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Foreshore

Proceedings

1847

33

3

T. C.

Monday
3rd January 1820

At a Court of the Tenjoane Circ

Present

G. S. Hooper Esqr. 1st Puisne Judge
E. P. Thompson Esqr. 2d Puisne Judge
N. A. Morehead Esqr. 3d Puisne Judge

Vide.

Trad. Calendar of Cases
on the file of the Assizes Court of
Trichinopoly.

(Vide Entr. T. C. No. 3194 of 1819)

The Prisoner in this Case
charged with having attacked the Pros
on the high road, beaten him, and robbed him
of a basket &c. containing the sum of
Rupees 5 and a bit of Stal. to
him.

2. The Assizes Judge con
in the Tenor of the Law Officer w
convicts the Prisoner of the offence
to his charge, has sentenced him to the
prescribed punishment of 14 years imp
ment; but adverting to the Circumstances
of the Circumstances of aggravation
attendant on the Commission of the robbery
he recommends that the prescribed period

of

nary 1848

of imprisonment be reduced to seven years.

3 The Court of Foujdaree Udalut

approve of the mitigation of punishment proposed in this case, and they accordingly authorize the Session Judge to issue his warrant for the imprisonment of the Prisoner for the period Specified.

Ordered that Extract from the Proceedings be sent to the Acting Sessions Judge of Tuticorin for his information and guidance.

(Sent in No 1 of 1848)

Read Calendar of Cases Nos 35 and 36 in the file of the Sessions Court of Tellicherry

(Here Enter F. Vol. No 395 of 1847)

1 The Prisoner in this case was charged with robbery by open violence.

2 The Sessions Judge concurs with the Law Officer in the conviction of the Prisoner, but being of opinion that with reference to the fact that the Prisoner has never been punished before and that he confessed his guilt throughout and has expressed great contrition the present

3rd January 1848.

prescribed punishment would be too severe the Sessions Judge recommends that a reduced sentence of Eight years imprisonment with hard labor in irons be awarded.

3 On the grounds assigned by the Sessions Judge the Court of Foujdaree Udalut approve of the mitigation of punishment recommended in this case and they accordingly authorize that Officer to issue his warrant for the imprisonment of the Prisoner for the period Specified.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Tellicherry for his information and guidance.

Sent in No 2)

Read letter dated the 16th December 1847 from the Sessions Judge of Cuddapah, referring for the final judgment of the Foujdaree Udalut the record of the trial in Case No 46 on the Calendar for 1847.

(Here Enter F. Vol. No 3280 of 1847)

The Court of Foujdaree Udalut, on a deliberate consideration of

W. G. S. Cooper
and
W. B. F. Morehead

all

nuary 3d January 1848.

all the Circumstances of the Case in Evidence before them, being of opinion that the proof against the Prisoner

Baker Barbados

is sufficient to convict him of the Crime of wilful Murder, do Convict him thereof, and under the provisions of Section X. Regulation VIII of 1842. sentence him to suffer death by being hanged at the usual time and place of execution.

(Sent following letter No 3)

Encl 1

Tuesday 4th January 1848. At a Court of the Toujdaree Adalut

Present,

G. S. Hooper Esq re ——— 1st Puisne Judge

E. D. Thompson Esq re ——— 2d Puisne Judge

W. A. Morehead Esq re ——— 3d Puisne Judge

Read Calendar of Cases No 22 and 23 of the Sessions Court of Bellary for 1847.

(Here enter S. Dis. Nos 3166 and 3167 of 1847.)

Case No 23. The Court of Toujdaree Adalut do not concur with the Sessions Judge in his approval of the commitment of this Case by the Principal Sudder Ameen because of its connexion with Case No 22 — and the Court desire that the Principal Sudder Ameen may be instructed to adhere strictly in future to the requisition of Circular Order No 29 dated 4th February 1835.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Bellary for his information and for communication to the Principal Sudder Ameen.

(Sent in No 13)

Read Calendar of Case No 20

4th January 1848.

of the Sessions Court of Mullaitivu for 1847.-

(Here enter F.No. 3164 of 1847)

1 The Prisoner in this Case was charged with Severe wounding - was convicted by the Sessions Judge, and sentenced to 3 years imprisonment with hard labor in irons.-

2 Upon a careful consideration of the circumstances of this Case, as set forth in the Calendar, the Court of Sawdarees Adalut cannot but deem the Sentence passed upon the Prisoner to be very inadequate punishment for the crime he committed.-

3 So bad & severe wounds were inflicted upon the person of the Prosecutrix, and from the Statement of the Medical Officer, it would appear, that it was at first doubtful whether She would survive the effects thereof.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Mullaitivu for his information.

(Sent in No. 14)

Read the Calendar of Case No 109 of

4th January 1848.

of the Sessions Court of Salem of 1847.-

(Here enter F.No. 3172 of 1847)

1 In this Case, the Prisoner Ramen, was charged with Housebreaking by night and theft, in having, at 7 o'Clock of the night of the 4th November 1847, at Sheruppetty, a hamlet in the Town, Talook and Zillah of Salem, entered the Prosecutors Shop by opening the door thereof, and stolen therefrom, fourteen measures of Salt, of the value of fourteen Annas.-

2 The Prisoner was convicted, and a Sentence of Seven Years Imprisonment recorded against him: "but considering the value of the article stolen, the age of the prisoner, under 20, and that the former punishment inflicted on him for a similar crime, was only 15 lashes" the Sessions Judge recommends that the full penalty be reduced to two (2) years Imprisonment with hard labour in Irons.-

3. The Court of Sawdarees Adalut, on a consideration of all the circumstances

4th January 1848.

circumstances of this case; approve of the proposed mitigation, and, under the provisions of Section IX Regulation I of 1825, authorise the Sessions Judge to withdraw his warrant accordingly.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Salem for his information.

(Sent in No. 15)

Read Calendar of Cases Nos. 68 and 69 of the Sessions Court of Combaconum, of 1847.

(Here enter F.M. No. 3265 of 1847)

1 In each of these two Cases, the Prisoner was convicted of Perjury, and sentenced to four years Imprisonment, but the Sessions Judge, in each case, recommends that the Sentence be reduced to one year's Imprisonment.

2 The prisoners are respectively husband and wife; and the evidence appears to be the same in both cases.

3. Before passing a final order on this reference, the Court of Foujdaree Udalut resolve to call for an English Translation of the

4th January 1848

the record of Case No. 68, and to direct that, in the mean time, the Sentence be suspended and both prisoners detained within the Jail without Irons and Labour.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Combaconum by Receipt returnable within Twenty five days from and after its receipt.

(Sent following Receipt No. 16)

Read Calendar of Cases Nos. 26 and 27 of the Sessions Court of Arcot for 1847.

(Here enter F.M. Nos. 3169 and 3170 of 1847)

Case No. 26. 1 The Prisoner in this case was convicted of "Housebreaking and Theft" and was sentenced by the Sessions Judge to seven years imprisonment with hard labor in irons.

2 In the absence of any aggravating circumstances in this case the Court of Foujdaree Udalut are of opinion that the Sentence recorded against the Prisoner may with propriety be reduced, and under the powers vested in the Foujdaree Udalut by Section XXXV Act VII of 1843 the Court resolve to

4th January 1848.

to direct the Sessions Judge to make his warrant,
and to issue in lieu thereof a Warrant for the
imprisonment of the Prisoner.

"Ardoary Addumbergaud &c"

for the period of two (2) years with hard labor
in irons.

Case No 27. 3. In this Case the same Prisoner
was charged with "escaping from Custody"
and its committal was approved of by the Sessions
Judge because of its connexion with Case No 26"

4 The Court of Fouzdary Adalut
do not concur in this view with the Sessions
Judge, and they direct that the Principal
Sudder Ameen may be instructed to adhere
strictly in future to the requisitions contained
in Circular Order No 29 dated 4th February 1835.

Ordered that Extract from these
Proceedings be forwarded to the Sessions Judge
of Nellore by Cowcapt returnable within three
days from and after its receipt

(Sent following Packet No 17)

End 7th

CWB

F U.

Monday.
10th January 1848.

At a Court of the Fouzdaree Udalut

Present

GLS Cooper Esqr. 1st Assnt. Judge.
C.P.T. E. P. Thompson Esqr. 2d Assnt. Judge.
Y-all W. A. Morehead Esqr. 3d Assnt. Judge.

Read Miscellaneous Petition presented on the 23d November 1847 by A Gomashta ramzy Moorbutar Vakeel of D. Mahut Row of Tillah Cuddapah

(Vide Inter F U. M. P. No 299 of 1847)

1 The Petitioner complains of an order passed by the Sessions Judge of Cuddapah refusing to interfere with an order of the Magistrate of that District, dismissing the Petitioner from the office of Deputy Tumbuns

2 The Court of Fouzdaree Udalut observes that the order of the Sessions Judge of which the Petitioner complains was correct and proper, nor have the Court of Fouzdaree Udalut any authority to interfere on the Petitioners behalf

Ordered

Ordered that Extract from these
Proceedings be furnished to the Petitioners as to that
on his application.

Read Miscellaneous Petition
presented on the 29th November 1847 by J
Gopala Krishnamah Mookhtar Vakeel on behalf
of Sinthady Veradhy Somundra Pathroodoo of
Tillah Gunjam.

(Here enter F. W. M. P. No 306 of 1847)

The Petitioner complains of a fine
imposed upon him by the Agent to the Governor
of Fort St George on Gunjam and also of his
detention in confinement by that officer in
consequence of certain false charges which have
been preferred against him.

2 The Court of Zeyfdaree Adalut
resolve to forward the English Translation of this
Petition to the Agent who will be pleased to afford
such explanation as he may think proper with
reference to the circumstances therein set forth.

Ordered that Extract from these
Proceedings be sent to the Agent to the Governor
of Fort St George on Ganjam for his information
and guidance by first packet returnable within six

days

10th January 1848.

days from and after its receipt.

Sent per Morning Packet No

Ordered also that Extract from
these Proceedings be granted to the Petitioners
vakeel on his application.

Read again Miscellaneous
Petition presented on the 1st November 1847 by
N. Nynappa Moodely and 30 others of Tillah
Chittoor.

(Here enter F. W. M. P. No 276 of 1847)

Read also again Miscellaneous
Petition presented on the same date by Loghee
Moodely of Tillah Chittoor.

Here enter F. W. M. P. No 280 of 1847

Read also Return dated 16th
December 1847 made by the Session Judge of
Chittoor, to the precept of the Zeyfdaree Adalut
dated 6th idem, transmitting the above Petitions
and demanding full particulars of the Acting
Magistrate's Proceedings, of which the
Petitioners complain.

(Here enter F. W. No 324 of 1847)

Previous to passing final order
on the matter of these Petitions, the Court of

Zeyfdaree

10th January 1848

Trichinopoly Dated 10th January 1848

Read Calendar in Case No. 56
of 1847 submitted by the Sessions Judge of
Cuddapah, under date the 4th instant
(Here enter T. C. No. 3210 of 1847)

Read Calendar in Case No. 79
of 1847 submitted by the Sessions Judge of
Masulipatam, under date the 9th instant
(Here enter T. C. No. 3222 of 1847)

Read Calendar in Case No. 37
of 1847 submitted by the Acting Sessions Judge of
Honore, under date the 11th instant
(Here enter T. C. No. 3223 of 1847)

Read Calendar in Case No. 29
of 1847 submitted by the Sessions Judge of
Tinnevelly under date the 11th instant
(Here enter T. C. No. 3225 of 1847)

Read Calendar in Case No. 108
of 1847 submitted by the Sessions Judge of Salem
under date the 6th instant
(Here enter T. C. No. 3230 of 1847)

Read the Criminal Reports
dated the 30th November 1847 submitted by the
Subordinate Judge of Salem for the month of
November 1847
(Here enter T. C. No. 3231 of 1847)

Read

10th January 1848

Trichinopoly Dated 10th January 1848

Finding that it does not seem necessary to call for the
Proceedings held by the Magistrate in regard to the
Memorandum signed by the Petitioners sub-
mitted for their consideration, a copy of which the
Sessions Judge will be pleased to forward with
the least practicable delay.

Ordered that Stamp Paper the
Proceedings be forwarded to the Sessions Judge of
Chittoor by Receipt return within six days
from receipt after the receipt
(Here follows Principal No.)

Read Letter dated the 23rd ultimo
from the Sessions Judge of Cuddapah, submitting
the Criminal Reports B and other Statements
from the Subordinate Judges of Cuddapah and
Bangapalle Talukas Records of Caution for Assem-
bly Cuddapah stating that the Magistrate has
had no case to refer to in the reports during
that Month

(Here enter T. C. No. 3249 of 1847)

Read Memo dated the 4th ultimo
from the Sessions Judge of Coimbatore returning
the Sentence of the Tinnevelly Talukdar in Session Case
No. 57 of 1847.

(Here enter T. C. No. 3202 of 1847)

Read

Read Calendar in Cases Nos 111 and 112 of 1847 submitted by the Sessions Judge of Salem under dates the 8th and 10th ultimo

(Here enter F U No 3236 of 1847)

Read the Criminal Reports dated the 13th ultimo submitted by the Sessions Judge of Masulipatam for the Month of November 1847

(Here enter F U No 3241 of 1847)

Read Letter dated the 16th ultimo from the Session Judge of Guntoor submitting the Criminal Reports for the Month of November 1847.

(Here enter F U No 3242 of 1847)

Read the Criminal Reports dated the 11th ultimo submitted by the Session Judge of Rajahmundry for the Month of November 1847.

(Here enter F U No 3243 of 1847)

Read Letter dated the 10th ultimo from the Agent to the Governor in Ganjam, submitting the Criminal Reports for the Month of November 1847

(Here enter F U No 3244 of 1847)

Read returns dated the 17th ultimo from the Sessions Judge of Combatoor to the Precept of the Foujdaree Adawlut dated the 3d

idem, requiring full information in Criminal Case No 375 of 1847

(Here enter F U No 3253 of 1847)

Read Report dated the 15th ultimo submitted by the Agent to the Governor in Vizagapatam of persons apprehended in the separate Tracts of that District and delivered to the Agency in the Month of November 1847

(Here enter F U No 3260 of 1847)

Read returns dated the 14th ultimo from the Session Judge of Chicacole to the Precept of the Foujdaree Adawlut under date the 4th idem directing him to afford explanation of the circumstances under which Case No 50 of the Report No VI was disposed of by the Magistracy as the offence committed would appear to be a Breach of Gaol discipline, and as such cognizable by the Session Judge

(Here enter F U No 3261 of 1847)

Read Calendar in Cases No 21 of 1847 submitted by the Session Judge of Nellore under date the 21st ultimo

(Here enter F U No 3263 of 1847)

Read Calendar in Case No 65 of 1847 submitted by the Session Judge of

Combatoor

Combaconum under date the 20th Ultimo

(Hereunto F. U. No. 3264 of 1847)

Read Supplemental return dated the 21st ultimo from the Session Judge of Chittoor to the precept of the Foujdaree Udalut under date the 9th October last, directing that measures should be adopted to protect the 3d Prisoner in the Calendar Case No. 62 of 1847 from the enmity of the Prosecutor Cota Ramasawmy Chetty

(Hereunto F. U. No. 3270 of 1847)

Read the Criminal Reports dated the 18th ultimo submitted by the Session Judge of Nellore for the Month of November 1847

(Hereunto F. U. No. 3273 of 1847)

Read Calendar in Cases No. 110 of 1847 submitted by the Session Judge of Salem under date the 11th ultimo

(Hereunto F. U. No. 3275 of 1847)

Read the Criminal Report dated the 15th ultimo submitted by the Agent to the Governor in Council for the Months of October (Supplemental) and November 1847

(Hereunto F. U. No. 3276 of 1847)

Read

Read Returns dated the 23d ultimo from the Session Judge of Combaconum, to the Precept of the Foujdaree Udalut under date the 10th idem, directing that the period of Imprisonment awarded to the 5th Prisoner in Case No. 64 of 1847 be reduced to six Months

(Hereunto F. U. No. 3279 of 1847)

Read the Criminal Reports dated the 11th ultimo submitted by the Session Judge of Bellary for the Month of November 1847

(Hereunto F. U. No. 3283 of 1847)

Read Calendar in Cases No. 52 of 1847 submitted by the Session Judge of Chittoor under date the 11th ultimo

(Hereunto F. U. No. 3285 of 1847)

Read Calendar in Cases No. 31 of 1847 submitted by the Acting Session Judge of Trichinopoly under date the 23d ultimo

(Hereunto F. U. No. 3286 of 1847)

Read Calendar in Cases No. 61 of 1847 submitted by the Session Judge of Mangalore under date the 20th ultimo

(Hereunto F. U. No. 3287 of 1847)

Read

10th January 1848

Read Return dated the 18th ultimo from the Sessions Judge of Chingleput, to the Receipt of the Tongdarce Udalut under date the 10th idem. desiring to be informed on what date the Criminal Reports for the Month of September were transmitted from the Session Court and directing him to cancel the sentence awarded by him in Case No. 37 of the Vizagapatam Criminal Reports for September 1847.

