ca in Council

Fort St George

The humble Petition of the Inhabitants in General of the Honble Company's Jaghire

Most humbly Sheweth

That Your Petitioners and their Ancestors have time immemorial been Inhabitants of the Lands granted by his Highness the Nabob of Arcot in the Year One thousand Seven hundred and Sixty Three to the Honble Company by way of Jaghire and have Constantly employed themselves in cultivating the Land situated within the Same for which they have been accustomed to receive a Certain Share or proportion of the Produce and therewith to Maintain themselves and their Families. —

Your Petitioners further beg leave to State that the Proportions your Petitioners were thus accustomed to receive were established in each Village by immemorial Custom and was similar to that established all over India by Hindoo Rajahs and afterwards acknowledged by the Mahomedan Princes who succeeded to their Right. —

Your Petitioners further beg leave to shew that the Proportions or Shares of the Produce were intended as a Compensation for the Labor bestowed in the Cultivation of their Land and differed in different Villages according to the fertility of the Soil and

and the facility with which it might be watered: Where the Soil was naturally good and its Situation rendered it capable of being easily watered it has ever been the Custom that the Lord of the Soil should have larger recompence in Proportion to those advantages and that the Cultivator who had less labour to bestow should be satisfied with less and where on the Contrary the Soil was not so good nor the Case with which it might be watered so great the Lord of the Soil was satisfied with a Smaller Recompence in Proportion to their disadvantages and the Cultivator who had more labor to bestow received a greater; such Your Petitioners humbly shew have been the Regulations respecting Lands all over India from the most remote times and such till very lately have been the Regulations observed in the Lands which your Petitioners Occupy

Your Petitioners further beg leave to shew

That these established Regulations have not only the Venerable Sanction of Antiquity ... but what your Petitioners know will have greater Weight with Your Honor &ca they have the more Venerable Sanction of Equity and of Justice and Your Petitioners therefore humbly throw themselves at Your feet to represent to your honor &ca that these Regulations so wisely and so reasonably established and so long and so Constantly observed have within these two Years been broken through by the present Collector of the Revenues of the Lands which Your Petitioners Occupy and they have all been ordered to pay exactly the same Proportion tho the same Labor will produce in some of the Lands they Occupy but half the quantity of Grain it will in others and Consequently many of Your Petitioners will receive but half as much for their Labor

Your Petitioners further beg leave to represent that those Innovations which bear so hard upon many Individuals of Among Your Petitioners are the less Reasonable as they are not of any advantage to the Honble Company for their actual receipts

and

and Collections at present are not more than they were formerly and they must on the End be greatly diminished as it will be utterly impossible for many of Your Petitioners to pay the Proportion at present required from them and have Sufficient left to maintain themselves and their Families—

Your Petitioners are unwilling further to urge because it must be painful to Your Honor &ca to recollect the cruel Devastation your Petitioners suffered in their Cattle their Houses and their Substance of every Sort during the late Merciless War— Amidst these Misfortunes it was no small Consolation to them to reflect that they lived under a Mild and humane Government who as soon as the Sword was sheathed would hear their Complaints and as far as was reasonable relieve their distress— They humbly trust they have not hoped in vain— They humbly hope they shall not now when publick Tranquility is again restored be the only persons excluded from sharing in its blessings or be the first who shall have occasion to Complain of the rigour of a British Government to whose Mild and impartial Administration they have ever been taught to look up with Reverence— They intreat they may not be forced away from their native fields from an inability to subsist any longer upon them but that Your Honor &ca will be pleased to order the old Customary Regulations to be again re-established or such other relief as may be fair and reasonable and your Petitioners and their Families and their latest Posterity

Shall Ever Pray

Curingoodie District Signs by 9 Inhabitants

Sallapaiukuan

Tirupalum

Vontua=

10

Vootaramullore

Saville mauhonum

Ponnary

Canjuraram

Chunglepatt Inhabitants

Covalum

Pondamully

Munnee Mungalum

Pedda Paulum

Cauvam Tondulum

Attiamun

Avabanum Paupiah Bramin, Avadanum Ramah Savamy Bramin, and Ossheyrigar Bramin pray that they may have the Advantage of the above Papers as if produced on behalf of all the Prisoners at the Bar—

George Mowbray Sworn

Q.r Were you a Member of the Board of Revenue in One Thousand Seven hundred and Eighty Nine when Mr. John Holland succeeded to be Governor of Fort Saint George and President of the Council thereof and who were the other Members of Council and of the Board of Revenue at that time

A.r I was—the Members of Council were Mr. John Holland Mr. James Henry Casamajor and Mr. Edward John Holland—Mr. Edward Saunders, Mr. David Haliburton and myself were the Members of the Board of Revenue, at which Mr. Edward John Holland was some Months afterwards appointed to preside.

Q.r Did your proceedings at the Board of Revenue meet the Customary Support of Council during the above period

A.r So they were in general disapproved—The Resolutions of the Board of Revenue were generally disapproved by Government.

Q.r Do you know or have heard whether Mr. John Holland and Mr. Edward John Holland were desirous of removing Mr. David Haliburton from the Board of Revenue and was it on account of the Business of the Bottle Farm or how otherwise

A.r I certainly heard that such was supposed to be their wish and I heard that it was on account of the business of the Bottle Farm when it was first attempted

Q.r Were the Members of the Board of Revenue at that time unanimous in their Resolution about the Bottle Farm.

A.r Mr. Saunders, Mr. Haliburton, and I were unanimous in our Resolution about the Bottle Farm but it was disapproved by the Council.

Q.r Did Mr. Edward John Holland betray any Chagrin while at the Board of Revenue at his being single in his opinion on any particular Occasion

A.r He certainly shewed that he was much displeased and dissatisfied.

Q.r By the Jury—You said you heard that it was the wish of Messieurs John Holland and Edward John Holland to remove Mr. Haliburton from his seat at the Board of Revenue—was it from your own Knowledge or Report from others?

A.r It was first known to me by Report only—but that report seemed to be confirmed by the Disposition Mr. Edward John Holland shewed towards Mr. Haliburton at the Board of Revenue.

Q.r By Caupiah—what was the Occasion of the first dispute between Mr. Edward John Holland and Mr. Haliburton

A.r I cannot pretend to say what was the first point on which they differed there were no quarrels at the Board of Revenue tho' frequently warm Discussions.

Q.r Was there any difference before the Bottle business happened

A.r Yes if I recollect there was with regard to the failure of the Sagiere Renters.

Q.r Was there any other

A.r I do not recollect

Q.r What was the Original Cause of the Difference between Mr. Edward John Holland and Mr. Haliburton at the Board of Revenue

A.r I cannot pretend to say positively but I understood it was about the Bottle business

Q.r Do You not believe there was other cause of difference of opinion beside the Bottle Business?

A.r There were many others

Q.r By Sunkaraporam Vencatachella Chitty—Do you know whether I have any concern in this business

A.r I know nothing of the Matter

Collapaukum

Collapaukum Condapah Sworn

Clerk of the Peace — Relate what you know respecting the charge against the Prisoners at the Bar — I am an Inhabitant of Collapaukum and have two Yoke of Bullocks — Poonepah Mordeliar who rented Saint Magah from whom I rented a Village called Mopore for seven Years for Three thousand three hundred and fifty Pagodas — I paid the money as limited for four Years — for the next Year there was no rain and the Company ordered that no more should be received than was collected from the Landed at this time the Renter put Peons over me and pushed for payment — I told him I could not pay him then — he insisted and said he would make me pay — I was waiting and expecting to complain to Paupiah the Prisoner at the Bar. and one Day I accompanied with Vidonadum of Pesbakum Village and applied to him — since that I waited on Paupiah — during that time Poonepah happened to be there — Paupiah told Poonepah that as the Company was pleased to stop the money why should you collect Money from Condapah — If you do that he said he would insist Poonepah should pay the Money to the Company — then Poonepah afraid and said nothing and went away — Poonepah was afraid as Paupiah was Dubash to Mr. Holland the Governor and Mr. Holland the Younger who was President of the Board of Revenue (This happened about three years and two Months ago) on the next morning I happened to go see Poonepah who told me very well you Complain to Paupiah and obliged to give trouble for all of us if you come to the Village then I shall insist and flog you by Sha and receive the money since then I did not think of going to the Village or I resided here — at this time Congeveram Streenevasah Iyengar and his Son in Law Oppayengar one of the Prisoners at the Bar and some other Inhabitants of Carangoly used to come to Paupiahs House and wait there in order to remove the Waroo

Waroo Chittum and to Establish the usual one the Mamool for this purpose Sankaraperam Vincatachella Chitty one of the Prisoners and Arumbanum Ramah Sawmy another Prisoner and others used to speak that as long as Mr. Haliburton is in Committee he alway endeavoured to establish the Waroo Chittum lately fixed by Mr. Dighton and he wont let the Mamool Chittum be established at the Time this Conversation happened the Betle and Tobacco Farm was extended five Miles more than usual limits and the Inhabitants of the Villages pulled down and burned the Metoors or Custom Houses this they did two or three Times when there were sent two or three Companies of Sipoys who Brought pursons who had not done the Act — for those who had done it had run away — those were confined in the Main Guard for three or four days when they sent for me and told me they had been Starving for three or four days and desired me to apply to Paupiah and get them their Victuals — I answered I would try and I went that Evening to Paupiahs House, where I saw Oppayengar, Ramasamy, Streenvasah Iyengar and others when Vincatachella Chitty, Ramasawmy, and Oppayengar said that if Brammy meaning Paupiah would Remove Mr Haliburton from the Board of Revenue he could easily do that then Paupiah said, how can we Remove Mr Haliburton from his Station without any Faults on him but if you can bring any Faults we will Remove him — Vincatachella Chitty said, What? do you think so much about? and three or four Thousand Pagodas to Mr Haliburton, we can then complain against him for having Received it while they were talking of that I told Paupiah that the Men in

Main

the Main Guard were starving and I wished he would let them go to their Villages, upon which Pauliah was laughing at this Witness and went away — the Next day Pauliah told me to come to the Battle Renters house, Sunka Chinna Kistnamah Chitty then Pauliah, Appayengar and Rajah Sawmy sett off in their Palenquins, and I sett off afterwards and found them there with Vencatachella Chitty and Sunka Chinna Kistnamah Chitty speaking together — The Renter asked who I was, when they told me to stay at a distance; when I went out to the place where the Peons and others were standing after this Appayengar drew something on a Paper and also two Cadjans then called this Witness and said here is a Petition ready, if you give that the Prisoners in the Main Guard will be Released — let them sign it — if not let them declare that the Choukies were pulled down by order of Mr. Haliburton — directly I came to the Prisoners in the Main Guard and related it to them who refused to sign saying they would die sooner than sign, I then went to the Renters house and reported this to them — they, Pauliah — Appayengar, Vencatachella Chitty, Sunka Chinna Kistnama Chitty and Sheshachella Chitty were then at the Renters house and — Vencatachella Chitty and Appayengar said this is the Petition which is to release the Men in the Main Guard and asked me to sign it directly, Appayengar said what are you afraid to do this Business against Mr. Haliburton who has done great injury to the Pagodas and the Inhabitants and if I was you I should not mind to pull down the Pagodas and take such Oaths against Mr. Haliburton then Vencatachella Chitty told me what are you

afraid

Afraid to do this trifling business — I have done many in the Mayors Court and have Carried on the business so — wished you being a Country man have no Courage — what you refuse to do this when Pauliah tell you to do it — the Nabob or the Rajah of Tanjore cannot refuse if Pauliah tells them to do any thing — I was afraid and signed I do not Know how to read and write I can only Sign my name — I signed also to two Cadjans, & Chinna Kistnamah gave Six Fanams to the witness and desired him to send one of them to Cozatore the other to Pauliah — Chinna Kistnamah Chitty also sent a man with me to Know if I sent a Cadjan or not I accordingly sent the Cadjans — the Next day there was a Consultation and the two Cadjans were then Layed before Council — when Appayengar told me that Pauliah desired I would stay where they ring the Bell, I was Carried by the Government Peons to the Council Room — when I entered they shut the Door — Mr. Holland, Mr. Casamajor Mr. Edward John Holland, Mr. White, and Mr. Clerk were Setting there and Anna Pully Company's Translator and Pauliah — previous to this Pauliah Vencatachella Chitty and Appayengar desired me to send for Aynoveram Sawmy and desired me to get him to Sign as a Witness — at that time Pauliah threatened and frightened me that he would hang me and send me to Bencoolen if I did not get Sawmy to sign the Paper, then I desired Aynoveram Sawmy to Sign and he did so — Pauliah told Appayengar to go and shew Mr. Haliburton to me as he should pass from the Committee Room to his Chariot — before that time Mr. Haliburton had gone away — Pauliah, Appayengar, and Vencatachella Chitty told me to declare before the Board that Mr. Haliburton ordered the people to pull down the Choukies and if the Complaints be laid before the Comittee Mr. Haliburton would assist — I told befor the —

Council

Council all that Paupiah had dissired me to declare after which the Council broke up - three days after the Council Met again - the day before they met the head Kircarrah Trimaliah came to call me and said that Paupiah, Mr. Clerk and Anna Pullah are waiting and I must come soon I went to Paupiahs House - Who told me to go to Anna Pullys house where Mr Clerk was waiting to Swear me at Triplicane Pagoda I refused to go there saying if I take My Oath there I must die instantly, this is false Accusation - then Anna Pullah Paupiah Mr Edward John Holland were Speaking toge=ther - then Paupiah came and Said if they Call you before the Council and Require you to take Oath you may take the Water in your hand but not swallow it - I was then called with Sawmy into Council and the Bramin poured one Spoonful of Water into My hand which I did not swallow but poured on my Cloth - for Sivin or eight Days nothing was done - afterwards Vencatachella Chitty brought One Appagee Row - to Paupiahs house - Paupiah then told me to go with Oppeyingar and Appaje Row to Chinna Kistnamas house and bring Five Hundred Pagodas - Oppeyingar then went in and spoke to Chinna - Kistnamah Chitty and Shishachellum Chitty and Recived Five Hundred Pagodas in a White Cloth and brought it in his hand - the Cloth & Money procured in the Cloth and Sworn to by the Witness they then brought me with the Five Hundred Pagodas to a House Opposite Paupiahs dwelling House in the Black Town when Oppeyingar opened the Cloth and Reckoned the Money then Vencas=tachella Chitty was desired by Oppeyingar to go and shew Vinaigum to Appaje Row, they then went with a

Lantern

12

Lantern and shewed Venaigum and Returned back - this was at Eleven at Night - at Twelve O'Clock Appaje Row brought this Bundle of Money to me - Paupiah, Oppeyengar and Vencata=chellah Chitty told me to declare whatever Appaje should tell me about this buisness - Appaje Row accordingly told me to say that Venaigum sent this Money on behalf of M. Haliburton which you will receive & Runaway or declare that M. Haliburton is ignorant of pulling down the Chowries at this time when I was in the house of Vinaigum Sawmy Seized Appaje Row who brought the Money as I was instructed to do and desired a poor Man who hap=pened to be in the Neighbours House who seemed to be a fool to be Witness & Searched Appaje Row & the Governors Garden Paupiah was then Standing near the Gate of the Garden and called us several bad Names for coming so late and took up upstairs when Mr. Holland was lying on the Coach in his Shirt, he directly got up and brought the Shade and Candle - Paupiah brought Paper pen & Ink and gave it to Sawmy & Appaje Row to Write and likewise told me to Write Jamadar I did not know how - then he desired Sawmy to write and after three Papers were done they gave me back the Money and ordered Appaje Row, Sawmy and me to the Guard near the Governors Garden House - when Paupiah was going home we asked what have we done that you should confine us we have only done as you instructed us - why should You confine us - then Paupiah satisfyed them and said you had better Remain in the Guard only for this night as the Council met tomorrow and you will be Released - If you do not do so, they will not believe the Charge to be true Paupiahs then gave us a Carpet to sleep on and went away - all the next day we were in the Guard — The third day there was a Council when we were Carried from the Guard and I was Ordered to put the Money on the Table

Table, and asked how I come to get it, I stated as I was instructed by Appaje Row they took informations from Appaje Row Sawmy and me, The Bramin poured Water into my hand which I did not Swallow but poured on my Cloths and went away- Pauperiah and Anna Pully were there- Pauperiah was near M.r Hollond's Chair and made Signs to intimidate me by grinding his Teeth and Sifting up his Eyes.