(Here enter F. U. No. 3290 of 1847)

Read Letter dated the 18th ultimo from the Acting Sessions Judge of Canara, forwarding the Criminal Report received from the Magistrate of Canara for the Month of October 1847.

(Here enter F. U. No. 3293 of 1847)

Read Calendar in Case No. 60 of 1847 submitted by the Session Judge of Cuttack under date the 31st ultimo.

(Here enter F. U. No. 3299 of 1847)

Read Calendar in Case No. 52 of 1847 submitted by the Acting Session Judge of Trichinopoly under date the 24th ultimo

(Here enter F. U. No. 3300 of 1847)

Read Calendar in Cases No. 20 of 1847 submitted by the Session Judge of Guntoor under date the 25th ultimo

(Here enter F. U. No. 3305 of 1847

Read

10th January 1848.

Read Calendar in Case No. 24 of 1847 submitted by the Session Judge of Bellary under date the 24th ultimo.

(Here enter F. U. No. 3306 of 1847)

Read Letter dated the 23d ultimo from the Session Judge of Tinnevelly, reporting the rejection of the sentence of death passed upon the Prisoner in Case No. 25 on the Calendar of the Session Court for 1847

(Here enter F. U. No. 3307 of 1847)

Read Calendar in Case No. 39 of 1847 submitted by the Session Judge of Madura under date the 24th ultimo.

(Here enter F. U. No. 3308 of 1847)

Read Return dated the 28th ultimo from the Session Judge of Chittoor, to the Receipt of the Tongdarce Udalut under date the 24th idem. directing that the Prisoner Ramadoo in Case No. 51 of 1847 on the File of the Session Court should be sentenced to 10 years imprisonment with hard labor in irons.

(Here enter F. U. No. 3310 of 1847)

Read Calendar in Cases No. 29 30 and 31 of 1847 submitted by the Session Judge

of

10th January 1848.

of Nellore under date the 29th ultimo

(Here enter T. U. Nos. 3313-3314 and 3315 of 1847)

Read again Miscellaneous

Petition presented on the 1st November 1847 by

N. Signapah Moodely and 30 others of

Tillah Chittoor.

(Here enter T. U. M. P. No. 276 of 1847)

Read also again Miscellaneous

Petition presented on the same date by Joshua

Moodely of Tillah Chittoor

(Here enter T. U. M. P. No. 280 of 1847)

Read also Return dated 16th Dec.

to the Precept of the Fouzdaree Adalut dated 6th

idem transmitting the above Petitions and demand-

ing full particulars of the Acting Magistrates'

Proceedings, of which the Petitioners complain

(Here enter T. U. No. 324 of 1847)

Proceeds to passing final orders

in the matter of these Petitions, the Court of

Fouzdaree Adalut deem it necessary to have

the Proceedings held by the Magistrate in

regard to the Mahazerunamahs signed by the

Petitioners submitted for their consideration

Copy of which the Session Judge will be

pleased

pleased to forward with the least practicable

delay.

Ordered that Extract from

these Proceedings be forwarded to the

Session Judge of Chittoor by Precept

returnable within 10 days from and after

its receipt.

(Sent following Precept No.

Read Report dated the 3d

instant submitted by the Session Judge

of Coimbatore of Cases pending on the 30th

November and committed for trial

during the Month of December 1847.

(Here enter T. U. No. 45 of 1848)

Read Letter dated the 4th instant

from the Session Judge of Combaconum,

reporting the execution of the sentence of death

passed on the Prisoner Appapilly in Case No. 67

of 1847.

(Here enter T. U. No. 46 of 1848)

Read Calendar in Case No. 38

of 1847 submitted by the Session Judge of

Tellicherry under date the 31st ultimo.

(Here enter T. U. No. 47 of 1848)

Read

11th January 1848

Read Criminal Reports submitted by the Sessions Judge of Tinnevelly for the month of November 1847.

(Here enter F. No. No. 3231 of 1847)

Report B
Case No 156

The Court of Foujdaree Adalut observe that the particulars of the former offences proved against the prisoner in this case who is stated to be an old offender and the date and amount of any former punishment that may have been awarded to him, should have been specified in this report.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Tinnevelly for his information and future guidance.

Sent in No

Read letter dated 16th December 1847 from the Sessions Judge of Bellary submitting for the final judgement of the Foujdaree Adalut the record of Case No 32 of 1847 of the Calendar of the Sessions Court.

(Here enter F. No. No. 3201 of 1847)

Mr. G. S. Hooper
Mr. W. A. Maclean

The Court of Foujdaree Adalut on a deliberate consideration of all the circumstances of the Case in evidence before them being of opinion that

11th January 1848

that the proof against the Prisoner

"Sunna Cerapah alias Pollah"

is sufficient to convict him of the crime of murder, do convict him thereof; and under the provisions of Section X Regulation VIII of 1802, sentence him to suffer death by being hanged at the usual time and place of execution.

Sent following letter No

Read Criminal Reports submitted by the Sessions Judge of Chicacole for the Month of November 1847

(Here enter F. No. No. 3209 of 1847)

The Court of Foujdaree Adalut observe that the date affixed to the endorsement of the Monthly Criminal Reports should be that of their actual despatch.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Chicacole for his information and future guidance.

Sent in No

Read Criminal Reports submitted by the Sessions Judge of Coimbatore for the Month of November 1847.

(Here enter F. No. No 3247 of 1847)

The

10th January 1848

Read Report dated the 4th instant submitted by the Acting Session Judge of Cuddapah of Cases pending on the 30th November and committed for trial during the Month of December 1847.

(Here enter F. No. No. 49 of 1848)

Read Calendar of Cases No. 26 of 1847 submitted by the Sessions Judge of Bellary under date the 3d instant.

(Here enter F. No. No. 33 of 1848)

Read Report dated the 3d instant submitted by the Session Judge of Mangalore of Cases pending on the 30th November and committed for trial during the Month of December 1847

(Here enter F. No. No. 57 of 1848)

Rd 18/1.

F. No.

Tuesday 11th January 1848

At a Court of the Foujdaree Udalut

Present

G. S. Hooper Esqr — 1st Puisne Judge
C. P. Thompson Esqr — 2nd Puisne Judge
W. A. Morehead Esqr — 3rd Puisne Judge

Read Criminal Reports submitted by the Sessions Judge of Chittoor for the Month of November 1847.

(Here enter F. No. No. 3120 of 1847)

Report No. Case No. 231

The Court of Foujdaree Udalut consider the increased punishment awarded to the prisoner in this Case by the Sessions Judge insufficient for the offence of which she has been convicted and which the Court observe should have been designated as snatching in the heading affixed to the Statement of the charge.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Chittoor for his information and for communication to the Hindoo Sudder Ameen.

Sent in No.

Read

Cases Nos 401 402 403

1 The Court of Tenjdaree Udalut observe that it should have been stated whether the prisoner was convicted in each of these Cases as if so the sentence awarded to him in Case No 400 would appear to be insufficient.

Case No 406.

2 The sentence recorded in this Case should have been corrected in accordance to the remark of the Sessions Judge in his proceedings.

Case No 413.

3 The Court of Tenjdaree Udalut require an explanation of the circumstances under which the very lenient sentence awarded in this case was considered sufficient.

Case No 418.

4 The Prisoner in this Case was charged with having entered the Prosecutors Betel garden by breaking the fence and stolen therefrom three bales of Betel valued at Rupees 1 8 - and has been sentenced to eighteen Months imprisonment with hard labor in irons the authority granted for such sentence being Clause 5th Section II Regulation VII of 1832.

5 The Court of Tenjdaree Udalut have ruled that breaking through a hedge does not constitute a construction house breaking under

under the law, and considering the sentence passed in this Case excessively severe, they direct that the period of imprisonment awarded be reduced to Three Months.

Case No 420.

6 The offence charged against the prisoner in this Case should have been designated in the heading affixed to the Statement of Charge as House breaking attended with murder.

Case No 420.

7 The sentence awarded in this case should have been passed under Clause second Section IV of the Regulation quoted.

Case No 429.

8 And in this Case Clause Sixth Section II of the Regulations quoted should have been cited.

Case No 431

9 Adverting to the severity of the punishment awarded in this Case the Court of Tenjdaree Udalut required an explanation of the grounds upon which it was adjudged.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Coimbatore for his information and guidance by precept returnable within X days from and after its receipt.

Sent following Precept No

11th January 1848

Read letter dated 21st December 1847 from the Sessions Judge of Cuttack submitting for the final judgement of the Foujdaree Adawlut the record of Case No 59 of 1847 of the Calendar of the Sessions Court.

(Here enter F. Co. No 3296 of 1847)

The Court of Foujdaree Adawlut, on a deliberate consideration of all the Circumstances of the Case in evidence before them, being of opinion that the proof against the Prisoners

1st Mungulata Bardeehah
Cheerman Chatur

is sufficient to convict them of the crime of Murder and against the Prisoners

2d Chumbalu Rao Coonby Rama
3d ——— Do ——— Mummy
and
4th ——— Do ——— Mudoo

of Concealing the murder and secretly removing the dead body, to convict them of those offences respectively; and in conformity with the provisions of Clause third Section seven Regulation XV of 1803. sentence the Prisoner

1st. Mungulata Bardeehah
Cheerman Chatur

to be transported to such place or places beyond

F. Co
11th January 1848

seas, as the Governor in Council shall appoint, there to be imprisoned and kept to hard labour in irons on the public Roads or other public works for and during the period of his natural life: and the prisoners

2d Chumbalu Rao Coonby Rama
3d ——— Do ——— Mummy
and
4th ——— Do ——— Mudoo

to be imprisoned without labour or irons, for and during the period of six months respectively.

Sent following letter No

Read Report dated 3d Instant from the Acting Sessions Judge of Chittagong of Cases pending on the 31st December 1847 and committed for trial during the Months of November 1847 before the Sessions Judge of Chittagong

(Here enter F. Co. No 230 of 1848)

Read Report dated 1st Instant from the Sessions Judge of Sylhet, of Cases pending before the Sessions Court of Sylhet in excess of 25 Days during the Months of December 1847.

(Here enter F. Co. No 29 of 1848)

Read

11th January 1848

Read letter dated 21st December 1847 from the Sessions Judge of Cuttack submitting for the final judgment of the Foujdaree Adalut the record of Case No 59 of 1847 of the Calendar of the Session Court.

Vide inter F. Uc. No 3396 of 1847.

The Court of Foujdaree Adalut, on a deliberate consideration of all the Circumstances of the Case in evidence before them, being of opinion that the proof against the Prisoners

1st Mungalata Badakhah
Charoomai Chalan

is sufficient to convict him of the crime of Murder and against the Prisoners

2d Chrumbala Rana Conky Rama
3d ——— Do ——— Mummy
and
4th ——— Do ——— Mridoo

of concealing the murder and secretly removing the dead body, to convict them of those offences respectively; and in conformity with the provisions of Clause third Section seven Regulation XV of 1803. sentence the Prisoner

1st Mungalata Badakhah
Charoomai Chalan

to be transported to such place or places beyond

F. Uc
11th January 1848

seas, as the Governor in Council shall appoint, there to be imprisoned and kept to hard labour in irons on the public Roads or other public works for and during the period of his natural life: and the prisoners

2d Chrumbala Rana Conky Rama
3d ——— Do ——— Mummy
and
4th ——— Do ——— Mridoo

to be imprisoned without labour or irons, for and during the period of six months respectively.

Sent following letter No

Read Report dated 3d Instant from the Acting Session Judge of Chingleput of Cases pending on the 31st December 1847 and committed for trial during the Months of November 1847 before the Session Judge of Chingleput

(Here enter F. Uc. No 23 of 1848)

Read Report dated 1st Instant from the Session Judge of Tellore, of Cases pending before the Session Court of Tellore in excess of 25 days during the Months of December 1847.

(Here enter F. Uc. No 29 of 1848)

Read

4th January 1848.

Read report dated 3rd Instant from the Sessions Judge of Salem, of Cases pending on the 31st December ult.y before the Sessions Judge of Salem for upwards of 26 days from the date of Commitment.

(Here enter F. Co. No. 35 of 1850)

Read report dated 1st Instant from the Sessions Judge of Bellary of Cases pending on the 30th November ult.y for longer than 25 days.

(Here enter F. Co. No. 36 of 1850)

J. U.:-

Wednesday. 12th January 1848.

At a Court of the Foujdaree Adalut.

Present.

G. S. Hooper Esqr. ——— 1st Puisne Judge
E. P. Thompson Esqr. ——— 2nd Puisne Judge
W. A. Morehead Esqr. ——— 3rd Puisne Judge

Read Criminal Reports submitted by the Sessions Judge of Combaconum for the month of November 1847.

(Here enter F. Co. No. 3206 of 1847).

Report B. Cases Nos. 263 & 265.

1. In order to judge of the propriety of the sentences respectively awarded in these cases the Court of Foujdaree Adalut direct that the places in which the thefts charged were severally committed may be stated for their information.-

Case No. 276.

2. The date of the former sentence referred to in the note appended to the report of this case should have been stated.-

Cases Nos. 278 & 279.

3. The Court of Foujdaree Adalut have ruled in their Circular Order under date the 28th October 1823, that it is incompetent to a Tahseeldar, Magistrate or Criminal Judge, to sentence at any time the same individual to a severer punishment than that specifically described in those provisions of the Law which define their powers respectively.-

4. In each of these cases the same prisoner has been sentenced to six months Imprisonment with hard labor in irons, under Section VII, Regulation X of 1816 the aggregate period of Imprisonment, thereby awarded to him being 12 months.

5. The Court of Foujdaree Adalut desire that it may be explained why these Sentences were recorded in both the cases in which the prisoner was convicted, it being the established rule in such cases that a Sentence should be recorded in one case only, a note to that effect being appended to the report of the case in which no Sentence is recorded.

6. The Court of Foujdaree Adalut observe that in these cases also the place in which the thefts charged were committed should have been specified.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Combaconum for his information and guidance by precept returnable within V days from and after its receipt.

(Sent following Precpt. No. 35)

Read letter dated the 30th Ultimo from the Acting Sessions Judge of Cuddapah informing the execution of the Prisoner Peroola Reddy Dasoo in

12th January 1848.

in Case No. 51 of the Calendar for 1847.

(Here enter F. Cl. No. 2 of 1848)

Read report dated the 1st Instant submitted by the Sessions Judge of Cuddalore of a case pending trial before him exceeding 25 days calculated from the date of commitment.

(Here enter F. Cl. No. 5 of 1848).

Read return dated the 31st December 1847. from the Sessions Judge of Salem, to the precept of the Foujdaree Adalut under date the 24th idem, on perusal of the translation of the Record of Calendar No. 86. of 1847. and directing the unconditional release of the prisoners and the transmission of a Copy of paras 3, 4, 5 and 6 of the Extract to the Magistrate for his information and guidance and for that of his Acting Head Assistant.