Question by Pauperiah

Q.r What Year, Month and day did you come to me about the Village business and did any other person come with You and was any one with me.

A.r About three Years and One Months ago Parswauham, Vidonah Moodely and went to Pauperiah- There were ten or twelve persons with him at his Garden- I do not know who they were

Q.r What Years Money did the Renters demand of you.

A.r The Year One thousand Seven Hundred and Eighty eight

Q.r Was there no Rain that Year.

A.r There was no Rain.

Q.r Is that the Year the Company determined not to demand the Money from the Inhabitants.

A.r Yes

Q.r In what months did you come to me.

A.r In the Month of May or June

Q.r Is that the first time You came to me.

A.r Yes

Q.r On what Occasion did you first come to me

A.r About the Village which I rented of Pauperiah

Q.r How many days after this did you see the Prisoners and Betle Renter and Sheshallum together.

A.r

A.r About Fifteen days or Twenty days after.

Q.r At what place did you first see them.

A.r At Pauperiah's House, there I saw these People all staying there, Shanmoogah and Oppengar- lived in an opposite House Venkatachella Chitty and to go to his own House for Victuals and then returned to Pauperiah

Q.r At what Hours.

A.r In the upstair House and the other House.

Q.r How can He in two Houses at once.

A.r You went from one House to the other and the People who attended You always followed.

Q.r You say we met and talked about the Betle business where were we then, and who were with you and who without

A.r At Pauperiah's upstair House, I came alone, Oppengar, Pauperiah, Sunka Chinna Nobiamah Chitty, Sheshachella and Venkatachella Chitty were there.

Q.r Was any one else there.

A.r Many People used to come and go.

Q.r Was there one Meeting or were there several.

A.r We used to meet and Speak several days on this business at one place or several.

Q.r Some time in Pauperiah's House sometimes in his Garden, some time where he used to go to the Mahol Garden and come back.

Q.r What Garden.

A.r The Garden at Poradwauk, lately built.

Q.r Was the Garden House an upstair House.

A.r

A. It was an upstair House just begun and the Carpenters used to work, and there he used to eat a Tiffin and Cakes

Q. Was this after the Chokies were broke up

A. Yes.

Q. Who was in Company at the last Meeting when you saw Appaya and when was such Meeting.

A. The last Meeting was in September Eighty nine at Sunka Chinna Kistnamah Chitty's House, the day I do not recollect, there were present Vencatachella Chitty, Oppugangar, Sunka Chinna Kistnamah Chitty, Ramah Saumy, Sheshachellum Chitty and Tampiah.

Q. who Interpreted in the Council.

A. Anna Pully.

Q. Did you come Voluntarily to Ram Row and said I was afraid by reason of the false charge against the Gentleman and prohated at his Feet and declared I must cleared from it, Ram Row carried me to Sahib Zedah / or Nabob's eldest Son / and thence to Mr Haliburton's Garden, where Europe Andy Narrain and Ram Row told Mr Haliburton that they were poor and this was not done by them — If they would prove it by Solemn Oath at the Pagoda the truth would come out, since then I published the truth of it after General Medows arrived.

Q. Was it before or after your property was seized by the Collector that You went with Ram Row

A.

A. After they were seized by Rajah Row by Order of Mr Clerk

Q. When was your Property Restored — was it after you had given your Evidence to the Committee or before?

A. After I appeared before Ram Row I got leave and my property was restored which was before I gave my declaration to the Committee.

Q. Was your Deposition to the Committee taken before them or where was it drawn and by whom?

A. I declared and caused it to be Written at a Brahmany's house at Triplicane I brought it afterwards and gave it to the Committee — afterwards Mr Michell carried me to the Pagoda and called the Pagoda Brahmany who administered a Solemn Oath.

Q. Whose House?

A. Some Brahmany house at Triplicane I do not know of them, I used to go to Ram Rows House.

Q. Was this Declaration written at Ram Row's House or Andy Narrains

A. At Neither

Q. At whose House, Mention the same

A. I cannot tell I do not know

Q. Who Wrote the Declaration you gave to the Committee

A. My Uncle's Son one Changlevy

Q. Was your Deposition before Mr Chase as Clerk of the Justices or at the Justices House taken word by word as you spoke or was the Written Paper brought

A. It was written from the Paper which I delivered into the Committee and afterwards it was Read and Explained to me; It was explained line by line by Shunmogaroy before Mr Justice Tallipeda and Mr Chase.

Questions by Sunkaraporam Vencatachella Chitty —

Q. At what time did you see me first?

A. In May or June Eighty Nine at Tampiahs House one thousand seven hundred and

Q.

Dr. Did you ever Converse with me

A. Every day I used to Speak to you

Dr. Did any body know that I ever spoke to you

A. Pauliah, Appayengar and Ramasawmy

Dr. At what different Places did you Speak to me

A. At Pauliah's House and front house - at his Garden at Parasawauk, at the Bettle Renter's House and Governor's Garden.

Dr. In what Government

A. In Mr. John Holland's Government

Dr. Did you ever see me converse with any Person at the Governor's Garden House?

A. I saw you Speak to Pauliah two or three times there

Dr. Were any other persons present when I Spoke to Pauliah

A. I did not observe that, you used to come in your Palanquin near the Hedge and then go to the Garden and Speak to Pauliah.

Dr. On what Subject did I speak to Pauliah

A. I do not know, I never was near enough.

Dr. Was he Accustomed to be with him at any other time or place when they were Conversing together?

A. Not there but at Pauliah's House when we were Speaking about the Tobacco Business.

Dr. Did you not declare before the Committee that I was at the Governor's Garden House when Pauliah was Consulting about the Removal of Mr. Halliburton?

A. I did not say there that I went or take my Path to that Purpose

Dr. Did you ever see me at the Bettle Farmer's House?

A. Ten Fifteen or Twenty times, day and Night

Dr. Does any one know that I was there

A. Sunka Chenna Kistnama Chetty and Sheshachellum Chetty

Dr. Were there only three in the House or was the House full of Company?

A. In the Hall where Sunka Chenna Kistnamah Chetty used to Sleep

no one went there but those People

Dr. Did you ever hear me speak any thing about the Removal of Mr. Halliburton at Sunka Chenna Kistnamah Chetty's house or were you only informed thereof

A. Not at Sunka Chenna Kistnamah Chetty's House but afterwards

Dr. Did you not inform the Committee that I was five hundred times at Sunka Chenna Kistnamah Chetty's house consulting about the Removal of Mr. Halliburton?

A. Twenty or Thirty times they used to meet and speak at Sunka Chenna Kistnamah Chetty's house about this business, at last it was settled there

Dr. Did any one know of my Speaking at Pauliahs House about the Removal of Mr. Halliburton?

A. Four or five people knew that Venachellia Chetty used to stand there and shew me if I would Stamp with my Foot I might get ten Pagodas and give it to any Body and get them to make affidavit and Ruin one Man, what a Stupid fellow you are to be afraid.