(Here enter F. Cl. No. 6 of 1848)

Read letter dated the 31st December 1847. from the Sessions Judge of Salem, submitting the return to the death warrant in Case No. 97 of the Calendar of the Sessions Court of Salem for 1847. and the letter required by the Circular Order of the Foujdaree Adalut of the 20th September 1830.

(Here enter F. Cl. No. 7 of 1848).

Read letter dated the 29th December 1847. from the Sessions Judge of Guntoor, forwarding Copy of a return from the Magistrate of Guntoor dated 23rd Instant relative to the Sessions Case No. 20 of 1847

(Here enter F. Cl. No. 8 of 1848).

Read

Read Calendar in Case No. 113 of 1847 submitted by the Sessions Judge of Salem under date the 23d December 1847.

(Here enter Ft. Vo. No. 10 of 1848)

Read Calendars in Cases No. 68-69 of 1847 submitted by the Sessions Judge of Cuddalore under date the 30th December 1847.

(Here enter Ft. Vo. Nos. 12 and 13 of 1848)

Ft. VIo.

Friday 11th January 1848. } At a Court of the Tongalarce Udalatt.

Present.

G. S. Cooper Esqre. ——— 1st Puisne Judge.

E. F. Thompson Esqre. ——— 2nd Puisne Judge.

W. A. Morehead Esqre. ——— 3d Puisne Judge.

Read Calendar of Cases No. 55 of the Sessions Court of Cuddalore for 1847.

(Here enter Ft. Vo. No. 32 1/4 of 1847)

1. The Prisoners in number were charged with having stolen an Elephant the property of the Prosecutor, valued at Rupees 1400.

2. Concurring in the Finding of the Law Officer, which convicted the 1st and 3d Prisoners, and acquitted the 2d and 4th. the Sessions Judge directed the release of the 2d and 4th Prisoners and recommended that the first Prisoner may be sentenced to 4 years imprisonment, and the second to 2 Years imprisonment, both with hard labor in irons.

3 The Court of Tongalarce Udalatt observes that the Sessions Judge

had

12th January 1848.

Read Calendar in Case No. 113 of 18
submitted by the Sessions Judge of Salem under
date the 23d December 1847.

(Here enter F. Co. No. 10 of 1848)

Read Calendars in Cases No. 68 &
69 of 1847 submitted by the Sessions Judge of
Cuddalore under date the 30th December 1847.

(Here enter F. Co. No. 12 and 13 of 1848).

Fr. Vol.

Friday
14th January 1848. } Criminal Court of the Foujdaree Adawlut.

Present.

The Hon'ble J. F. Cooper Esqre. ——— 1st Puisne Judge.
C. P. Thompson Esqre. ——— 2nd Puisne Judge.
W. A. Morehead Esqre. ——— 3d Puisne Judge.

Read Calendar of Cases
No. 55 of the Sessions Court of Coimbatore
for 1847.

(Here enter F. Co. No. 327 of 1847).

1. The Prisoners in number
were charged with having stolen an Elephant
the property of the Prosecutor, valued at
Rupees 1400.

2. Concurring in the Finding of
the Law Officer, which convicted the 1st
and 3d Prisoners, and acquitted the 2d and
4th the Sessions Judge directed the re-
lease of the 2d and 4th Prisoners and re-
commends that the first Prisoner may
be sentenced to 14 Years' imprisonment, and the
second to 2 Years' imprisonment, both with hard labor in
irons.

3. The Court of Foujdaree
Adawlut observes that the Sessions Judge
has

has erred in the course he has thus pursued. Having convicted the Prisoner of the crime charged, the Session Judge was bound to pass upon them the full penalty prescribed for the offence and having so done, it was then optional with him to apply to the Tongalore Udalut for a mitigation of their respective sentences to such extents as the palliating features of the case might in his opinion seem to justify.

4 Under all the circumstances of the case however, the Court of Tongalore Udalut do not feel disposed to sanction the mitigation as proposed by the Session Judge, and accordingly authorize him to issue his warrant for the imprisonment of the Prisoners

1st Cheranda mangala the Edathil Attiva. Joony Nair"

for the period of four years, and for the imprisonment of the Prisoner

"2nd Poolangalatt Ramen Nair"

for the period of two years, both with hard labor in irons.

Ordered

Ordered that a Extract from these Proceedings be forwarded to the Session Judge of Calicut for his information and guidance.

(Sent in a/c No 37)

Read letter dated the 21st Ult. from the Agent of the Governor in Ganjam submitting for the final judgment of the Tongalore Udalut, the Record of Case No 28 of the Calendar of 1847.

(Here enter F. 26. No 27 of 1848.)

Mr. B. P. Thompson and Mr. H. R. Morehead

The Court of Tongalore Udalut, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the Prisoner,

"Seetaram Bistoye"

is sufficient to convict him of the crime of wilful Murder, do convict him thereof; and, under the Provisions of Section X Regulation VIII of 1802, sentence him to suffer death by being hanged at the usual time and place of execution.

The Court of Tongalore Udalut

regret that they cannot find in the circumstances represented by the Agent sufficient

14th January 1848.

sufficient grounds to exempt the Prisoner from the last penalty of the Law.-

2. The Murder was deliberate - no blow had been struck by the deceased; and the words used cannot, in the opinion of this Court, be accepted as a sufficient cause of provocation.-

Ordered that Extracts from these Proceedings be sent to the Agent to the Governor at Fort St. George at Vanjore for his information.-

(Sent following letter. No. 38)

Reads Criminal Reports submitted by the Sessions Judges of Cuddalore for November 1847.

(Here enter F. No. 3232 of 1847.

Cases Nos. 239 and 241.- The name of the place from whence the Property in each of these cases was stolen having been omitted in the body of the charge, the Court of Foujdaree Adalut resolve to direct the attention of the Sessions Judges to the omission, and to request that it may be supplied in future.-

Ordered that Extract from these

F. No.

14th January 1848. these Proceedings be forwarded to the Sessions Judge of Cuddalore for his information and guidance.-

(Sent as No. 39)

Read Criminal Reports submitted by the Sessions Judge of Cuddalore for November 1847.-

(Here enter F. No. 3259 of 1847.)

Case No. 166. 1. The Prisoner in this case was convicted of Theft, and sentenced to 6 months imprisonment with hard labour in irons under Clause fourth, Section III. Regulation VI of 1822.-

2. The Courts of Foujdaree Adalut observe that the peculiar circumstances of this case which rendered the quotation of the above enactment applicable to its punishment should have been specified in the Reports.-

3. The Courts further observe that the functionary, who disposed of each case, should be mentioned in the penal columns opened for that purpose, and they at the same time request that due punctuality may be in future observed in

14th January 1848.

on the transmission of the Monthly Criminal Reports to the Tanjore Collectorate, the one now under review being dated one day after the time allowed.

Ordered that Extracts from these Proceedings be forwarded to the Sessions Judge of Cuddalore for his information and guidance.

(Sent in No 40 of 1848)

Read Calendar of Case No 107 of the Sessions Court of Salem for 1847.

(Here enter Fl. C. No 3229 of 1847)

Adverting to the note appended to this Calendar by the Sessions Judge: the Court of Foujdaree Adawlut observe that the reasons for the reference of the trial, that is to say, whether the Prisoner was convicted either by the Sessions Judge or the Law Officers or by both should have been entered in the Calendar. The Sessions Judge will now be pleased to supply the omission.

Ordered that Extracts from these Proceedings be forwarded to the Sessions Judge of Salem for his information and guidance.

(Sent in No 41 of 1848)

Read

14th January 1848.

Read Calendar of Case No 31 of 1847 on the file of the Sessions Court of Rajahmundry.

(Here enter No 17 of 1848.)

1. The Court of Foujdaree Adawlut consider that the practice of sending prisoners to any distance from the Jail hospital to be flogged is objectionable and should not on any occasion be resorted to. The Sessions Judge should have stated the distance of Munduspa from Rajahmundry and he will be pleased now to supply that information.

2. The Court of Foujdaree Adawlut resolve to point out for the information and future guidance of the Subordinate Judges that prisoners' confession should always be recorded in detail before the Subordinate Criminal Courts, the mere confirmation of their Police confession not being sufficient.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Rajahmundry for his information and guidance and for communication of

para

14th January 1847.

Forwd 2 to the Subordinate Judge for the information and future guidance of that Officer by Precept returnable within three days from and after its receipt:-

(Sent following precept No. 42 of 1848)

Read again Criminal Reports submitted by the Sessions Judge of Madura for the month of November 1847.

(Here enter F. Vo. No. 3205 of 1847)

Read also returns under date the 3d Instant from the Sessions Judge of Madura, to the precept of the Tinnevelly Udalut dated the 29th Ultimo requiring explanation with reference to the disposal of certain cases entered in the foregoing reports.-

(Here enter F. Vo. No. 44 of 1848.)

1. The Courts of Sessions Udalut observe that the transmission to the Magistrate of the prisoners in Case No. 150 was illegal.-

2. In the return of Cases No. 160 as entered in Form B the amount of fine was specifically stated.-

(Ordered

F. Vo.

14th January 1848.

Ordered that Extracts from these Proceedings be forwarded to the Sessions Judge of Madura for his information and for communication to the Subordinate Judge.

(Sent in No. 43 of 1848)

Read letter dated the 27th Ultimo from the Sessions Judge of Chicacole, requiring for the final judgment of the Tinnevelly Udalut the Record of Case No. 10 of 1847 of the Calendar of the Sessions Court.-

(Here enter F. Vo. No. 43 of 1848)

Mr. J. S. Hooper.
and.
Mr. C. P. Thompson.

The Courts of Tinnevelly Udalut, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the fact against the prisoner.

"Ruttnala Kristamah alias Nelacantoo."

is sufficient to convict him of the crime of Wilful Murder, do convict him thereof, and under the provisions of Section X. Regulation VIII of 1802, sentence him to suffer death by being hanged at the usual time and place of execution.-

(Sent following letter No. 44)

Read

th January 1848.

Read Criminal Reports submitted by the Sessions Judges of Trichinopoly for November 1847.

(Vide proceedings No. 3233 of 1847)

No. 127.

1. The Prisoners in this case were charged with having administered some intoxicating substance in betel to the wife of the Prosecutor, and thus led her away from her house and taken from her jewels valued at Rupees 27-8 -.

2. They were convicted by the Principal Sudder Ameen and sentenced to six months imprisonment under Section VII Regulation X of 1816.

3. The Court of Sessions Udalaur are of opinion that this case was committable before the Sessions Court, and that it should not have been disposed of under Regulation VI of 1822.

4. The offence committed was one of a very grave nature, and in the opinion of the Court ought to be classed with those deserving a severer punishment than the Lower Courts are empowered to inflict under Section VII Regulation X of 1816.

As

14th January 1848.

5. As the sentence appears to the Court to be very inadequate for the crime of which the Prisoners were convicted, especially in regard to the remission of labor, the Court resolve to direct the Acting Sessions Judge to look into the case, and to pass such orders thereon as may to him seem called for, reporting the results for the information of the Sessions Judge of Udalaur.

Ordered that Extracts from these Proceedings be forwarded to the Acting Sessions Judge of Trichinopoly for his information and guidance.

(Sent in No. 45)

14th Jan. 1848.

F 46

Monday
17th January 1848. At a Court of the Fouzdaree Adawlut

Present

G. S. Hooper Esqre —— 1st Puisne Judge

G. P. Thompson Esqre —— 2d Puisne Judge

W. A. Morehead Esqre —— 3d Puisne Judge

Read again Miscellaneous

Petition presented on the 19th July 1847

by Nellakanah and another of Zillah

Chingleput

(Here enter F. Dr. P. No. 1900 of 1847.)

Read again also Miscellaneous

Petition presented on the 19th July, and

30th August 1847 by Varoothapah Chetty

of Zillah Chingleput

(Here enter F. Dr. P. Nos. 1887-326/1847.)

Read again also Miscellaneous

Petition presented on the 16th August 1847

by Savetrama and another of Zillah

Chingleput

(Here enter Fr. P. No. 206/1847)

Read also returns from

the

The Sessions Judge of Colombo reports under date the 21st and 22nd September, 25th October, 2nd November and 8th December 1867 that the Magistrate of the Town & District Court dated the 23rd August & 4th October and the 4th December calling for translations of portions of the Record of Case No 8 of 1867 in the file of the Sessions Court (Vide Entries Nos 2436, 2590, 2662, 2675, and 3136 of 1867)

On an attentive perusal of the evidence submitted by the Sessions Judge, the Court of Requests (Additional) are satisfied of the justice of the sentences which have been awarded to the 6th and 7th Prisoners in the cases above referred to, and which will accordingly remain undisturbed.

2 The Court do not consider the identification of the articles of gold and ready money which were discovered in the possession of the 5th Prisoner sufficient to justify his conviction of the offence

offence with which he has been charged.

3 The Court is accordingly resolved to reverse the sentence which has been passed upon the 5th Prisoner; but being of opinion that strong suspicion attaches to him, the Court direct that he be required to produce security in two sureties bonds respectively in the sum of Rupees 200 for his good conduct and appearance when required for a period of 3 years; or, in default to be imprisoned for that period.

Orders that Extract from these Proceedings be forwarded to the acting Sessions Judge of Colombo for his information and guidance by precept returnable in three days from and after its receipt.

(Sent following precept &c /

Orders also that Extract from these Proceedings be given to the Petitioners on their application.

Read Miscellaneous Petition

presented

the Sessions passed & being appeal under dates the 21st and 22nd September, 2nd October, 2nd November and 8th December 1867 & the precepts of the Magistrate dated at Galle the 23rd August & 4th October and the 4th December calling for translations of portions of the Record of Case No 6 of 1867 in the file of the Supreme Court (Vide Entries Nos 2436, 2590, 2662-, 2675, and 3136 of 1867.)

1 On an attentive perusal of the evidence submitted by the Sessions Judge, the Court of Magistrate dated are satisfied of the justice of the sentences which have been awarded to the 6th and 7th Prisoners in the case above referred to, and which will accordingly remain undisturbed.

2 The Court do not consider the identification of the articles of silver and ready money which were discovered in the possession of the 3d prisoner sufficient to justify the conviction of the offence

offence with which he has been charged.

3 The Court is accordingly resolved to reverse the sentence which has been passed upon the 3rd Prisoner; but being of opinion that strong suspicion attaches to him, the Court direct that he be required to produce security in two sureties bonds respectively in the sum of Rupees 200 for his good conduct and appearance when required for a period of 3 years; or in default to be imprisoned for that period.

Orders that Extract from these Proceedings be forwarded to the acting Sessions Judge of Galle for his information and guidance by precept returnable in three days from and after its receipt. (Vide following precept No /

Orders also that Extract from these Proceedings be given to the Petitioners on their application.

Read Miscellaneous Petition presented

17th January 1868

presented on the 13th December 1867 by R. Sri-
-nivachary Vakeel on behalf of Mulla-
-gowda of Yellah Bowre.

(Here Case No. P. No. 321/1867)

Adverting to the orders
passed by this Court under date the
25th October last calling for the depositi-
-ons of certain of the Witnesses in
Case No. 8 of 1867 on the file of the
Sessions Court of Bowre, the Petitioner
who represents himself to be the
uncle of the 1st Prisoner in the case
in question, asserts the entire incon-
-cence of his Nephew of the offence
of which he has been convicted and
prays the Court of Foujdaree Adalut
to call for the entire Records of
the case and to order the examinatio
of certain witnesses who were named
by the Prisoner in his defence, but
whom, he alleges, the Sessions Judge
omitted to examine.

2 The Court of Foujdaree
Adalut

17th January 1868 Adalut resolve to direct that an En-
-glish translation of the entire Record
of the case referred to, with the
exception of the depositions which
have been already transmitted to the
Foujdaree Adalut, be submitted for
their consideration, and that the
sentence which has been awarded
to the 1st Prisoner be suspended until
further orders.

The Court of Foujdaree Ada-
3 -lut further resolve to forward the English
translation of this Petition to the Sessions
Judge, who will be pleased to submit such
explanation as he may have to offer
with reference to the allegations made
by the Petitioner regarding his refusal
to grant the 1st prisoner an opportunity
of affixing his signature to a Petition
which has been prepared in his
name and to order the Register
of Vakalatnamah which
has been prepared for transmission
with the Petition in question

on

4. On perference to the Return of the Sessions Judge dated the 8th November last. the Court of Foujdaree Adalut observe that all the witnesses named by the 1st Prisoner in his defence with the exception of one who did not attend, are stated by that officer to have been examined.

Ordered that Extract from these Proceedings be sent to the Acting Sessions Judge of Canara for his information and guidance by precept returnable within Fifteen days from and after its receipt.—

(Sent following precept No 1)

Ordered also that Extract from these Proceedings be given to the Petitioners Vakeel on his application.—

Read Miscellaneous Petition presented on the 23d November 1847 by Goolam Moortoza Vakeel on behalf of Shreenivasa Row late Tahsildar of Bindayoor Talook in the Zillah

of Coimbatore

(Sent Extract Fdn Dt No 297 of 1847.)

Petitioner was Prisoner in case No 535 of 1847 of the Sessions Court of Coimbatore, charged with perjury. He was acquitted by the Sessions Judge but pronounced to be unworthy of public employ or confidence. It is from this imputation that the Petitioner now seeks to be relieved, and prays the interference of the Foujdaree Adalut.

2 The Court of Foujdaree Adalut see no reason for their interference in the Petitioners behalf, whose re-employment rests solely with the Magistrate and to that officer the Petitioner is accordingly referred.—

Ordered that his prayer of his Petition be rejected and that Extract from these Proceedings be given to Petitioners Vakeel on his application

Read Miscellaneous Petition presented on the 13th December 1847 by Balasoondra

17th January 1868

Balasoondra Moodely of Zeilah Chettoor.-

(Here Enter File No 324. 1867)

1 The same party presented a Petition to the Court on the 29th November last asserting the innocence of his relatives 1st and 2d Prisoners in case No 46 of 1867 of the Sessions Court of Chettoor, and praying their release. He now submits further circumstances for the consideration of the Court, in the hope that they may be induced to take a more favorable view of the Case.-

2 The Petitioner was informed by the Proceedings of the Court of Tongdaree Adalut under date 24th Ultimo that the entire record of the Case, in which his relatives as Prisoners were concerned, had received their full and careful attention, and that it was upon mature consideration of the whole facts of the Case, as elicited in the evidence, that

File
17th January 1868.

that the Court convicted the 1st Prisoner and confirmed the Proceedings of the Sessions Judge requiring the 2d to produce security. The Petitioner is accordingly referred to those Proceedings and informed that the orders therein passed are final.-

Ordered that the prayer of this Petition be rejected and that Extract from these Proceedings be given to Petitioner on his application.-

Read again Miscellaneous Petition presented on the 15th November 1867 by appearance Cadian of Zeilah Combaconam.

(Here Enter File No 291 of 1867)

Read also Petition under date the 28th Ultimo from the Sessions Judge of Combaconam to the precept of the Tongdaree Adalut dated the 13th idem calling for information with reference to the allegations contained in the foregoing Petition.-

(Here Enter File No 20 of 1868)

On a perusal of this Petition the Court of Foujdaree Adaulut observe that the Petitioner's case has met with full consideration and they accordingly decline to interfere further on the Petitioners behalf.-

Ordered that therefore that the foregoing Petition be dismissed and that an Extract from these Proceedings be furnished to the Petitioner on his application.-

Read Miscellaneous Petition presented on the 15th December by Sheikh Kaleek on behalf of Sheikh Bahadur Pillay of Tellicherry

(Sheikh Bahadur Pillay R. No 320/1861)

The Petitioner was late Accountant in the Commissariat office at Cannanore and stood charged in Case No XVIII of 1861 before the Sessions Court of Tellicherry with having extorted from the Prosecutor or bribes of Rupees 150

The

2 The Sessions Judge acquitted the Prisoner, but declared strong suspicion to attach to him, and it is from this imputation that the Petitioner now seeks to be relieved.-

3 He enters at great length into his defence, and asserts that the whole of the charges against him were preferred by the malice of his enemies, the chief of whom is Lieut Baldeac, he prays, therefore, that the Court will call for the whole Proceedings held in the case, and, after satisfying themselves of his innocence afford him redress.-

4 Previous to passing final orders on this Petition the Court of Foujdaree Adaulut deem it necessary to have the entire Record submitted for their consideration. The Sessions Judge will accordingly be pleased to cause the same to be translated and forwarded to the Foujdaree Adaulut with the least possible delay.-

Ordered.

Ordered that Extract
from these Proceedings be forwarded to
the Sessions Judge of Tellicherry by
Precept returnable within XXX days
from and after its receipt

(Sent following precept &c /

Ordered also that Extract
from these Proceedings be given to the
Petitioners Vakeel on his application.

Read Letter dated 24th
December 1847 from the Sessions Judge of
Cundapoor forwarding the Records
of Cases Nos 53 and 54 of 1847 for the
final sentence of the Tongadars Adalut

(Sent Extract Fa No 3309 of 1847.)

for E. P. Thompson
for W. A. Brookes

The Court of Tongadars Adalut,
after a deliberate consideration of all
the circumstances of the case and
evidence before them, being of opinion
that the proof against the Prisoners
1st Chenchoo Shashogadoo
2d Boorangadoo
and
3d Rungadoo.
is sufficient to convict them of the crime

crime of "Murder" and "severe wounding"
in both cases, do convict them there-
of; and under the provisions of Sec-
X Regulation VIII of 1802, sentence the
Prisoners

1st Chenchoo Shashogadoo
to suffer death by being hanged at
the usual time and place of Execu-
tion; and the Prisoners,

2d Boorangadoo,
and
3d Rungadoo
to be transported to such place or
places beyond Sea, as the Governor
in Council shall appoint, there to
be imprisoned and kept to hard labor
in irons on the public roads or Pub-
lic works for and during the period
of their natural lives.

(Sent following letter No /

Read Criminal Reports
submitted by the Sessions Judge of
Cuntoor for September 1847.

(Here Enter Extract No: No 2735 / 1847.)

The

17th January 1848.

Form B.
Case No. 91 1

The Prisoner in this case was convicted of having robbed the Prosecutrix of certain ornaments while "lying on the Mat before the door of her house" but whether the Prosecutrix was asleep or awake at the time the Robbery was committed has not been specified in the charge.

2

The Court of Foujdaree Adalut observe that unless the Prosecutrix was asleep and the ornaments taken from her person by stealth, the offence falls under the head of "Snatching" and the punishment awarded would be in that case insufficient

Case No. 92 & 95

3

The crime committed a week of these cases should have been denominated "Snatching" in the heading of the charge and the Court request to be furnished for the information of the Sessions Judge that they have power, that all cases of this nature must be disposed

17th January 1848.

disposed of by the Sessions Judge under Clause Seventh Section II Regulation XI of 1803.-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Cuttack for his information and future guidance.

Sent in No. 15

Thursday
20th January 1848.

At a Court of the Poydaree Adalut

Present

J. S. Hooper Esqre — 1st Puisne Judge.
E. D. Thompson Esqre — 2d Puisne Judge.
W. A. Morehead Esqre — 3d Puisne Judge.

Read Calendar of Case No 12 of 1847 on the file of the Sessions Court of Chittagong.

(Here enter F. C. No 180 of 1848.)

1. The Prisoner in this case was charged with having entered the Prosecutor's back-room by unlatching the door thereof, and stolen therefrom a box containing articles valued at Rupees 169-5-6.—

2. The Sessions Judge in concurrence with the Law Officer has convicted the Prisoner of the offence laid to his charge, and has recorded against him a sentence of 7 years imprisonment with hard labor in irons.—

3. On the ground however that immediately after the Commission of the theft he threw the box into the house of one of the Prosecutors: other servants having only abstracted from it (Rupees 5-4-a the Sessions Judge

recommends

recommends that the prescribed period of imprisonment be reduced to one months.-

4. The Court of Sujdaree Adalut consider that with reference to the hour at which the theft charged in this case was committed, the circumstance that the prisoner was in the service of the Prosecutor and the security in which the box was placed, the mitigated sentence recommended by the Sessions Judge would be insufficient to meet the demands of justice.-

5. But being of opinion that under all the circumstances of the case the prescribed sentence would be too severe, the Court of Sujdaree Adalut resolve to authorize the Sessions Judge to issue his warrant for the Imprisonment of the prisoner with hard labor in irons for the period of one year.-

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Chittoor for his information and guidance.

(Sent in a Ltr to 62)

Read again Calendar of Cases No 50 of 1847 on the file of the Sessions Court of Chittoor

(Here insert P.C. No 3075 of 1847)

Read also Return under date the 6th

11th ultimo from the Sessions Judge of Chittoor, to the precept of the Sujdaree Adalut dated the 10th Idem directing that a second question be propounded in the foregoing case, in order to remove the objections to bail and that the prisoner be punished under the provisions of Section XXI Regulation VII of 1802, the sentence awarded to him under Clause fourth Section II Regulation VI of 1822 being declared illegal.-

(Here enter P.C. No 3215 of 1847)

1. In this return, the Sessions Judge urges the legality of the sentence passed by him, contending that the former conviction of the prisoner rendered him punishable for the offence proved against him in the case under notice, under the provisions of Clause fourth Section II Regulation VI of 1822.-

2. The Court of Sujdaree Adalut observe that the previous convictions to which the Sessions Judge refers led to the commitment of the prisoner for trial by the Court of Session; as otherwise the offence charged against him would have been punishable by the Subordinate Criminal Court.-

3. In Clause fifth of the Section quoted

quoted, it is expressly laid down that nothing in the preceding Clause "shall be construed to authorize an enhancement of the penalties declared by the Regulations in force for burglary or theft, when" not accompanied with wounding or other corporal injury."-

4. It is obvious therefore that the offence of which the prisoner in this case has been convicted viz: "Housebreaking with an attempt to steal" and for which he was committed to the Court of Session in consequence of his previous conviction can only be punished under the provisions of Section XXI, Regulation VII of 1802 the Regulation in force for the punishment of the offence charged previous to the enactment of Regulation VI of 1822.

5. In the answer given by the Hoomidan Law Officer to the 2d question proposed by the Sessions Judge under the orders of the Fougdaree Adalut, the Court of Fougdaree Adalut observe, that the objections to Hud are stated and also the specific punishment to which the Prisoner would have been liable if he had been convicted by full legal evidence.-

6. The Court of Fougdaree Adalut accordingly direct that the Sessions Judge will now proceed

proceed according to the rule laid down in Clause third Section II Regulation XV of 1803 to pass sentence in this case under the provisions of Section XXI Regulation VII of 1802.-

7. And as was observed by the Court of Fougdaree Adalut in their proceedings of the 10th Instant it will then be competent to the Sessions Judge to apply for a mitigation of the prescribed punishment to such extent as he may think proper.-

Ordered that Extract from these proceedings be sent to the Sessions Judge of Chittoor for his information and guidance, by precept returnable within V days from and after its receipt.

(Sent following Precept No. 63)

Ed. H.T.

H.T.B.

Friday,
21st January 1848.

At a Court of the Fonjdaree Adalut.—

—Present—

G. L. Hooper Esqre —— 1st Puisne judge.—
E. P. Thompson Esqre — 2d Puisne judge.—
W. L. Morshead Esqre —— 3d Puisne judge.—

Read calendar of Case No 27 of 1847 on the file of the Sessions Court of Chingleput.—

(Here entered F. H. No 16 of 1848.)

1. The Prisoners in this case were charged with adultery and on conviction have been sentenced by the Acting Session judge to six months' Imprisonment, with labor without irons.—

2. Under the circumstances of the case as stated in the Calendar the Court of Fonjdaree Adalut consider that the period of Imprisonment awarded may with propriety be reduced to one month and they direct the Acting Session judge to issue his warrant accordingly.—

3. The sentence will be considered to have commenced from the date of the Fiat.—

Ordered that Extract from these proceedings be sent to the Acting Session judge

of

Chingleput for his information and guidance by
precept returnable within III days from and after
its receipt.-

(Sent following precept - No 65).-

Read return dated 31st ultimo
made by the Session Judge of Chicacole to the Precept
of the Zoujdaree Adalut dated 24th Idem, returning
for amendment the Calendar of Case No 37 of 1847 on
the file of the Session Court of Chicacole.-

(Vide inter F.C. - No 33 of 1848)

1. The Prisoner in this case, eight
in number, were charged with Burglariously and
Theft, and the Session Judge in their
Conviction, approved of and confirmed the Futwa;
but being of opinion that the prescribed punishment
is too severe, the Session Judge has submitted their
case to the Zoujdaree Adalut for a mitigation
thereof, according to Section IV Regulation I of 1825.

2. Under all the circumstances of the
case now under consideration, the Court of Zoujdaree
Adalut approve of the recommendation of the
Session Judge, which they accordingly resolve to
sanction, and under the provisions of Section IV
Regulation I of 1825, authorize him to issue his
Warrants for the imprisonment of the 3d 4th 5th and

6th Prisoners for the period of 5 years, and for the
imprisonment of the 1st 2d 3d 4th and 6th Prisoners
for the period of three years, all with hard labor
in irons.-

3. The Court at the same time deem
it necessary to bring to the notice of the Session Judge
the irregularity of his Proceedings in the present
instance. Having concurred with the Law Officer
in the conviction of the Prisoners, it was incumbent
upon the Session Judge to pass upon them the full
penalty prescribed by the Regulation under the
provisions of which the punishment for their offences
fell, the said enactment being quoted in support of
the sentence, and having so done, it was then optional
with the Session Judge to apply to the Zoujdaree
Adalut for a mitigation of the sentence to such
extent as he might deem proper.-

Ordered that Extract from these
Proceedings be forwarded to the Session Judge of
Chicacole for his information and future guidance.

(Sent in No 66).-

Read Calendar of Case No 28 of the
Session Court of Chingleput for 1847.-

(Vide inter F.C. No 60 of 1848.)

1. The two Prisoners were charged with
having

having in conjunction with one Govindum (since dead) being armed with Sticks and Billhooks, attacked the Prosecutor and his Female companion while passing a Jungle Road, beaten, and robbed them of Property valued at Rupees 26-14-7.-

2. The Acting Sessions Judge concurring in the 2nd Finding of the Mahomedan Law Officer, convicted the Prisoners of the crime charged and sentenced them to 7 years imprisonment with hard labor in irons agreeable to Section XXI of Regulation VII of 1

3. The Court of Sunjdaree Udalut are of opinion that the punishment of the offence committed by the Prisoners in this instance falls under the provisions of Regulation XV of 1803. and that sentence should have been passed upon them in conformity with Clause third Section III, and Clause third Section IV of that Enactment - it would then have been optional with the Sessions Judge to apply to the Sunjdaree Udalut for a mitigation of the sentence under Clause second Section III Regulation I of 1825.-

4. Wherefore the Sessions Judge will now be pleased to pursue, by again calling up the Prisoners and passing upon them the full sentence of 14 years imprisonment with hard labor in irons and then applying to the Sunjdaree Udalut for a mitigation

F. C.

21st January 1848.

of their sentence to such extent as may to him seem proper.-

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Chingleput for his information and guidance.-

(Sent in No 67).-

Read the following Letter dated the 22d ultimo from the Magistrate of Rajahmundry

(Hereunto entered F. C. No 105 of 1848.)