Q. Do you recollect any one Man?

A. Appayengar, Ramasawmy and Pauliah

Q. Was there no other person but the Prisoners at the Bar.

A. No.

Dr. Was any one Present beside the Prisoners when you say I brought Appajee Rowto Rewiew five hundred Pagodas at Pauliahs House?

A. None but the Prisoners

Dr. Does any one know when you say I agreed to carry a Lanthorn to Venaguma's house

A. Your Servant knows also Appayengar who told you to go to Venaguma's house

Dr. Did you give any Declaration at Venaguma's House about what happened in the Bettle business after the Arrival of General Medows?

A. Poonapah the Head Magan Renter drew a Paper which he sent to Venaguma and a person at Venaguma's house Copied the Paper and gave it to me to sign, which I signed by Compulsion of Venaguma.

Dr.

2d. Did you not mention in that Paper that Audynarain was instructing you about the Removal of Mr. Haliburton?

A. I did not mention Audynarains name of myself - they wrote something as they pleased according to the Paper sent by Ramapah and forced me to sign it and two People who were there also signed as Witness which I did not like afterwards I went to the Committee and gave my Voluntary declaration upon Oath to which I swore at Triplicane Pagoda Venaguim Shitt keeps two of my Clerks.

2d. Did you not lately give a Written Declaration at Audynarains house and was any name mentioned in it?

A. I did not write any nor did Audynarain give any

2d. Did not Ramapah Audynarain and the other Audynarain tell you that I had trouble before and if you tell any thing against me Gentlemen will believe it?

A. They did not tell me so but your own bad actions induced you to think

2d. Did you not see me at Rams Row the day you swore at the Pagoda

A. I saw you several times before - and after and on that Day

2 Did I not tell Ram Row that I did not know any thing about the Removal of Mr. Haliburton and did you not then say it is now too late I have made my Declaration and have inserted your name at the desire of some One?

A. Ram Row told me Venatachellum had said he was ignorant of the business Implied that he was the person who had done three quarter part of the business - Ram Row then told that to Venatachellum who immediately went away.

2d. Is it true I went away immediately

A I saw that Venatachellum went away immediately.

2d. Who read to you the Declaration which you gave at Triplicane Pagoda.

A. Mr. Mitchell went to the Pagoda only in the morning and Philly the Interpreter had not arrived therefore the Paper was given to Audynarain who

who read it to him.

2d. Do you generally stay at Andy Narrains house.

A. Yes at his House, at Ram Rows - at Sahab Teddahs and at Madras in Chittapettah Andy Narrains House.

2d. Do you not Know that those two Narrains are my mortal Enemies?

A. I do not Know they are Enemies to you but they are friends to me

2d. Was not Chittapett Andy Narrain always with Pauliah Mr Hollands Dubash and at the bottom of the alledged Plot against Mr. Haliburton?

A. When Andy Narrain was Vakeel to the Renter of Salt magain he used to go to Pauliahs House at the time when the difference arose between Mr. Holland and Mr. Haliburton.

Charles Nicholas White

Sworn.

2d. Were you not Civil Secretary in one thousand seven hundred and eighty nine when Mr. John Holland was Governor?

A. I was.

2d. Relate what you Know respecting Mr. Haliburtons removal in one thousand seven hundred and eighty nine.

A. I understand the Prisoners are Indicted for being concerned in a Conspiracy to remove Mr. Haliburton from his Seat at the Board of Revenue by bringing forward to Council an accusation against him.

The limits of the Beetle Monopoly being extended from seven to ten miles it occasioned many Complaints and disturbances on the part of the Inhabitants in some of the Villages several Inhabitants were Seized and brought to the Fort and were likewise confined in the main Guard - after a Confinement of a few days they were called before the Board and questioned how they could behave so improperly - Two of the Inhabitants named Candapah and Saumy presented Petitions to the Board charging Mr Haliburton with having encouraged them to commit these Disturbances and to resist the orders of Government at the last Meeting of Council Mr Jno Holland mentioned to the Board that he had been informed attempts had been made to induce the Witnesses Saumy and Candapah to declare differently from what they had done at

at the former Meeting an Examination immediately took place and Londapah and Sawmy both declard that one Venaigum had by himself and his one Appaja Row offerd them Five Hundred Pagodas if they would retract their Evidence and declare differently from what they had done before respecting Mr. Haliburton and Venaigum - after this Mr Haliburton was furnished with the purport of the declaration against him and desired to reply thereto - in answer Mr. Haliburton stated the inconsistency and insufficiency of the Evidence of the persons who were brought forward (Sawmy and Londapah) were merely the Instruments of others and requested that a Committee might be appointed to investigate the matter fully - this Request was not complied with and Mr. John Holland proposed that Mr. Haliburton should be removed from his Station which was consured in by Mr Edward John Holland but Mr Casamajor dissented - Mr. Haliburton was accordingly removed and Appointed Paymaster of Chunder Ghiry - I do not recollect that any one of the Prisoners except Paupiah was present during the enquiry in the Consultation Room nor do I know that any one of them was concerned in the conspiracy in question but I must Mention to the Gentlemen of the Jury that I observed Paupiah looked several times at the Witnesses as if he wished to influence them - in particular I thought he Showed pointed displeasure and disappointment at the Evidence given by the Bottle Farmer, and as if there had ben a prior communication between them

2r By the Court was the Company's Translator present at the time?

1r Yes Anna Sawmy was there and Interpreted

2r Is it usual for the Governor's Dubash to be present at Enquiries of this kind?

1r During Mr Davidson's and Sir Archibald Campbell's Administration I recollect that their Dubashes were occasionally called in but not for such a length of time for Paupiah was present during the greatest part of the Examination - I speak of course to the best of my Recollection

2r What sentiments did you form at the time respecting the formality or Justice of the Measure of removing Mr Haliburton and the Nature of the Enquiry which led to it?

1r I thought it very arbitrary and unjust proceeding and I believe such were the sentiments of the Public -

2r Is the parcel now before the Court the Same which was delivered into Court?

1r It appears to be the Same which was delivered by Londapah and ordered to be put into the Company's Cash Chest - I observe it has the Company's Seal which I ordered the Sheriff to put on it -

2r By Paupiah: You say I looked at the Witnesses in a Manner that impressed you to think there had ben some prior conversation or understanding and that it appeared I was displeased with the Answer of Suneo Chenna Kistnamah Chetty - now do you mean to tell the Court that you believe an impression was actually made by me on the Witnesses

1r I think it very probable, but not so much on the Battle farmer who said he was sick and by permission laid himself on the Floor of the Council Room and Apparently keeping back much to the disappointment of Paupiah

2r Did the Governor ask the Interpreter if he was not the Sworn Interpreter?

1r I do not recollect but either Anna Sawmy or the Sworn Interpreter to the Justices attended

2r Was the Council Door opened during the Enquiry and were any other persons present beside the Evidences?

1r To the best of my Recollection it was shut tho' it might have ben occasionally opened and Remain open for a short time, there were other Inhabitants of the Villages called in but I saw no one attempt to influence the Witnesses beside Paupiah

2r Was no Clerk the sub Secretary present?

1r I do not perfectly recollect, he might have ben there - I took down the whole of the Examinations in my own hand writing

2r Were the Examinations taken by word of Mouth or by any written paper?

1r To the best of my Recollection it was all taken down from word of mouth?

2r Did Mr Casamajor put any Question there?