1. The Magistrate submits, in accordance with the Provisions of Clause sixth, Section XVIII Regulation IX of 1816, a translation of the Record of a Case in which he has declared the lands of Dow Vencata Dow of Purpa to be forfeited to Government, in consequence of his having resisted a party of Peons whom the Magistrate had sent with a warrant to apprehend him upon a certain charge for which he has suffered the penalty of three months Imprisonment awarded by the Subordinate Court, under Regulation IX of 1832.-

2. The Court of Sunjdaree Udalut observe that the warrant for the apprehension of Dow Vencata Dow was made out in the name of Mahomed Ameen a Huzzoor Dafadar; but it

having in conjunction with one Govindum (since dead) being armed with sticks and Billhooks, attacked the Prosecutor and his female companions while passing a Jungle Road, beaten, and robbed them of Property valued at Rupees 26. 14. 7.-

2. The Acting Sessions Judge concurring in the 2nd Finding of the Panchayadam Law Officer, convicted the Prisoners of the crime charged and sentenced them to "7 years imprisonment with hard labor in irons agreeable to Section XXI of Regulation VIII of 1802."

3. The Court of Foujdaree Adawlut are of opinion that the punishment of the offence committed by the Prisoners in this instance falls under the provisions of Regulation XV of 1803. and that sentence should have been passed upon them in conformity with Clause third Section III, and Clause third Section IV of that Enactment - it would then have been optional with the Sessions Judge to apply to the Foujdaree Adawlut for a mitigation of the sentence under Clause second Section III Regulation I of 1825.-

4. Wherefore the Sessions Judge will be pleased to peruse, by return calling up the Prisoners and passing upon them the full sentence of 14 years imprisonment with hard labor in irons and then referring to the Foujdaree Adawlut for a mitigation

of their sentence to such extent as may to him seem proper.-

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Chingleput for his information and guidance.-

(Sent in No 67).-

Read the following Letter dated the 22nd ultimo from the Magistrate of Rajahmundry

(Herewith enter F. 16. No 1405/1848.)

1. The Magistrate submits, in accordance with the Provisions of Clause sixth, Section XVIII Regulation IX of 1818, a translation of the Record of a Case in which he has declared the lands of Pow Vencata Pow of Pungaloor to be forfeited to Government, in consequence of his having resisted a party of Peons whom the Magistrate had sent with a warrant to apprehend him upon a certain charge for which he has suffered the penalty of three months Imprisonment awarded by the Subordinate Court, under Regulation IX of 1832.-

2. The Court of Foujdaree Adawlut observe that the warrant for the apprehension of Pow Vencata Pow was made out in the name of Mahomed Ameen a "Hegzoor Dalayet"; but

it

it does not appear whether that individual served the warrant himself - or whether the warrant was produced and shewn to the Prisoner before he was seized. The Court deem it necessary, before passing a final order on this matter, to direct the Magistrate to examine the said Ibrahimed Ameen touching the manner in which the warrant was served - and to submit for their consideration, an English Translation of his Deposition -

3. The Magistrate will also be pleased to examine the Prisoners' witnesses and submit Translations of their Depositions. The reasons urged by the Magistrate for not examining them, are not deemed by the Sessions Court sufficient.

Ordered that Extracts from these proceedings be forwarded to the Magistrate of Rajahmundry by Precept returnable within XX days from and after its receipt -

(Sent following precept No 68)-

Read Calendar of Case No 1 of the Sessions Court of Tinnevelly for 1848 -

(Here enter F. No. 76 of 1848)

1. To enable the Court of Sessions Adalut to judge of the propriety of the Sentence awarded by the Sessions Judge, the Court observe that a brief abstract

abstract of the defence made by the Prisoner should be in all cases, submitted for their consideration, and with reference to the Case now under review, previous to passing their final orders, the Court resolve to call upon the Sessions Judge to furnish them with an abstract of the defence made by the Prisoner,

"Sunkoroppa Naiken"

who was charged with "Perjury" and sentenced by the Sessions Judge to 4 years imprisonment with hard labor in irons -

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Tinnevelly by Precept returnable within V days from and after its receipt -

(Sent following precept No 69)

Read Criminal Reports submitted by the Sessions Judge of Madura for December 1847 -

(Here enter F. No. 77 of 1848)

Forms B.
Case No 165.

1. The Prisoners eleven in number were charged with "Robbery by open violence" - The first alone was committed; the remaining ten "Prisoners having been "transferred to the Magistrate "in order that should there be any available evidence "be

"his may again forward them to the Court, as they "appear upon the confession only of the Prisoner "now committed."-

2. The illegality of proceeding in this manner was pointed out to the Subordinate Judge by the Singalard Adalut in their Proceedings under date the 24th Ultimo in review of the Criminal Report of Madura for November last.-

Ordered that Extract from these proceedings be forwarded to the Session Judge of Madura by Precept returnable within III days from and after its receipt.-

(Sent following precept. No 70)-

Read Calendar of Case No 5 of the Sessions Court of Chicacole.-

(Hereunto enter F. 86. No 8 of 1848)

1. The Prisoner in this case was charged with having successively broken into the Houses of the three Prosecutor, stealing therefrom property valued at 3 Annas.-

2. The Court of Sudder Adalut observe that three distinct offences having been committed by the Prisoner in this instance, he should have been arraigned and sentenced under three distinct and separate charges.-

Ordered

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Chicacole for his information and future guidance.-

(Sent in No 71)-

Read Calendar of Case No 58 of the Sessions Court of Calicut for 1847.-

(Hereunto enter F. 86. No 32 of 1847)

The Prisoners three in number were charged with Highway Robbery attended with violence. The 2nd and 3rd Prisoners were acquitted and released, but with respect to the first Prisoner being of opinion that suspicion attached to him the Sessions Judge required him to produce two sureties in the sum of 25 Rupees each.-

1.

2. The grounds upon which the Sessions Judge formed this opinion have not been stated in the Calendar; but as full information upon this point is necessary to enable the Court of Sudder Adalut to judge of the propriety of the requisition for security, they resolve to call upon the Sessions Judge to furnish the same without delay.-

Ordered that Extract from these proceedings be forwarded to the Acting Sessions Judge of Calicut by Precept returnable within V days from and after its receipt.-

(Sent following precept No 72.)-

Read

"his may again forward them to the Court, as they "appear upon the confession made by the Prisoner "now committed."-

2. The illegality of proceeding in this manner was pointed out to the Subordinate Judge by the Singalese Members in their Proceedings under date the 24th Ultimo in review of the Criminal Report of Madura for November last.-

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Madura by Precept returnable within III days from and after its receipt.-

(Sent following precept - No 70)-

Read Calendar of Case No 5 of the Sessions Court of Chicacole.-

(Herewith F. C. No 82 of 1848)

1. The Prisoner in this case was charged with having successively broken into the Houses of the three Prosecutors, stealing therefrom property valued at 3 Annas.-

2. The Court of Singalese Members observe that three distinct offences having been committed by the Prisoner in this instance, he should have been arraigned and sentenced under three distinct and separate charges.-

Ordered

F. C.

21st January 1848.-

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Chicacole for his information and future guidance.

(Sent in No 71)-

Read Calendar of Case No 58 of the Sessions Court of Caleut for 1847.-

(Herewith F. C. No 329 of 1847)

1. The Prisoners three in number were charged with Gang Robbery attended with violence. The 2nd and 3rd Prisoners were acquitted and released, "but with respect to the [illegible] being of opinion that suspicion attaches to the Sessions Judge required him to procure two sureties in the sum of 25 Rupees each.-

2. The grounds upon which the Sessions Judge formed this opinion have not been stated in the Calendar; but as full information upon this point is necessary to enable the Court of Sudder Adalut to judge of the propriety of the requisition for security, they resolve to call upon the Sessions Judge to furnish the same without delay.-

Ordered that Extract from these proceedings be forwarded to the Acting Sessions Judge of Calicut by Precept returnable within V days from and after its receipt.-

(Sent following precept No 72.)-

Read

Read again Calendars of Cases Nos 82, 87, 88, 89, and 92 of 1847 on the file of the Sessions Court of Salem.-

(Here enter F. Vo. No. 2700 of 1847.)

Read also Return under date the 23d November 1847 from the Sessions Judge of Salem to the precept of the Sungdaree Udalut dated the 21st October last requiring the submission of a translation of the record in case No. 87 of 1847 on the file of the Sessions Court.-

(Here enter F. Vo. No. 3064 of 1847.)

Read also Return under date the 17th Ultimo from the Sessions Judge of Salem to the precept of the Sungdaree Udalut dated the 4th idem calling for translations of certain documents connected with the record of the foregoing case.-

(Here enter F.Vo. No. 3235 of 1847.)

1. The prisoner in this case was charged with house breaking and theft and on conviction has been sentenced by the Court of Session to seven years Imprisonment with hard labor in irons.-

2. The Court of Sungdaree Udalut considering the evidence as stated in the Calendar upon which the conviction of the prisoner was founded to be unsatisfactory deemed it necessary that the entire record of the case should be submitted for their consideration; and on an attentive perusal thereof and of the other documents connected with the record, translations of which have been submitted by the Session Judge the Court of Sungdaree Udalut are confirmed in the opinion that the evidence is insufficient for the conviction of the prisoner of the offence with which he is charged.-

3. The Court of Sungdaree Udalut observe that the identity of the coins discovered in the prisoner's house with those which were said to have been stolen from the house of the prosecutor has not been proved, and the evidence rather tends to show that the coins in question were not the Prosecutor's; as in the list of stolen property given by that individual on the morning after the robbery was said to have been committed no mention is made of quarter or half Rupees whereas amongst the coins found near the prisoner's house were sixteen quarter Rupees and one half rupee.-

4. The Prisoner's Police confession was retracted by him both before the Criminal and Session Courts.-

5. Nor can the Court of Sungdaree Udalut attach any credit to the evidence of the

3d

3d and 4th witnesses who deposed that they had met the prisoner in the road and informed him of the discovery of stolen property in his house, and stated that he then confessed to them his participation in the robbery.-

6. It appears to the Court to be scarcely possible that if the statements of these witnesses were true, the prisoner would have returned to his own village where he must have been aware that his apprehension would immediately ensue.-

7. For these reasons the Court of Fuzdaree Adalut resolve to direct that the prisoner be unconditionally released forthwith.-

Ordered that Extract from these proceedings be sent to the Sessions Judge of Salem for his information and guidance by first Post returnable within 11 days from and after its receipt.

(Sent following Receipt No 73.)-

Read again Calendar of Cases for the Sessions Court of Tellicherry for this day.-

(Here enter F.C. No 29 of 1848)

Read the Petition dated 22d (Salem) this made by the Sessions Judge of Tellicherry to the Receipt of the Fuzdaree Adalut dated 7th Instant, last returning the Petition of the Prisoner

Officer in the above Case, and requiring the same to be amended in strict conformity with the rules laid down in Circular Orders of the 28th May and 22d July 1828.-

(Here enter F.C. No 3304 of 1847.)

The Court of Fuzdaree Adalut

1.

having duly considered the circumstances of this case are of opinion that the anticipated sentence proposed by the Sessions Judge to be passed upon the first Prisoner may be, with propriety sanctioned, and under the provisions of Clause third Section III Regulation I of 1825 the Court accordingly authorize the Sessions Judge to issue his Warrant for the imprisonment of the Prisoner

Doorgoo

for and during the period of five (5) years with hard labor in irons.-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Mangalore for his information and guidance.-

(Sent in No 74.)-

Read the Criminal Report dated the 15th Instant submitted by the Acting Sessions Judge of Tellicherry for the Months of December 1847.-

(Here enter F.C. No 124 of 1848.)

Read

Read the Criminal Reports dated the 15th Instant submitted by the Sessions Judge of Tinivelly for the months of December 1847:-

(Here enter F. 86. No. 125 of 1848.)

Read Calendars of Cases Nos. 70, 71, 72, 73, 74, and 75 of 1847 submitted by the Sessions Judge of Cuddalore under date the 14th Instant:-

(Here enter Nos. 127, 128, 129, 130, 131, and 132 of 1848.)

Read letter dated the 12th Instant from the Acting Sessions Judge of Bellary, forwarding the Criminal Reports for December last, and stating that the Report **B** due from the Magistrate has not been yet received and that that Officer has been requested to transmit the same:-

(Here enter F. 86. No. 136 of 1848.)

Read the Criminal Reports dated the 14th Instant submitted by the Sessions Judge of Mangalore for the months of December 1847:-

(Here enter F. 86. No. 146 of 1848.)

Read Extract from the Proceedings of the Sessions Court of Bellary dated the 11th Instant held on the Criminal Report **B** for the months of December 1847, calling upon the Subordinate Judge to state why Case No. 220 of 1846 has not been brought to a conclusion pursuant

to

to instructions already issued:-

(Hereunder F. 86. No. 148 of 1848.)

Read Return dated the 17th Instant from the Sessions Judge of Coimbatore to the precepts of the Joint and Assistant under date the 11th Instant which accompanied an Extract from their Proceedings of the above date, directing the mitigation of the Sentence passed in Criminal Case No. 418, and calling for explanation in Cases Nos. 413 and 430:-

(Here enter F. 86. No. 150 of 1848.)

Read Calendar of Case No. 63 of 1847 submitted by the Acting Sessions Judge of Calicut under date the 13th Instant:-

(Here enter F. 86. No. 150 of 1848.) &c.

End 7th.

A. S.

Saturday.
22nd January 1848.

F. 16.

At a Court of the Foujdaree Udalut.

Present.

G. S. Cooper Esqre ——— 1st Puisne Judge.
C. P. Thompson Esqre ——— 2nd Puisne Judge.
W. A. Morehead Esqre ——— 3rd Puisne Judge.

Read Criminal Reports submitted by the Session Judge of Nellore for the month of November 1847.

[Vide Proceedings F. 16. No 3220 of 1847.]

The Court of Foujdaree Udalut observe.

Report A.
Case No 169.

1. That the provisions of the Law referred to by the Session Judge in the proceedings recorded by him on this case cannot be held applicable to a case of Trespass, which not being a Criminal offence can only be redressed by the Civil Courts.

2. The particulars of forms offences referred to in the Criminal reports should be specified in the reports of the several cases in which they may be adverted to.

Ordered that Extract from

these

22nd January 1848.

these Proceedings be forwarded to the Sessions Judge of Nellore for his information and guidance and for communication of para 2 to the Principal Sudder Ameen.

/Entered No 75/

Read Calendar of Cases No 18 to 22 of 1847 submitted by the Sessions Judge of Tellicherry under date the 30th October 1847

/Duly entered File No 2935 of 1847./

21st Inst.

Ents

F.U.

Monday,
21st January, 1848.

At a Court of the Foujdaree Udalut.

Present.

G. S. Cooper, Esquire - 1st Puisne Judge.
E. P. Thompson, Esquire - 2d Puisne Judge.
W. A. Morehead, Esquire - 3d Puisne Judge.

Read Miscellaneous Petition presented on the 20th December 1847 by Naisingoo Ramangoolee of Zillah Masulipatam. (Here Enter F.U. M.P. No 324 of 1847)

The Petitioner was Prisoner in Case No 35 of 1847 before the Principal Sudder Ameen of Masulipatam, charged with having received and concealed in a mud wall in his Brother's compound a part of the gold and silver ornaments which had been stolen by the Prisoner in Case No 10, knowing them to be stolen.—

1

The Principal Sudder Ameen considered the evidence insufficient for the conviction of the Prisoner, but

2

at

At the same time recorded his opinion "that
"the Prisoner, who it appears (is) a Peon in
"the Salt Department does no longer
"hold any situation under the British
"Government."

3. Petitioner states that in accordance with this opinion the Collector of the District has directed his dismission from the service; he asserts his innocence of the crime charged, pleads the length of his own and of his Father's services, and prays to be restored to his situation with arrears of Pay.

4. The Court of Foujdaree Adalut observe in the Proceedings of the Sessions Judge dated 21st October 1847 above stated "from the Proceedings in the "Trial both before the Lower and this Court "it is evident that this Individual either in "tended to appropriate part of the stolen "property, or else he knew the property had "been stolen."

5. Under those circumstances the Court of Foujdaree Adalut propose to

interfere in the matter and resolve to reject this Petition.—

Ordered, that Extract from these proceedings be given to the Petitioner on his application.—

Read Miscellaneous Petition presented on the 23d November 1847 by Appiah Vakeel on behalf of M. Raghoopaty Naidoo of Zillah Tellicherry.—

Here Enter F.C. M.P. No 296 of 1847.

Petitioner asserts the innocence and prays the release of his Son, Prisoner in Case No 25 of the Sessions Court of Tellicherry for 1847, convicted of "Theft and Forgery", and sentenced to be publicly exposed in the mode commonly denominated Tusheer, and to be imprisoned, and kept to hard labor in irons for the period of seven years.—

2. The Court of Foujdaree Adalut, having carefully considered this Petition and Calendar of the Case therein referred to, see no reason to question the justness of the Prisoner's conviction or

the

at the same time recorded his opinion "that
"the Prisoner, who at appears (is) a Peon in
"the Salt Department deserves no longer to
"hold any situation under the British
"Government".

3. Petitioner states that in
accordance with this opinion the Collector
of the District has directed this Dismissal
from the service; he asserts his innocence
of the crime charged, pleads the length of
his own and of his Father's services, and
prays to be restored to his situation with
arrears of Pay.

4. The Court of Foujdaree
Udalut observe in the Proceedings of the
Sessions Judge dated 21st October 1847 this
thus stated "From the Proceedings in the
"Trial both before the Lower and this Court
"it is evident this Individual either in
"tended to appropriate part of the stolen
"property or else he knew the property had
"been stolen".

5. Under these circumstances
the Court of Foujdaree Udalut dispose of
this case

interfere in the matter and resolve to
reject this Petition.—

Ordered, that Extract
from these proceedings be given to the
Petitioner on his application.—

Read Miscellaneous Petition
presented on the 23d November 1847 by T.
Appiah Vakeel on behalf of M. Raghooputy
Naidoo of Zillah Tellicherry.—

Here Enter F.U.C. M.P. No 296 of 1847.

1. Petitioner asserts the innocence
and prays the release of his Son, Prisoner
in Case No 25 of the Session Court of
Tellicherry for 1847, convicted of "Theft
and Forgery", and sentenced to be publicly
exposed in the mode commonly denominated
Tusheer, and to be imprisoned, and kept
to hard labor in irons for the period of
seven years.—

2. The Court of Foujdaree
Udalut, having carefully considered this
Petition and Calendar of the Case therein
referred to, see no reason to question the
justness of the Prisoner's conviction or
the

24th January, 1848.

the propriety of the sentence passed upon him, and which the Court accordingly refuse to disturb.

Ordered, that the prayer of this Petition be rejected and that Extract from these Proceedings be given to the Petitioner's Vakeel on his application.

Read Miscellaneous Petition forwarded under date the 6th December 1847 by the Sessions Judge of Tellicherry from Mundadan the Moideen of that Zillah.

/Here Enter Tlle. Mo. P. No. 312 of 1847./

1. This is an application for the interference of the Court of Foujdaree Udalut to reverse a sentence of six months Imprisonment without irons and with labor suitable to his age which has been awarded to the Petitioner by the Sessions Judge on a charge of wounding.

2. The Petitioner alleges his entire innocence of the offence of which he has been convicted, and states that he was absent from the place where he was charged with having wounded the Prosecutor

24th January, 1848.

Prosecutor, at the time at which the offence in question was said to have been committed.

3. On reference to the sentence recorded by the Sessions Judge in the case referred to, the Court of Foujdaree Udalut entertain no doubt as to the guilt of the Petitioner and they accordingly resolve to dismiss this Petition.

Ordered, that Extract from these proceedings be sent to the Sessions Judge of Tellicherry for his information and for communication to the Petitioner.

/Sent in No. 977./

Read Miscellaneous Petition forwarded by the Sessions Judge of Rajahmundry from Mo. Sonnayazoolee of that Zillah.

/Here Enter Tlle. Mo. P. No. 319 of 1847./

The Petitioner complains

1. of the refusal of the Sessions Judge to interfere in the matter of an Appeal preferred by him from certain proceedings of the Magistracy by which he considers himself

himself aggrieved.

2. The Court of Tonjdaree Udalut observe that it is incumbent upon the Sessions Judges whenever an appeal is preferred to them from the orders of the Magistracy to go into the case and either to confirm Modify or reverse those orders as the merits of the case may appear to require.—

3 A contrary course obviously entails in many instances unnecessary trouble and expense on the party complaining, and tends to defeat one of the objects for which the office of Sessions Judge is constituted.—

4 The Court of Tonjdaree Udalut accordingly direct that the Sessions Judge will now proceed to pass definite orders on the appeal preferred to him by the Petitioner to whom if dissatisfied with the orders which may now be passed it will be open again to address this Court.—

Ordered, that Extract from these proceedings be sent to the Sessions Judge of Rajahmundry for his information and guidance.

/Sent in. No 78/ Ordered

Ordered also, that Extract from these proceedings be given to the Petitioner on his application.—

Read Miscellaneous Petition presented on the 20th Ultimo by Timmappen of Zillah Chingleput.—

/Here enter Fld. M. P. No 328 of 1847/—

This is an application for

1 the interference of the Court of Tonjdaree Udalut to investigate certain charges which the Petitioner prefers against the Cutwal of Billapooram and the Head of Police in one of the Talooks in the Zillah of Chingleput.—

The Court of Tonjdaree

2. Udalut cannot interfere in the matter of this Petition until the Petitioner produce copies of orders to show that he has applied to the Magistrate and Sessions Judge for redress from the grievances to which he refers.

Ordered, that Extract from these proceedings be furnished to the Petitioner on his application.—

Read

24th January, 1848.

Read. Miscellaneous Petition presented on the 20th December 1847 by Mahomed Ebram of Zillah Chingleput.

Vide Enter F.C. M.P. No. 330 of 1847.

1. The same party presented a Petition to the Court of Foujdaree Udalut on the 4th of October last, stating the innocence, and praying the release of his Son, in said Prisoner in Case No. 20 of 1847 of the Sessions Court of Chingleput, convicted of uttering counterfeit coin, and sentenced to one years' imprisonment.—

2. He now reiterates the substance of his former Petition, and prays a reconsideration of Courts Orders dated 15th November last, which, he appears to think, were passed upon the supposition that his Son had been formerly convicted and punished for a charge of Theft.

3. The Petitioner is informed that he is in error in stating that the Court of Foujdaree Udalut observed in their Proceedings under date 15th November that the Prisoner in No. 20 had been formerly convicted and punished on a charge of Theft. No remarks to that effect was made. And as the Petitioner

24th January, 1848.

has failed to advance any thing in his present address which might induce the Court to take a more favorable view of the case, they resolve to reject this Petition.—

Ordered, that Extract from these Proceedings be granted to the Petitioner on his application.—

Read. Miscellaneous Petition presented on the 24th December 1847 by Balasoondara Moodely of Zillah Chittoor.

Vide Enter F.C. M.P. No. 334 of 1847.

Petitioner states that he has

1. retained T.L. Smyth Esqr. to appear as Counsel on behalf of the 1st and 2d Prisoners in Case No. 41 of the Sessions Court of Chittoor for 1847. and prays that judgment in the case may be suspended, until after Mr. Smyth shall have been heard, and that in the mean time copies of all the evidence taken, and proceedings held in the case before the Sessions Court may be furnished to him.—

The Court of Foujdaree Udalut having already disposed of the

2. Case

Read. Miscellaneous Petition
presented on the 20th December 1847 by
Mahomed Ebram of Zillah Chingleput.
Here Enter F.C. M.P. No. 330 of 1847.

1. The same party presented a
Petition to the Court of Foujdaree Udalut on
the 4th of October last, reciting the innocence,
and praying the release of his Son-in-law
Prisoner in Case No. 20 of 1847 of the
Sessions Court of Chingleput, convicted of
uttering counterfeit coin, and sentenced to one
years' imprisonment.—

2. He now reiterates the substance
of his former Petition, and prays a reconsidera-
tion of Courts Orders dated 15th November last,
which, he appears to think, were passed upon
the supposition that his Son had been formerly
convicted and punished for a charge of Theft.

3. The Petitioner is informed that
he is in error in stating that the Court of
Foujdaree Udalut observed in their Proceedings
under date 15th November that the Prisoner
in No. 20 had been formerly convicted and
punished on a charge of Theft. No remarks
to that effect were made. And as the Petitioner
has

has failed to advance any thing in his present
address which might induce the Court to
take a more favorable view of the case, they
resolve to reject this Petition.—

Ordered, that Extract
from these Proceedings be granted to the
Petitioner on his application.—

Read. Miscellaneous Petition
presented on the 24th December 1847 by
Balasoondara Moodely of Zillah Chittoor.
Here Enter F.C. M.P. No. 334 of 1847.

1. Petitioner states that he has
retained T.L. Smyth Esqr. to appear as
Counsel on behalf of the 1st and 2d Prisoners
in Case No. 46 of the Sessions Court of
Chittoor for 1847. and prays that judgment
in the case may be suspended, until after
Mr. Smyth shall have been heard, and
that in the mean time copies of all the
evidence taken, and proceedings held in
the case before the Sessions Court may
be furnished to him.—

The Court of Foujdaree
Udalut having already disposed of the

2. Case

Civil in question, are precluded from complying with the Petitioner's request. He is therefore referred to the Proceedings of the Fouzdaree Udalut under date 24th December last which on the Miscellaneous Petition presented by him to the Court on the 29th November last, and informed that they are final.—

Ordered, that the prayer of this Petition be rejected and that Extract from these Proceedings be given to the Petitioner on his application.—

Read Miscellaneous Petition forwarded by the Sessions Judge of Rajahmundry from P. Kantamanah of the Zillah.—

/Have Entered Fld. M. P. No. 335 of 1847/

The Petitioner complains of certain proceedings held by the Sessions Judge of Rajahmundry under date the 13th Ultimo confirming an order passed by the Magistrate of the Zillah in which the Officers declined to order the ejection of certain parties from certain houses which the Petitioner asserts to be his own and referring him for redress to the

the institution of a Civil Suit.—

On a perusal of this Petition the Court of Fouzdaree Udalut see no reason to question the propriety of the orders of which the Petitioner complains, and they accordingly decline to interfere in the matter.

Ordered therefore that this Petition be rejected and that an Extract from these proceedings be forwarded to the Sessions Judge of Rajahmundry for communication to the Petitioner.—

/Sent in No. 791/

Read again Miscellaneous Petition presented on the 4th October 1847 by T. Appiah Vakeel on behalf of Randecherry Killo Coosp and Nicholy Chunnu Nair of Zillah Tellicherry.—

/Have Entered Fld. Mc. No. 252 of 1847/

Read also return under date the 2d Ultimo from the Sessions Judge of Tellicherry to the precept of the Fouzdaree Udalut dated the 15th November last requiring information with reference to the allegations set forth in the foregoing Petition

Petition.—

/Here enter F.Cc. No. 3157 of 1847./

1. Under the explanation submitted by the Session Judge the Court of Foujdaree Udalut are satisfied of the propriety of the order of which the Petitioner complains.—

2. The Court of Foujdaree Udalut accordingly resolve to dismiss this Petition.—

Ordered, that Extract from these proceedings be forwarded to the Session Judge of Tellicherry for his information.—

/Sent in No. 80./

Ordered also, that Extract from these proceedings be granted to the Petitioner's Vakeel on his application.—

Read again Miscellaneous Petition presented on the 6th September 1847 by Vencha Mootheppah of Zillah Chittoor.

/Here enter F.Cc. M.P. No. 234 of 1847./

Read also return under date the 16th October last from the Session Judge of

of Chittoor to the precept of the Foujdaree Udalut dated the 11th instant forwarding the foregoing Petition for the observations of the Session Judge.—

/Here enter F.Cc. No. 2760 of 1847./

Read also Miscellaneous Petition presented on the 23d November last by the same party.—

/Here enter F.Cc. M.P. No. 302 of 1847./

Read also return under date the 25th November last and Supplemental return dated the 17th Ultimo from the Session Judge of Chittoor to the precept of the Foujdaree Udalut dated the 25th October last directing the collection of a fine of five Rupees imposed upon the Petitioner, by the Court of Foujdaree Udalut.—

/Here enter F.Cc. Nos. 3068 and 3271 of 1847./

The Session Judge states that

1. his Nazir has reported his inability to collect the amount of the fine imposed upon the Petitioner as that individual possesses no property of any kind in the village of Chinnapetta in the Zemindary of

of Calastry, stated to be his usual place of residence".—

2. The Court of Fouzdaree Udalut observe on reference to the Petition №302 of 1847 that the Petitioner, therein represents himself to be a resident of Alagherry pettah.—

3. And adverting to the statement of the Petitioner that he professes certain Shrotriem Villages the Court of Fouzdaree Udalut are at a loss to understand how any difficulty can be experienced in collecting the amount of the fine of five rupees which has been imposed upon the Petitioner.—

4. The Court of Fouzdaree Udalut accordingly direct that the Sessions Judge will be pleased to adopt further measures for the collection of the fine adverted to with the least practicable delay.

5. The application of the Petitioner for a reconsideration of the Court's orders dated the 25th October last is rejected.—

Ordered,

Ordered, that Extract from these proceedings be sent to the Sessions Judge of Chittoor for his information and guidance by precept returnable within XV days from and after its receipt.—

Sent following precept № 81/—

Ordered also, that Extract from these proceedings /paras 5/ be granted to the Petitioner on his application.—

Read Miscellaneous Petition of Anajaperumal Pillay filed on the 4th January 1848 and received from the Sessions Judge of Tinnevelly.—

/True Extract/ Fle. M.P. №3 of 1848/—

The Petitioner is a relative of the Prisoner in Case №169 of 1847 of the Sessions Court of Tinnevelly, convicted of having severely assaulted the Prosecutor, and sentenced to six months' imprisonment with hard labor in irons and to pay a fine of 100 Rupees commutable in default of payment to a further period of six months' imprisonment. Petitioner maintains the innocence of his relative and prays his release.—

release.—

2. The Court of Foujdaree Udalut having duly perused this Petition and the Calendar of the Case therein referred to, see no reason to doubt the justness of the Prisoner's conviction or the propriety of the Sentence passed upon him, which was confirmed by the Session Judge on a perusal of the Proceedings held before the Principal Sudder Ameen.—

3. It appears that the Prosecutrix arm was fractured, for which the Petitioner does not attempt to account in any way that would tend to exculpate the Prisoner.—

Ordered therefore that the prayer of this Petition be rejected and that Extract from these Proceedings be forwarded to the Session Judge of Tinnevelly for communication to the Petitioner.—

/Sent in No. 82/

Read Criminal Reports submitted by the Acting Session Judge of Chingleput for December 1847.

/Vide Entry F.Uo. No. 105 of 1848/

The

57

F.Uo.

24th January, 1848.

Magistrate's Report.

B

Cases Nos. 1300. 1313 & 1314.

The names of the functionary by whom each of these cases was disposed of, not having been entered in the usual Column opened for that purpose, the Court of Foujdaree Udalut resolve to call the attention of the Acting Session Judge to the omission and to request that it may be duly supplied in future.—

Ordered, that Extract from these Proceedings be forwarded to the Acting Session Judge of Chingleput for his information and future guidance.—

/Sent in No. 83/

Read Criminal Reports of the Sessions Court of Nellore for December 1847.

/Vide Entry F.Uo. No. 119 of 1848/

Report B. Case No. 185.