1r I do not perfectly Recollect - If he did put any they must have ben very few

2r

2d Did not Mr Casamajor correct the Interpreter several times in the course of the Examination

A. I do not recollect that he did soon that he was so well versed in the Malabar Language - it is possible he might have attempted without my recollecting it. I mentioned in one part of my Evidence that Paupiah's words had an influence on the Witnesses the dread which I always understood the Natives were under of him this I imagine - his influence he had with his Master; such indeed was his supposed bad Character - and the influence that I have heard it often remarked that many Europeans who were in the Character of Gentlemen and some in the Company's Service had meanly courted his favour

2d Was the Witness who gave their Evidence in the Council Room regularly Sworn

A. To the best of my recollection they were sworn and I observed no improper interference of any Member of Government during the Examination

Kenoo Row Sworn

2d Relate what you know respecting the Charges against the Prisoners at the Bar

A. When I was residing at Triplicane China tomby Venkatachella a Man came and called me - I asked what was the Reason he said he had employ to recommend me I said I did not want his Employ a Recommendation, I was at my own house & the Man went back to Madras - that in the month of September One Thousand Seven hundred and Eighty nine on the Eight of the Malabar Style a Eighteenth English on Sunday the Same man with Paupiah returned and called me, I refused to come and asked for what they wanted me they

they repeatedly told me it was proper I should come when great People sent for me - One of which I went with them to Paupiahs House where Paupiah, Appayengar, Venkatachella Chitty and Ramah Swamy the Prisoner at the Bar were speaking together; as soon as Venkatachella Chitty saw me he said this was the Gentlemen they spoke of to Paupiah said Venkatachella had recommended me to Service as he was Clever - then Paupiah told me that if I would do the business properly he would recommend me to one of the [illegible] Company's Jaghire Renters that he would give him a present of One Hundred Pagodas - I asked what business - he said Send my Master Mr Holland meaning the Governor I have business to do and for that purpose have caused Cundapah and Swamy to give in a Petition - there is a variance taken place between Mr Halliburton and my Master Mr Holland - My Master intends to Remove the Wards Returns lately fixed by Mr Digleton and to establish the Mamool which Mr Halliburton opposes, therefore we will give you Two Hundred Pagodas which you will carry to Collapaw Chetty Cundapah who resides in the house of Appoo Swamy, they both live in the same place; we have also told them that we will send the Money if you will carry to the Money and give it to Cundapah who will receive the Money and directly he will serve you and after Naming three or four People as Witnesses Cundapah and Swamy will bring you to the Governors Garden - I will beforehand inform the Circumstances to the Governor, he again told me to tell Cundapah that Vinaigum sent this Two Hundred Pagodas to give him And he will ask you for what he sent the Money - You are you will tell him that you have Complained against Mr Haliburton in Council that he will give him One Thousand Pagodas more if he would appear before the Council, if not You will declare that Mr Haliburton is Ignorant of the business, as Paupiah gave him the Sum of Two hundred Pagodas to accuse Mr Haliburton If Cundapah & Swamy bring You to the Governors Garden you need not be afraid as I shall tell the Governor the circumstances before hand to which I answered I would never have come if I had known you

sent

sent for me upon this business I came to you as being the Governors Dubash and as you
Man, If I had known you wanted me for this business I would not have come
I cannot do this business then Paupiah told him again what are you afraid
for this trifling business if you do it you will get my favor and my Master
likewise you shall have the management of a District of the Companys
Pagoda also a present of One hundred Pagodas Paupiah told me this
had got two Witnesses but his Master told him it was necessary to have a third
which you must procure in order to support the Charge against Mr
Haliburton Vencatachella Chitty also recommended you to me therefore
you must do this business for me I could get any other Man but I wish
you to do it as you are Poor and will get One hundred Pagodas for it
I entirely refused whereupon Paupiah threatened to Complain to the
Governor and have me tied up and flogged - I then said why should
you flog me I am not a Thief he said I know your fault in having been
Bail in Mr Floyer's Cause without having any house or Estate in the
place to which I answered I did not wish to be Bail - I was forced to it by
Vencatachella Chitty, who promised I should be a great Man and rich
by it. then Vencatachella called and told me he had Promised Paupiah
he should effect the business by him when I refused Paupiah told
Vencatachella Chitty why did you desire that fellow and ordered one
of his Peons to take me to the Governors to the Fort then Paupiah
went into an inner part of his house and Ramah Sawmy asked me why
I refused what Paupiah desired you to do as you will be flogged - if you
will undertake this business we will all undertake to recommend you to
Paupiah that he may forgive you - then Offeyengar Ramah Sawmy
and Vencatachellaem all tried to persuade me, at last Offeyengar conducted
me and Cundapah to Sunka Chinna Ristnamah Chitty's House Offeyengar
ordered me and Cundapah to stay out side and went in at this time
Vencatachella Chitty came to Sunka Chinna Ristnamah Chitty's House
Offeyengar then returned from the inside with a Bundle of money tied up in a
Cloth; then Offeyengar and Cundapah went to Paupiahs House where Vencatachella
Chitty

Chitty also arrived - then Paupiah told Vencatachella Chitty to carry me to
Venaigums House - I told Paupiah that I did not Know Venaigum, Condapah or
Sawmy why should you give me this business - Vencatachella Chitty said you
had better come with me and took me by the hand to Venaigums House - I told
Vencatachellum why should you compell me to do this Business, if you will
oblige me to do this Business I will report it to any one who will ask
me - Vencatachellum asked me if I know Venaigum - I answered I did not
Vencatachella Chitty then said I will go to Venaigums house and stay
in the Street Pyall and Keep a Lantern light near him and at the same
time give him a Paper to read and you must consider the person to whom
I give the Paper as Venaigum - Accordingly I went and saw Vencatachella
Chitty give the Paper to Venaigum - Vencatachellum left a man with
me - he returned soon after and asked me if I had seen Venaigum
I answered I had seen him, afterward Vencatachella Chitty brought
me to Paupiahs House - Paupiah ordered Offeyengar to Reckon the
Money and give it to me - I told him it was not proper to give me such
business - Paupiah then said there is no fear for your life - I will take
care of you if will do this business you shall have my favor and the
Governors - we will put Irons to Mr Haliburtons hands and legs and send
him on board Ship and we will succeed in our hands, I was then instructed
what to do and sent to Cundapahs house with the Money, and a Peon and
the Money was sent with me to Condapahs house - I told Condapah all that
I was instructed to tell him, as that I was sent by Venaigum - Condapah
and Sawmy signed me as they were instructed and Named four People as
Witnesses in that Street and Carried me to Governors Garden at twelve
Oclock that night; Paupiah was angry that we came so late and Paupiah carried
me Condapah and Sawmy upstairs - the Governor was undrest and lying on his
Couch, he directly got up and brought the Candle on the Table and sat
near it - Paupiah brought Pen Ink and paper and sat it near him
but I do not Know what Paupiah and the Governor said - Paupiah told
me

me and the other two Candapah and Saumy to draw the Dularation and subscribe our Names, Paupiah also told them to draw the Dularation in their own language as he would get them Translated and give it the Governor – if you do that you will — contradict each other before the Council – afterwards Paupiah return the money to Cundapah and the three People into the Guard and gave us a Carpet to lie upon – We Starved all night and the whole of the next day – the third day they brought us before Council – Governor Holland and four or five Gentlemen were Setting – the Bramin poured water in my hand and desired me to declare the truth of what passed – I declared as I had Instructed and the Gentlemen wrote it all down – the Council also called Venaigum and asked him if he Knew me – he answered he had not seen me in his life – they then ordered me to go away, so accordingly – on my coming out Paupiah said you are a Bahadar You have done your business very well – Paupiah then returned into the Council Room and was there a little while till the Council was broken up – then the Governor and Paupiah went into another Room and were speaking together afterwards Paupiah told me he had the Governor's Order for my Release and desired the Guard to let me pass out of the Fort – Knowing the matter to be false I did not drink any of the water but let it pass thro' my fingers — after I came out of the Fort Oppeyingar came and desired me to go to his house and Kept me there all that day – Paupiah then said had you not done the business I should have punished you – as however you have done it you shall have forty Pagodas and you May run away with it to the Southward — Paupiah also

Said

Said the Nabob and the Rajah would not act contrary to my word, Oppeyingar then gave me the Forty Pagodas by desire of Paupiah and told me not to Stay in this place for if you do you and we also will get into a Scrape, therefore you should run away accordingly I Received the Money and ran away to the Southward I have delivered all this in Writing to Mr. Michell's Committee

Dr. What is your real name

An. Renso Row

Dr. What other Names did you go by, and who gave them to you?

An. Rama Saumy and Paupiah gave me this name for the Purpose of this Business

Dr. Do you Know this Money

An. This is the same Bundle of Money which was given to me but the Handkerchief had not any Seal at that time

Dr. By the Jury – how many Witnesses were present when this Money was given to Cundapah and Saumy?

An. One woman and two Men were in the house and I took the Man into Struck and when Cundapah made a noise her people were gathered together

Dr. At what Hour was it

An. About half past Eleven o'Clock when we were at Cundapahs House

Dr. When you mentioned that Paupiah told you there was a difference of Opinion between Mr. Holland and Mr. Hallden for about the Ware Cloth on which of the two Gentlemen did Paupiah mean

An. The Governor

Question by Paupiah

Dr. Have you been once or oftener at my house

An. I was first at your house when I was brought from Triplicane afterwards when I was released from the Guard I was there but lived two days at Oppeyingar's house

Dr.

Qr. What is the Name of the Peon which came from me to you?
Ar. Did not ask it
Qr. Was the Declaration to Mr. Michells Committee delivered by Word of mouth or in writing
Ar. I was first examined before the Committee and being ordered to give my Declaration in writing I went to Pauplicane and drew it out and gave it to the Committee
Qr. Who drew the Declaration
Ar. I did it
Qr. Where
Ar. At the house where I lived
Qr. Did you not Consult and draw this Paper at Ram Rows House
Ar. All the time from leaving the Committee to my bringing the paper I had a Peon with me, I drew the Paper in my own Chitty and the Peon was near me
Qr. In the Declaration you gave to the Committee did you say a Peon called you
Ar. No
Qr. Did you not Consult with any Person or persons before you drew the Paper
Ar. No
Qr. Did you never converse with Ram Row on this Question
Ar. No

Question by Vencatachilla Chitty's Counsel

Qr. How long since you first knew Pauplak
Ar. The same day I first was sent for by Vencatachilla Chitty to and Pauplak's on the Nineteenth September Eighty nine
Qr. When Pauplak ordered you to go to the Governors Garden House and went himself into his own House who was there with Pauplak?
Ar. Pauplak, Appayngar, Vencatachilla Chitty and myself
Qr. You say that Pauplak ordered a Peon to conduct you to the Governors Garden House did the Peon go with you or not
Ar. He they only frightened me — the Peon did not carry me.

Qr.

Qr. What time of the day did Vencatachellum carry you to Venayam house and on what day
Ar. On the Nineteenth of September after Gun fire at Nights
Qr. After the Counsel broke up you say the Governor and Pauplak went into another Room, did they shut the Door?
Ar. They did not shut the Door they were not in any Room they were in the West Veranda

Questions by Vencatachilla Chitty

Qr. Did any body see when my Peon called you?
Ar. I came to Madras and saw several People on the Road but did not Mention it to any one
Qr. Did you ever tell any body this Business before I was confined in the Main Guard
Ar. I did not
Qr. Who accompanied you to the Battle Ammas House
Ar. Appayngar and Cundapaik
Qr. How long did you remain there
Ar. About an Hour
Qr. Whom did you go thence
Ar. To Pauplaks
Qr. Who Accompanied you
Ar. Appayngar and Cundapaik

Suncoo Chinna Kistnama Chitty Sworn

Relate what you know respecting the Charges against the Prisoner at the Bar

Witness. When I began to put the Bucks as far as Ten miles according to my Cowle in One Thousand Seven hundred and Eighty nine Mr. Holland was Governor, the Inhabitants made trouble and plundered the Bucks at different places — I made a Petition to the Governor and Council — At that time they Rejected the Governors Name for Petitions to the Revenue Board as the Council — after there was Order to Richard Deighton to order according to the Council for Ten Miles and to have him bore that the Village People might not interfere — The Village People however again made trouble I complained to Mr. Deighton then he wrote to the Board and obtained One or two Guard of Sepoys to go with

with my People and take those that Trouble them – They however
Leaving my People and the Sepoys, which caused them all to
Dight then to explain the Business – The Board then Ordered
a Jemedars Guard, I think forty or fifty Sepoys who were
go with my People and shew where the plundered Effects
them to the Places where the Trouble had been made and
brought about Six or Ten People to the Town Major who put
them in the Main Guard House. Other People came to speak
in their behalf and said if I would Release those in the Guard
they would give Muchulka and I should have no more trouble
Muchulka after which I would intercede in their behalf the
Then wrote some Cadjan Letters and sent to the Country with
People – The Second or Third day I got intelligence that there
were no more trouble in the Colletta I then acquainted with the Town
Mayor Dubash to Release them, he told me I would not believe
although the Order of Government – at the time of Mr Hollands Govern
ment it was the Custom in all Business with the Governor and
Council with the Governor himself or with the Board of Revenue
to speak first to the Dubash – after I told to Pauphiah to
Cash there was no trouble in my Hostilities and therefore I
Ordered to Release the Men from the Main Guard – Pauphiah told
me he cannot Release them must become Foundation in
this Business these poor Creatures cannot do this they must
declare who did it – unless some body pocket they must do they
should declare that – several times in the Fort and at his own
House and when he came to my House when I spoke to him
about it he always told the same thing at last I told
those People I have been trying for some time to Release
you but cannot succeed you may try any way you please
there is no Complaint against you by me afterwards –
Pauphiah told me these People can never be Released
unless you come and give Evidence who did this Business
I said in answer why do you do this to me I never give you any trouble

I do not bring

bring a charge upon me – Pauphiah then said you know the man who was under hand
in this business I answered I do not know any thing – what may be your
Opinion you may understand – he laughed and then asked me, do you not know
Mr. Halliburton did all this Business, I said I do not know, do not bring my
Name out, I do not know any thing I understand that the Inhabitants are doing all
this Business – Pauphiah said unless you declare that Name those People will never
be Released – After this I kept at a Distance from him If I saw him in the
Fort or elsewhere I always went a different away from him – If I met him
in the Road I always went another – he sent frequently to my House – If
he sent two or three times I must always go once – I cannot help it I must go –
If I go there he always plagues to tell this to the Governor because he told the
Governor I did so – and If I was not to tell then his word would not stand
before his Master I told him If I lose my employ suppose I lose any
thing I cannot tell so – I cannot tell he One day he sent early for me to
his House or I spoke in the Fort I cannot recollect which and told me
that they were going to Examine the Prisoners in the Consultation and I must
come and wait – I asked him has the Board Ordered me to attend or is it
your Order – because I considered if it was Board's Order I am obliged to attend – if
not the Board's Order I can go to another Place and pass the Day – he told me
it was not the Board's Order – The next day which was Consultation Day,
I went to the Fort and was in the passage under the Fort House and had two
People to watch and tell me when Pauphiah came that way – my People did
not give me any Notice of Pauphiahs coming – I however heard that the Men had
been examined in Council and afterwards Released I then went home – a few Days
afterwards Pauphiah sent for me and said there is to be a Consultation tomorrow
they are going to send for you – I told him if they send for me I cannot declare
any thing according to your Wish or Opinion – afterwards I went to my
House – the next day there was a Consultation and the Governors Hircarah
came to call me – I was then sick I said I was sick I cannot come the

same

I shall not give the Money, I don't care.—

Qr By the Court — Did You empower Pauliah to spend Five hundred Pagodas on Your Account?

Ar I never did.

Qr What happened afterwards?