1. The Prisoner in this Case was charged with having "made a hole "through a tatti laid over the shed erected in "the Prosecutor's house, and passed down through "it, with an evil intent to steal."—

2. The Court of Foujdaree Udalut desire to be informed of the pea[rl] features

features of this case which rendered it's com-
=mitment before the Session Court necessary
as in the absence of any apparent circumstances
of aggravation the case would seem to have
been disposable of by the Principal Sudder
Ameen under Clause Sixth of the enactment
quoted by him in support of his commitment.—

Ordered, that Extract
from these Proceedings be forwarded to the
Session Judge of Vellore by Precept return-
-able within V days from and after it's
receipt.—

/Sent following precept No. 84/-

Read the Calendar of Cases
No 1 of 1848 of the Session Court of
Trichinopoly.—

/Have Entered F.C. No 117 of 1848/-

1. In this Case, the Prisoner
Pullamurday
was charged with "Arson" and being con-
victed, was sentenced by the Acting Session
Judge to five years' Imprisonment with
Hard Labour in Irons.—

2. As the Court of Sessions
Udalut

Udalut cannot, from the abstract of the
evidence given in the Calendar, satisfy
themselves of the correctness of the judgment
in this Case, they deem it proper to call for
an English Translation of the entire Record,
which the Acting Session Judge will accord-
-ingly be pleased to submit with the least
possible delay.—

3. The sentence will, in the
meantime, be suspended, and the Prisoner
detained within the Jail without Irons
and Labour.—

Ordered, that Extract
from these proceedings be sent to the Acting
Session Judge of Trichinopoly by Precept
returnable within XV days from and after
its receipt.—

/Sent following precept No 85/-

Read Criminal Reports
of the Session Court of Chittoor for
December 1847.—

/Have Entered F.C. No 87 of 1848/-

Report B.
Cases Nos 229, 230, 231 and 239.

1. Adverting to the great delay
which is apparent in the disposal of these

Cases

24th January, 1848.

ence by the Hindoo Judder Ameen, the Court of Foujdaree Udalut resolve to call upon that officer for full explanation thereof, and at the same time to direct that, on all future occasions when similar delay may be observable, a note explanatory of the cause may be entered in the Report previous to its transmission to the Foujdaree Udalut.

Ordered, that Extract from these Proceedings be forwarded to the Session Judge of Chittoor by Precept returnable within V days from and after its receipt.—

/ Sent following precept No. 86 /—

Read again letter under date the 19th November 1847 from the Session Judge of Cuddapah submitting for the final judgment of the Foujdaree Udalut an English Translation of the entire records in Cases Nos. XXXVII and XXXVIII of 1847 on the file of the Sessions Court.—

/ Here enter F.U.C. No. 3079 of 1847 /—

Read also petition under date the 30th Ultimo from the Acting Sessions Judge

F.U.C.

24th January, 1848.

Judge of Cuddapah to the precept of the Foujdaree Udalut dated the 23d idem directing that the record of Case No. XXXVII should be returned to the Sessions Judge with instructions to that Officer to pass sentence therein.—

/ Here Enter F.U.C. No. 32 of 1848 /—

1. The Acting Sessions Judge states that he experiences a difficulty in regard to passing the sentence in the case referred to he having committed the case in his Capacity of Criminal Judge.—

2. The Court of Foujdaree Udalut observe that the error committed by the Sessions Judge Mr. Morris merely consisted in recommending the sentence recorded by him for the consideration of the Foujdaree Udalut instead of passing it himself.—

3. Under these circumstances the Court of Foujdaree Udalut consider that it will be proper that the Acting Sessions Judge should issue a warrant declaring the sentence which has already been recorded in the case by the Sessions

Judge

Judge and which but for an informality on the part of that officer would have been in course of execution.—

4. The sentence will be considered to have commenced from the date of the Law Officer's Futwa.—

5. The Court of Foujdaree Udalut see no necessity for the suspension of the sentence as recommended by the Acting Session Judge pending the result of any appeal that the Prisoner may think proper to prefer and they consider that the opinion recorded by that officer regarding the probable result of such an appeal ought with propriety have been omitted.—

6 In the event of the Prisoner presenting an appeal from the sentence for transmission to the Foujdaree Udalut under the Circular Order No. 188. the Acting Session Judge will be pleased in forwarding it, to send up also the English Translation of the Record of the Trial which is now with Sessions Court.—

Ordered, that a Extract from

from these proceedings be sent to the Acting Sessions Judge of Calicut for his information and guidance.—

Sent in No 871/-

Narasingoo Ramanjoolo of Masulipatam, moves the Court to return the Enclosures in his Miscellaneous Petition No. 324 of 1847.—

Ordered accordingly.

Nattoo Iya Moodely and others of Chittoor, move the Court to return the Enclosures in their Miscellaneous Petitions No. 255 of 1846 and 21 of 1847.—

Ordered accordingly.—

End 4th

F.C.

Tuesday -
25th January, 1848 -

At a Court of the Foujdaree Udalut -

Present

G.S.B. G. S. Hooper, Esquire - 1st Puisne Judge -
E.P.T. E. P. Thompson, Esquire - 2d Puisne Judge -
W.A.M. W. A. Morehead, Esquire - 3d Puisne Judge -

Read Criminal Reports
submitted by the Sessions Judge of Chingleput
for the month of November 1847 -

(Have Entered F.C. No. 3207 of 1847)

Report B
Case No. 54 -

1. The prisoner in this case
was charged with having stolen Jewels -
valued at Rupees 1,161 - - - from a dwelling
house and has been placed by the Extra
Assistant Magistrate under a requisition
of security for his appearance within six
months in two Sureties severally bound
in the sum of Rupees 25. the authority
quoted being Clause first, Section IV -
Regulation II of 1822, and Act VII of 1843

2. Adverting to the alleged
value of the property which the prisoner

in this case was charged with having stolen, the Court of Tonjdaree Udalut observe that the Extra Assistant Magistrate was incompetent to order the requisition of security under which the Prisoner has been placed.

3. Under the provisions of Clause first Section IV Regulation II of 1822, the Court have ruled that the Magistracy are competent to hold parties to security only in those cases in which they would be competent to pass sentence on conviction, or in other words in those cases in which under the extended powers vested in them by Act VII of 1843 they possess a criminal jurisdiction with the Criminal Court, and are enabled to pass sentence under Section VII Regulation X of 1816.

4. This latter enactment however being inapplicable to the case under notice it was the duty of the Extra Assistant Magistrate to dispose of the case under the provisions of Section XXIV Regulation IX of 1816 either by releasing the Prisoner unconditionally or if he considered

considered the evidence sufficient, by committing him for trial to the Criminal Court.

5. And the Court of Tonjdaree Udalut resolve to direct that that Officer be now required to act in conformity with the foregoing observation.

Case No 91.

6. The Court of Tonjdaree Udalut observe that the provisions of the Law under which the sentence passed in this case was awarded should have been quoted.—

Ordered, that Extract from these proceedings be sent to the Acting Sessions Judge of Chinglepat for his information and guidance by precept returnable within X days from and after its receipt.—

/Sent following precept No 90/-

Read Calendar of Case No 61 of 1847, on the file of the Sessions Court of Calicut.—

/Were Entered Vol. No 107 of 1847/-

1 Two prisoners in this case were charged with housebreaking and theft.—

25th January, 1848.

theft.—

2. The Acting Sessions Judge concurs with the Law Officer in the conviction of the prisoners of the offence laid to their charge, but being of opinion that the prescribed punishment would be too severe, he recommends that the 1st Prisoner be sentenced to 3 years', and the 2d prisoner to 1 years' Imprisonment with hard labor in irons.—

3. In support of this recommendation, the Acting Sessions Judge observes that "the housebreaking was unaccompanied by any violence, and took place at a Shop unoccupied at night, that the amount of the property stolen was very small, and consisted mostly of eatables, that the prisoner stopping to eat part of their booty showed their extreme want & ignorance of the practice of robbery, and that the case has only been committed because the 1st Prisoner has been previously sentenced for a petty case of Housebreaking".—

On

P.C.

25th January, 1848.

4. On the foregoing grounds the Court of Foujdaree Adalut approve of the reduction of punishment proposed, and authorize the Acting Sessions Judge to issue his warrant for the Imprisonment of the prisoners respectively for the periods specified.—

Ordered, that Extract from these proceedings be sent to the Acting Sessions Judge of Calicut, for his information and guidance.—

Sent in No. 91 /—

E 5311.

EWR

Wednesday
26th January 1848. At our Court of the Fonjalarre Udalath

Present.

G.C.M. G. S. Hooper Esqre — 1st Puisne Judge.
C.P. C. P. Thompson Esqre — 2nd Puisne Judge.
W.H. W. H. Morehead Esqre — 3rd Puisne Judge.

Read Criminal Reports submitted by the Sessions Judges of Combaconnum for the month of December 1847.

(Here enter F. 96. No. 118 of 1848.)

Cases No. 304. 1. The Court of Fonjalarre Udalath doth decide that the prisoner in this case be exempted from labour, the award of labor being unauthorized by the provisions of the Law under which the sentence had been passed.

Cases No. 311. 312. 2. The Court of Fonjalarre Udalath doth desire to be informed for what reasons these cases were not disposed of by the Police Authorities.

Ordered that Extracts from these Proceedings be sent to the Sessions Judge of Combaconnum for his information and guidance by first cooly returnable within X days.

Read

F: C:

Friday 28th January 1848.

At a Court of the Fouzdaree Adalut.

Present.

G: S: Hooper Esqre ——— 1st Puisne Judge.
E: P: Thompson Esqre ——— 2nd Puisne Judge.
W: A: Morehead Esqre ——— 3rd Puisne Judge.

Read Criminal Reports submitted by the Session Judge of Calicut for December 1847.-

(Here enter F: C: No. 122 of 1848).

Report B.
Case No. 252.

The Acting Session Judge, having held Proceedings upon this Case, should have submitted the same for the consideration of the Court of Fouzdaree Adalut. He will now be pleased to supply the omission without delay.-

Ordered, that Extract from these Proceedings be forwarded to the Acting Session Judge of Calicut by Precept returnable within V days from and after its receipt.-

(Sent following Precept No. 105).

Read return dated the 8th Instant from the Session Judge of Nellore, to the Precept of the Fouzdaree Adalut under date the 4th idem. reducing the period of 7 Years imprisonment, to which the prisoner in Calendar No. 26 of 1847 was sentenced by the Session Judge, to 2 years only.-

(Here enter F: C: No. 68 of 1848)

Read

Read letter dated the 4th. Instant from the Sessions Judge of Tellicherry, returning sentence passed by the Court of Fouzdaree Adalut in Cases Nos. 33 and 34 of 1847 on Calendar of Sessions Court of Tellicherry and reporting due execution thereof.—

(Here enter J: C: No. 70 of 1848).

Read letter dated the 6th. Instant from the Acting Sessions Judge of Calicut, forwarding with reference to the concluding Para of the Sessions Judges Sentence in Case 47 of 1847, copy of the Magistrates Return therein alluded to.—

(Here enter J: C: No. 78 of 1848).

Read report dated the 3d. Instant submitted by the Acting Sessions Judge of Honore, of Cases pending before him for a period exceeding 25 days during the month of December 1847.—

(Here enter J: C: No. 81 of 1848).

Read Calendar in Case No. 41 of 1847 submitted by the Acting Sessions Judge of Honore, under date the 3d. Instant.—

(Here enter J: C: No. 82 of 1848).

Read Calendar in Case No. 33 of 1847 submitted by the Acting Sessions Judge of Trichinopoly under date the 10th. Instant.—

(Here enter J: C: No. 83 of 1848).

Read Calendar in Case No. 1 of 1848 submitted by the Sessions Judge of Guntoor under date the 10th. Instant.—

(Here enter J: C: No. 88 of 1848)

Read

Read Criminal Report A dated the 13th. Instant, submitted by the Acting Sessions Judge of Cuddapah for the Month of December 1847.—

(Here enter J: C: No. 106 of 1848).

Read Calendar in Case XL of 1847 submitted by the Sessions Judge of Madura under date the 12th. Instant.—

(Here enter J: C: No. 109 of 1848).

Read Calendar in Case No. 118 of 1847 submitted by the Sessions Judge of Salem under date the 8th. Instant.—

(Here enter J: C: No. 110 of 1848).

Read letter dated the 13th. Instant from the Sessions Judge of Bellary, forwarding the original death Warrant issued by his Court in Case No. 8 on the Session file for 1847 together with Copy of the Subordinate Judges letter which accompanied it.—

(Here enter J: C: No. 112 of 1848)

Read Criminal Reports dated the 10th. Instant submitted by the Sessions Judge of Tellicherry, for the Month of December 1847.—

(Here enter J: C: No. 113 of 1848).

Read letter dated the 15th. Instant from the Acting Sessions Judge of Cuddapah, informing the execution of the Prisoner Bakee Wobaree in Case No. 46 of the Calendar for 1847.—

(Here enter J: C: No. 115 of 1848)

(Read

28th January 1848.

Read Calendar in Case No. 35 of 1847.

submitted by the Acting Sessions Judge of Trichinopoly

under date the 12th Instant.-

(Here enter F. C. No. 116 of 1848).

Read Criminal Reports dated the

31st December 1847. submitted by the Subordinate

Judge of Salem for the Month of December 1847.

(Here enter F. C. No. 121 of 1848)

Read letter dated the 11th Instant from

the Agent to the Governor of Fort St. George at Ganjam,

submitting Criminal Reports Nos. 1 and 2. of the Agents

Court together with the Report B from his Principal

Assistant for last month.-

(Here enter F. C. No. 123 of 1848).-

F. C.

C. W. S.

F. C.

Saturday -
29th January 1848

At a Court of the Foujdaree Adalut

Present

G. S. Hooper Esqre —— 1st Puisne Judge

E. D. Thompson Esqre —— 2d Puisne Judge

W. A. Morehead Esqre —— 3d Puisne Judge.

Read Criminal Reports submitted

by the Sessions Judge of Coimbatore for the

Month of December 1847.-

(Here enter F. C. No. 160 of 1848)

The Court of Foujdaree Adalut

observe that the Sessions Judge has omitted

to forward with these Reports the prescribed

Form A in Case No. 431 of the Principal Sudder

Ameen's file, and they desire that he will be

pleased to supply this omission with the

least practicable delay.-

Ordered that Extract from these

Proceedings be sent to the Sessions Judge of

Coimbatore for his information and guidance

by precept returnable within 11 days from and

after its receipt.-

(Sent following Precept No. 106

29th January 1848

Read again Calendar of Cases Nos 68 and 69 of 1847 on the file of the Session Court of Combaconum.

(Here enter F.C. No 3265 of 1847)

Read also return under date the 17th Instant, from the Session Judge of Combaconum, to the precept of the Foujdaree Udalut dated the 4th idem directing the submission of an English Translation of the records of the two preceding Cases -

(Here enter F.C. No 158 of 1847)

On an attentive perusal of the entire record of these Cases the Court of Foujdaree Udalut are satisfied of the propriety of the conviction of the prisoners, and they approve of the mitigation of punishment recommended in both the Cases by the Sessions Judge, who is accordingly authorized to issue his warrant for the Imprisonment of the prisoners for the period specified -

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Combaconum for his information and guidance -

(Sent in No 107)

Read

29th January 1848.

Read Return dated the 21st Instant from the Acting Session Judge of Chingleput, to the precept of the Foujdaree Udalut under date the 17th idem touching the Sentence passed on the 8th Prisoner in Case No 5 of 1847 on the Calendar of the Session Court of Chingleput -

(Here enter F.C. No 162 of 1848)

Read letter dated the 18th Instant from the Session Judge of Salem, furnishing the information regarding the cause of the reference of Case No 107 of the Calendar of the Session Court of Salem which was called for in the Extract from the Proceedings of the Court of Foujdaree Udalut of the 14th January 1848 -

(Here enter F.C. No 175 of 1848)

Read letter dated the 20th Instant from the Session Judge of Chittoor, reporting the death of the 1st Prisoner in Case No 44 of the Calendar 1847 in the Jail Hospital -

(Here enter F.C. No 177 of 1848)

Read letter dated the 19th Instant from the Session Judge of Coimbatore, forwarding a Duplicate copy of a List of a Convict sent to the Magistrate of Malabar in lieu of the or

Read

released at Paulghaut.