Ar I went one Day to Mr Haliburton's Garden, between the time I was summoned to the Consultation and the Day I appeared there and told Him there was some Contrivance to take away Your Place, You must take Care, but to not ask me any Questions, I cannot tell any thing —

Qr Did You not tell Mr Haliburton that the four Prisoners at the Bar were concerned in this Plot against him?

Ar I do not recollect that I told them Names.

Qr Were Pauliah, Appayengar, Ramah Swamy and Venatachella Chitty at Your House about this time or any previous time?

Ar Those four were never at one time at my House, but they came seperately at several times after my Chokies were pull-ed down.

Qr Did they ever speak to You about Mr Haliburton's business?

Ar Pauliah and Appayengar spoke, but Venatachellum and Ramah Swamy never spoke.

Qr Did You ever see this Handkerchief with the Money before?

Ar No I did not.

Qr Did Pauliah or Appayengar about this time get five or six Hundred Pagodas from Your House?

Ar I never gave or delivered five or six hundred Pagodas to either of them.

Questions by Pauliah

Qr Did I not lend You a thousand Pagodas whereon a Warrant was out against You?

Ar I borrowed one thousand Pagodas from You, which Venatacha-mia my Agent brought, and by the same Man I repaid Your

Qr Have You got back Your Bond?

Ar No.

Qr By the Court — Did the Five hundred Pagodas which You said Pauliah had spent to please himself, make part of the one thousand Pagodas You borrowed of Him, or relate thereto?

Ar No. — Anna Sawmy Sworn

Qr Did You translate this Petition D?

Ar It is a true Translation from the Original in the Malabar Language

Qr Who delivered it to You?

Ar Mr White delivered it to Me in Council

Qr Is the Original now in your possession or to whom did you deliver it?

Ar I gave both Original and Translation to Pauliah and I never saw the Original since —

Qr During Mr Hollands Administration from whom did you generally receive your Orders on matters relative to your Duty as Company's Translator?

Ar I used to receive them sometimes from Mr Holland, sometimes from Mr Edward John Holland and sometimes from Pauliah.

Qr Under how many Governors have you served?

Ar Since Mr Whitehill's time in One Thousand Seven hundred and Seventy Seven —

Qr Did it appear to you that Pauliah had more influence over the Natives or took on himself more authority than any former private Dubash of a Governor?

Ar Pauliah was more intimate with Mr Holland and Mr Edward John Holland, and I think he had more influence and took on himself more Authority than any other Dubash of a Governor.—

Qr Did that Intimacy tend to give him more influence over the Natives than any former Dubash of a Governor?

Ar Yes.

Questions by Pauliah

Qr Who interpreted in Consultation Room when this business was discussed?

Ar Shunmagoy the Interpreter to the Justices.

Qr Were you in the Council Room all the time?

Ar I was

Qr

Qr " Was the Door open or shut?

Ar " I did not observe.

Qr " Were there many Persons in the Council Room at this time?

Ar " None but the Parties concerned.

Qr " How many?

Ar " At one time three or four — at another when the Country People were there, about ten, twelve, or fifteen.

Qr " When you went into the Council Room did they ask you whether you were Sworn Interpreter or no?

Ar " I do not recollect.

Qr " Why did they send for the Sworn Interpreter?

Ar " I cannot conceive why —

Qr " When Shunnagaray misinterpreted, did not Mr Cavanagor correct him more than once?

Ar " I do not recollect

Shunnagaray the Sworn Interpreter being overcome by fatigue Anna Sawmy the Government Translator is Sworn as Interpreter for the rest of the Trial.

Comerasawmy Sworn.

Witness In one thousand Seven hundred and Eighty nine when the Beetle Huts were burnt I was brought from my Village at Pelly or Red Hills and put in the Main Guard by Sepoys at the Town Major's order — some People or other came to me while in the Main Guard and said you had better relieve yourself by coming to tell against Mr Haliburton — I was in the Main Guard for forty days — One day Panpiah sent for me to a Room to the second of Council's House, and told me he wanted his Assistance in a matter which he intended to do — I asked what assistance — Panpiah said if you say Mr Haliburton ordered you to pull down the Huts you will be released and restored to your Village — if you will not you must remain four or six Months in Prison I told him it is not in my Power you may do as you please either detain me or confine me — I am not fit for that business — I was again carried to the Main Guard — some People passing by said if you do not Complain against

Mr Haliburton you will not be Released — One day when Panpiah was going home I asked him to release me, which he refused — after a weeks I staid in the Main Guard ten days, when we were all released by Council — as I was released I went home to my Village —

Qr Do you know what brought about your Release?

Ar The first day I was carried to Council the Governor asked me why I burnt the Huts — I said I did not burn any Huts — other People burnt them — the Governor then said as you are one Inhabitant of that place you shall be answerable for the Consequence — One day Sheyengar met me outside the Gate and told me I had better get out of the business by accusing Mr Haliburton then the matter will not be attended —

Qr By the Jury — You say that after your refusal to Comply with Panpiahs request you were ordered back to prison — was it by Panpiah or whom?

Ar Panpiah.

Questions by Panpiah?

Qr How many People were in the Main Guard?

Ar About Ten or Twelve, Pallias, Beggars & others

Qr During the time you were a Prisoner where did you go to dine?

Ar At a Brahmins house in the Black Town —

Qr Had all the Prisoners permission to go to the Black Town to dinner or did they dine in the Fort? —

Ar Some dined in the Fort others in the Black Town —

Qr Who dined in the Fort and who in the Black Town tell their Names?

Ar Only a Pallias & a Boy dined in the Fort, all others and myself dined in the Black Town —

Comerasawmy Sworn

Related what you know respecting the Charges against the Prisoners at the Bar —

Witness

Q.r How long after you saw Pauliah before you gave your declaration to Connell?

A.r About two or three Months.

Q.r When you went upstairs to Mr. Holland at the Garden House what was he then doing?

A.r Mr. Holland was on his Couch in one undress

Q.r You say you delivered a declaration to Mr. Holland at his Garden House where was it Written?

A.r The Governor was at this Table I was ordered to Sit down which I did and Wrote it there.

Q.r Was the declaration short or of Considerable length?

A.r It was not very long.

Q.r How long were you in Writing it?

A.r About an hour.

The prosecution here closed and the prisoners Enter upon their defence.

Counsel for Lawrence for and Dewantachellum Chitty spoke as to the Doctrine of Conspiracy and the Credibility of the Witnesses

Pauliah produced Sworn

Q.r Do you know Condapah, Swamy and Assajee Row?

A.r I do not know them I saw them but once in the Road to the Governor Garden near the Bridge at Eight o'Clock Lawrence saw them at the Governor Gardens not Near it nor at Pauliahs House one Night at 12 o'Clock when Pauliah returned home he & three or four others came with Pauliah when they came near the Bridge four or five others made a loud Noise & when they saw Pauliah come in the Palanqueen they came near the Palanqueen as soon as they were near the Palanqueen Pauliah asked who are you what do you make such a Noise so late at Night one Sepoy in Cundapah name Condapah another Side Swamy another side Assajee Row

Examined to

Examined to Venniquan belonging to Mr. Halliburton Assajee was sent with Five Hundred Pagodas by Venniquan either to accuse Pauliah for having encouraged burning the Huts or to go away from the place Pauliah on hearing this Summoned the Palanqueen and took the People with him to the Governors Garden where he left them below and went upstairs I do not know what Pauliah spoke to his Master but I saw Mr. Holland and Pauliah come down Stairs Pauliah called them in the Room of his Master as soon as they were introduced his Master asked who they were one Side it was Condapah Swamy & both Cutapandaram Condapah & then Side Swamy & both declared that Assajee Row Servant of Venniquan in order with Five Hundred Pagodas from Mr. Halliburton to offer them as a Bribe either to accuse Pauliah of having encouraged the Burning of the Huts or not to appear before the Gentlemen Mr. Holland then asked where was the Money Assajee produced it Mr. Holland then asked whose Man are you & is it true what you declare Assajee said it was all true – the Governor desired them to put their Declaration in Writing and after they Wrote he has taken them Declarations he ordered that the three with their Money be put under Confinement after that Pauliah and he and others came home I heard they afterwards were Examined in the Council and released –

Q.r By the Jury – Did Mr. Holland come down Stairs after Pauliah had detained which passed on the Road and where did he take the Declarations –

A.r He came down Stairs and took the Declarations below –

Row Chevender Sworn

Q.r Whose is your Employ

A.r Sirkar & Cash Keeper to Pauliah

Q.r Did you ever pay any Money on my Account, or on Ramah Swamys to

Or any other Person to Assfajee Row—

Ans. I never paid any Money to Assfajee Row on Account of Pauplah or Ramah Swamy or any one else—

Qr. Did you ever see Condapah Assfajee or Swamy at my house

Ans. I never saw them at Pauplahs House or else where—

Bowreeny Shanker Row Sworn

Qr. Do you know the Prisoner Assfajeegar and how long

Ans. I have known him for a length of time

Qr. In the Year One thousand Seven hundred and Eighty Nine on the Fifth of September where was Assfajeegar—

Ans. He was with Mr. Shanker who had been employed to Investigate the Jaghire Accounts—

Qr. Was he at Madras all the Month of September Eighty Nine or what parts thereof?

Ans. He was not there after the 5th of September

Sunkoo Seshachilla Chitty Sworn—

Qr. By Pauplah—In the Year One thousand Seven hundred and Eighty eight and Eighty Nine were you not a constant Visitor at my house and particularly in One thousand Seven hundred and Eighty Nine

Ans. From fifteen Years past I have always gone there not more in Eighty Nine than any other Year—

Qr. Do you know Collapaukum Condapah, Agraharam Swamy and Assfajee Row—

Ans. I cannot say unless I see the People if produced and he answers all Knowledge of them—

Qr. By Sunkaraporum Venkatachella Chitty—Did you ever see me at your house or at Sunkay Chinna Kistnamah Chitty's house during the time Mr. John Holland was Governor—

Ans. Except on Occasion of a Family Wedding

Qr.

Qr. Had you a Wedding at your house during the time Mr. Morgan Williams was Acting Governor—

Ans. Not at mine but at Sunka Chinna Kistnamah Chettys

Qr. Except the two times I went during Mr. Morgan Williams time did I ever go to your or Sunka Chinna Kistnamah Chetty's House

Ans. No.

Qr. Did you ever see me at Pauplahs House Consulting with any One about the Removal of Mr. Hollerton—

Ans. No—

Qr. Do you know upon what Business I frequented Pauplahs House during the time Mr. Holland was Governor?

Ans. Upon Consolidated Bonds

Qr. Did you ever see me at the Governors Garden House or at the Council House in the Fort during the time Mr. Holland was Governor—

Ans. I did not stay constantly at those places, when I was there I did not see him—

Veneagum called—three of the Prisoners Avabanum Pauplah Brammin Avabanum Rama Swamy Brammin Assfajeegar Brammin Objected to Venaigum being Examined as the Prosecution is Dead and they understand he is going to give Evidence on the Part of the Crown—

Court over Rule the Objection and Venaigum Sworn—

Qr. Did not Collapaukum Condapah after the Arrival of General Andrews give the Declaration respecting Mr. Hollerton of his own free Will—

Ans. He gave it of his own Consent—

Qr. How many persons Signed it?

Ans.

Mr. Colapakum Condapack and four Witnesses Signed it—

Dr. When Colapakum Condapack signed it would he not have shewn it to, and to the best of your belief to the Seamen thereof—

A. I cannot tell that, I took him before Mr. Dyglebert when he acknowledged the Contents thereof—

Dr. Was Assyenagar in Madras in September Eighty Nine

A. On the Eighteenth September Eighty Nine an Hircarrah came to me in the Morning and told me that Mr. Holland wanted me I went to the Castle and waited till two o'Clock I did not meet the Governor and an Hircarrah came and ordered me to go home I told the Hircarrah I will not go till I speak to the Governor he then went again and the Governor ordered me to attend the Sept Commutation I saw Assyenagar on the Twentieth September at Pauplah House Mr. Lewis Dubash and I went there early on that Morning we went up Stairs Assyenagar came before us and did not stop there we Women there in two Minutes after he came himself and called me Pauplah Joah on his Counter, Ramah Sawmy and Jon Chairs and Assyenagar on the Floor—

A Written Paper in the following words is then delivered to the Clerk of the Peace who Read it to the Court and Jury—

May it please this Honorable Bench and Gentlemen of the Jury—

We Pauplah, Ramia Sawmy and Assyenagar Prisoners at the Bar Submit that as this is no proof—That one of us Assyenagar was not in Madras in the Month of September at the time stated by the Evidence of our joint Conspiracy against David Hollanton as set forth in the Indictment and for the other Causes appearing from the Evidence do therefore humbly Submit to your Justice

And integrity the dear division of our fortunes and which is of still greater Value in our Esteem—Our Reputation and good Name—

The Clerk of the Peace then made some observations to the Jury on the Law of Evidence—

The Jury then Retired a Bailiff being first duly Sworn to keep them—After four Hours a Verdict was proclaimed and the Jury Returning into Court Answer to their Names—

Clerk of the Peace Gentlemen of the Jury have you agreed on 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 Acadanum Pauplah Brahmin Ramia Sawmy Brahmin Sunkaraporam Venkatachella Chetty and Assyenagar Brahmin Guilty of the Conspiracy whereof they Stand Indicted or not Guilty?

Foreman Guilty—but Recommend the Prisoners to the Lenity of the Court which being recorded—

Clerk of the Peace Gentlemen of the Jury Hearken unto your Verdict as the Court hath Recorded it—You say that Acadanum Pauplah Brahmin Acadanum Ramia Sawmy Brahmin, Sunkaraporam Venkatachella Chetty and Assyenagar Brahmin are Guilty of the Conspiracy whereof they Stand Indicted but Recommend them to the Lenity of the Court and so you say all?

Jury—Yes

The Peridict thereupon [illegible] stating to the Prisoners the Nature of the Offence of which they were found Guilty pronounced the Judgement of the Court [illegible] that you Acadanum Pauplah

Pauperis & Brannin do pay a Fine to the King of Ster
Three and Pounds — That you be Imprisoned in the Common
Jail for three Years and until the Fine be paid, and further
that you do Stand in the Pillory in the usual Manner
for one hour on Saturday the twenty first Instant, between
the hours of twelve and three o'Clock in the afternoon —

That you Lunkaraforum Uencatachella & Chitty do pay
a Fine to the King of Two hundred Pounds — that you be
Imprisoned in the Common Jail for two Years, and until
the Fine be paid — and further that you do Stand in the
Pillory in the usual Manner for one hour on Saturday the
twenty first Instant between the hours of twelve and three
o'Clock in the afternoon —

That you Andanaman Rama Swamy Brannin and Appayengar
Brannin do each Pay a Fine to the King of two Hundred Pounds
that you be each Imprisoned in the Common Jail for one
Year and until your Fines be paid — and further that each
of you do Stand in the Pillory in the usual Manner for one hour
on Saturday the twenty first Instant between the hours of
Twelve and three o'Clock in the afternoon.

But as the Jury have Recommended you to the Clemency of
the Court, the Court in Consideration thereof Remit that part
of your Sentence which adjudges each of you to Stand in the
Pillory — The Prisoners are thereupon Remanded to Prison

There being no other Business to the Grand and Petty Juries are
Dismissed with the Thanks of the Court for their Services.

The Court is then adjourned to Wednesday the Fourth
Day of September next for holding an Inquisition

D. C. P.