(Here enter F.U. No. 186 of 1848)

Read Statement, dated the 21st Instant submitted by the Sessions Judge of Madura, of Batta paid to prosecutors and witnesses attending before the Sessions Judge of Madura during the 2d half year of 1847.

(Here enter F.U. No. 197 of 1848)

Read Calendar in Case No. 35 of 1847, submitted by the Sessions Judge of Rajahmundry under date the 19th Instant.

(Here enter F.U. No. 213 of 1848)

Read Communication dated 24th Instant from the Acting Sessions Judge of Cuddapah, reporting the execution of the Prisoner Chenchoo Sashegadoo in Cases Nos. 53 and 54 of the Calendar for 1847.

(Here enter F.U. No. 218 of 1848)

Read Calendar in Case No. 76 of 1847, submitted by the Acting Sessions Judge of Cuddalore under date the 24th Instant.

(Here enter F.U. No. 220 of 1848)

F.U.

Monday.
31st January 1848.

At a Court of the Foujdaree Udalut.

Present,

G. S. Hooper Esqre. 1st Puisne Judge.
E. P. Thompson Esqre. 2nd Puisne Judge.
W. A. Morehead Esqre. 3rd Puisne Judge.

Read Miscellaneous Petition presented on the 19th April 1847 by T. Appiah Vatteeloo behalf of Sree Seetia of Zillah Rajahmundry

(Here enter F.U. M.P. No. 84 of 1847)

1. Petitioner prays the restitution of the Talook of Giddenghee, which has been sequestered for the resistance of her husband the Moonsuffar to the Magistrate's process.

2. The Court of Foujdaree Udalut observe that, after a careful consideration of the whole of the papers connected with the attachment of the said Talook of Giddenghee, being satisfied with the justice of the Collector and Magistrate's Proceedings, they were constrained to recommend the annexation of that Jaghier to the Government Lands, and this course has been subsequently adopted.

Ordered

Ordered that the prayer of this Petition be rejected and that Extract from these Proceedings be granted to Petitioner's Vakeel on his application

Read Miscellaneous Petition presented on the 20th December 1847 by Balasoondra Moodelly of Zillah Chittoor

(Here enter F.C. M.P. No. 325 of 1847)

The same party presented a Petition to the Foujdaree Udalut on the 29th November last, asserting the innocence of his relation the 1st and 2nd Prisoners in Case No. 44 of the Sessions Court of Chittoor for 1847, and praying their release. He now reiterates that assertion and request.

2. The Petitioner is referred to the Proceedings of the Court of Foujdaree Udalut under date 24th Ultimo and informed that the orders therein conveyed are final.

Ordered that the prayer of this Petition be rejected and that Extract from these Proceedings be granted to Petitioner on his application

Read again Return dated the 13th November from the Sessions Judge of Combaconum, to the Precept of the Court of Foujdaree Udalut under

under date the 20th October 1847 calling for an English Translation of the Record of Case No. 50 of 1847 of the Calendar of the Sessions Court

(Here enter F.C. No. 2985 of 1847)

Read also Return dated the 17th instant from the Sessions Judge of Combaconum to the Precept of the Court of Foujdaree Udalut under date the 18th December 1847 directing him to ascertain and report whether the Assistant Magistrate by whom the preliminary inquiry in Case No. 50 of the Calendar was conducted, conformed to the instructions contained in the Circular Order of the 31st January 1814 and the Circular Letter of the 19th March 1840

(Here enter F.C. No. 139 of 1848)

Read also again Miscellaneous Petitions presented on the 20th September and 4th October 1847 by Moottoopillay of Combaconum.

(Here enter M.P. Nos. 244 & 254 of 1847)

1. The Court of Foujdaree Udalut are satisfied of the propriety of the conviction and the justness of the sentence in this case.

2. The sentence will be carried into effect

Ordered that Extract from these Proceedings be sent to the Sessions Judge

Ordered that the prayer of this Petition be rejected and that Extract from these Proceedings be granted to Petitioner's Vakeel on his application.

Read Miscellaneous Petition presented on the 20th December 1847 by Balasundra Moodelly of Zillah Chittoor

(Here enter F. C. M. P. No 325 of 1847)

1. The same party presented a Petition to the Foujdaree Udalut on the 29th November last, asserting the innocence of his relative the 1st and 2nd Prisoners in Case No 44 of the Sessions Court of Chittoor for 1847, and praying their release. He now reiterates that assertion and request.

2. The Petitioner is referred to the Proceedings of the Court of Foujdaree Udalut under date 24th Ultimo and informed that the orders therein conveyed are final.

Ordered that the prayer of this Petition be rejected and that Extract from these Proceedings be granted to Petitioner on his application.

Read again Return dated the 13th November from the Sessions Judge of Combaconum, to the Precept of the Court of Foujdaree Udalut under

under date the 20th October 1847 calling for an English Translation of the Record of Case No 50 of 1847 of the Calendar of the Session Court

(Here enter F. C. No 2985 of 1847)

Read also Return dated the 17th instant from the Sessions Judge of Combaconum to the Precept of the Court of Foujdaree Udalut under date the 18th December 1847 directing him to ascertain and report whether the Assistant Magistrate by whom the preliminary inquiry in Case No 50 of the Calendar was conducted, conformed to the instructions contained in the Circular Order of the 31st January 1814 and the Circular Letter of the 19th March 1840

(Here enter F. C. No 139 of 1848)

Read also again Miscellaneous Petitions presented on the 20th September and 4th October 1847 by Moottoopillay of Combaconum.

(Here enter M. P. No 2448 & 2534 of 1847)

1. The Court of Foujdaree Udalut are satisfied of the propriety of the conviction and the justness of the sentence in this case.

2. The sentence will be carried into effect.

Ordered that Extract from these Proceedings be sent to the Sessions Judge

of Combaconum for his information and guidance
(Sent my No 15 Ltr)
Ordered that the prayer of the
Petitions Nos 244 and 254 of 1847 be rejected and
that Extract from these Proceedings be given to
the Petitioner on his application.

Read Miscellaneous Petition
presented on the 6th December 1847 by T. Appasa
Vakeel on behalf of Achayalla Chattoo Mena
Tahsildar of Cavery and Parbat Ramana Mena
Police Gomastah of the Tirmulpooram Talook
of Zillah Tanjore.

(Hereenter F 26. M. P. Nos 313 & 314 of 1847)

1. The Petitioners who represent them-
selves to be the 1st and 2nd Prisoners in Case No
1847 on the file of the Session Court of Tanjore
which they were charged with bribery and gross
abuse of authority in the matter of the death of
one Thiby, assert their innocence of the offence
laid to their charge and pray the Court of
Foujdaree Udalut to order their acquittal

2 The Court of Foujdaree Udalut
observe that the Case to which the Petitioners
refer has already been disposed of and has ter-
minated in the acquittal of both the prisoners
charged.

Ordered that Extract from the
Proceedings

F. Uc.
31st January 1848.

Proceedings be given to the Petitioners Vakeel
on his application

Read Miscellaneous Petition
presented on the 4th Instant, by Ravootha
pillay of Zillah Madura

(Hereenter F — M. P. No 7 of 1848)

1. This is an application for the
interference of the Court of Foujdaree Udalut to
order the release of Shaikh Modeen the 1st Prisoner
in Case No 33 of 1847 on the file of the Session
Court of Madura who has been sentenced to five
years imprisonment with hard labor in irons on
a charge of culpable homicide of which offence
the Petitioner asserts that the prisoner in question
was entirely innocent.

2 Before finally disposing of this
Petition the Court of Foujdaree Udalut resolve
to direct that an English Translation of the
record of the case abovementioned and also of
Case No 34 of 1847 with which it is intimately
connected, be submitted for their consideration

Ordered that Extract from
these Proceedings be sent to the Session Judge
of Madura for his information and guidance
by Precept returnable within XV days from
and after its receipt

(Sent following precept No 116)

Read

of Combaconum for his information and guidan

(Sent us No 115 Vide

Ordered, that the prayer of the

Petitions Nos 244 and 254 of 1847 be rejected and

that Extract from these Proceedings be given

the Petitioner on his application.

Read Miscellaneous Petition

presented on the 6th December 1847 by T. Appas

Vakeel on behalf of Achayalla Chattan Mena

Talaiuldar of Cavaya and Parkat Ramaw Mena

Police Jemadar of the Tinnulpooram Talook

of Zillah Calicut.

(Hereenter F. Ve. M. P. Nos 313 & 314 of 1847)

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record of the case abovementioned and also of

Case No 34 of 1847 with which it is intimately

connected, be submitted for their consideration

Ordered that Extract from

these Proceedings be sent to the Sessions Judge

of Madura for his information and guidance

by Precept returnable within XV days from

and after its receipt

(Sent following precept No 116)

Read

1st January 1848.

Read Miscellaneous Petition pre
on the 10th January 1848, by Ramaswamy Nai
of Zillah Salem
(Hereinter M.P. No 15 of 1848)

1. This is a petition from Rama
Naiken, lately a Police Peon in the Talook of
-cul in the Zillah of Salem, praying that the
Court of Foujdaree Udalut will be pleased to
full consideration of his case, to order his restora
to the service, as he and another were unjustly
-missed by the Joint Magistrate of the Distric
Salem by an order dated 2nd April 1847 No 94
-mitted thro' the Head of Police of Namakal

2. The Court of Foujdaree Udal
after a full consideration of this Petition obser
that they cannot interfere in the complaint
-ferred by the Petitioner who if he has valid
for making it, should address himself to the
Board of Revenue, to whom the appeal will
in the case described by him

Ordered that Extract from the
Proceedings be given to the Petitioner on his ap

Read letter dated 8th Instan
from the Sessions Judge of Bellary, submitti
for the final Judgment of the Foujdaree Ud
the Record of Case No 23 of 1847 of the Calen
of

31st January 1848.

Mr G. S. Hooper
and
Mr W. A. Morehead

of the Sessions Court
(Hereinter No 8 of 1848)

The Court of Foujdaree Udalut
on a deliberate consideration of all the circumstances
of the case in evidence before them, being of opinion
that the proof against the prisoners

1st Hanoomah

and

2nd Kottrappah

is sufficient to convict them of the crime of Murder
and Robbery, do convict them thereof and sen=
-tence them to be transported to such place or
places beyond sea, as the Governor in Council
shall appoint, there to be imprisoned and
kept to hard labor in irons on the public roads
or other public works, for and during the period
of their natural lives.-

But being of opinion that the
Prisoners,

3rd Doorjee (female)

and

4th Fakeeree (Do)

are not convicted on presumptive proof, or on the
evidence of credible witnesses, or on their own con
-fessions, the Court do accordingly acquit them
and direct that they be set at liberty

The

31st January 1848.

Read Miscellaneous Petition pa
on the 10th January 1848, by Ramaswamy Nai
of Zillah Salem

(Here enter M.P. No 15 of 1848.)

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Naiken, lately a Police Peon in the Talook of
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Court of Foujdaree Udalut will be pleased to
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Salem by an order dated 2nd April 1847 No 94
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Mr G. S. Cooper
and
Mr W. A. Morehead

of the Session Court

(Here enter No 8 of 1848)

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and

4th Fakeeree (Do)

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evidence of credible witnesses, or on their own con-
-fessions, the Court do accordingly acquit them
and direct that they be set at liberty

The

31st January 1848.

1. The Court of Foujdaree Udalut are unable to concur in the view of the evidence taken by the Sessions Judge, as it respects the 1st and 2nd Prisoners.

2. The evidence given by the 1st and 2nd witnesses seems to the Court good. The Court thinks it because had it been in itself false, care would have been taken that in all respects it should have been free from the mistakes noticed by the Sessions Judge. No cause can exist why the Thalaulder should assist in getting up false evidence against the Prisoners. but the dates might have been altered by him to save himself from blame in not having at once recorded the depositions on his arrival at the Village.

3. But even if the testimony of the 1st and 2nd witnesses be rejected, the Court do not see how the fact of the 1st and 2nd Prisoners having given up the two silver ornaments worn by deceased, can be deemed otherwise, than conclusive of their guilt. The Sessions Judge states that as regards their delivery of the robbed property he is of opinion that the evidence thereto is to be distrusted, from the interval that occurred before they were called upon to do so, and from the suspicions as to fair dealing in the case already raised in his mind. That unfair means have been resorted to in this case as regards the

the delivery of the two silver ornaments by the 1st and 2nd Prisoners, seems to the Court of Foujdaree Udalut to be rendered quite improbable from the circumstance of the Reddy of the village having in his letter dated the 19th, the day of the Murder, reported to the Head of Police that the said ornaments were the only ones stolen from the dead body of the child. That these ornaments had therefore been actually stolen seems to the Court to be beyond all doubt. if there fore the evidence given by the 7th 8th and 9th witnesses to their delivery, from the Stack in 2nd Prisoner's yard, by the 2nd Prisoner himself and by the request of 1st Prisoner, be false, the difficulty immediately arises, Where were they discovered.

4. The Court have, therefore, convicted the 1st and 2nd prisoners of the crime charged— but upon a review of all the circumstances of the case, have thought proper to commute the Punishment of Death to which they are liable, for Transportation for Life.

5. The Court do not concur in the remarks contained in the 17th parah. of the Sessions Judge's Letter - Against the 4th prisoner there is nothing but her confession before the Police

Police - and the crimination of her by the 2nd and 3rd prisoners: but that cannot be admitted as evidence against her.

6. The Court observe that as both the Mohummedan Law Officer and the Session Judge concurred in the acquittal of the 4th prisoner - she should have been forthwith discharged

Ordered that Extract from these Proceedings be sent to the Session Judge of Bellary for his information.

(Sent following letter No. 117)

Read Calendar of case No. 2 of 1848 on the file of the Session Court of Guntoor

(Here enter F. C. No. 192 of 1847)

The Court of Foujdaree Udalut infer that the remarks recorded by the Session Judge on this case unfavorable to the Head of Police by whom it was committed have been communicated to the Magistrate of Guntoor.

Ordered that Extract from these Proceedings be sent to the Session Judge of Guntoor for his information and guidance

(Sent in No. 118)

Read

Read Calendar of Case No. 60 of 1847 on the file of the Session Court of Cuddapah

(Here enter F. C. No. 194 of 1847)

1. The prisoner in this case was charged with Highway Robbery by open violence, and on conviction has been sentenced by the Acting Session Judge to Imprisonment with hard labor in irons for the period of 14 years.

2. Under the circumstances of the case as stated in the Calendar, the Court of Foujdaree Udalut consider that the period of Imprisonment awarded in this case may with propriety be reduced to seven years and they accordingly direct that the Acting Session Judge will issue an amended warrant for the imprisonment of the prisoner for that period

Ordered that Extract from these Proceedings be sent to the Acting Session Judge of Cuddapah for his information and guidance by precept returnable within 11 days from and after its receipt

(Sent following Precept No. 119)

Read again Criminal Reports submitted by the Session Judge of Cuddapah for the month of October 1847

(Here enter F. C. No. 2994 of 1847)

Read

Read also the following letter from the Session Judge of Calicut

(Here enter F. C. No. 3173 of 1847)

With this communication the Session Judge submits copy of a letter to his address from the Subordinate Judge in which that Officer adverting to the orders of the Foujdaree Udalut contained in their proceedings of the 27th November last in which the Court observed that the offence of harbouring and concealing a robber with the knowledge that he had been concerned in a robbery forms matter for a distinct charge from that recorded against the robbers themselves and requesting general instructions for his future guidance in similar cases, submits that from such a separation of the charges unnecessary delay in the disposal of cases without any counterbalancing benefit, will ensue

2. The Court of Foujdaree Udalut adhere to the opinion recorded in their proceedings of the 27th November last regarding the case under notice and they consider that in all cases of the nature of that referred the separation of the charges to which the Subordinate Judge takes exception will facilitate the preparation of the accounts and show more distinctly the state

state of crime, than would be the case under the system advocated by that Officer

Ordered that Extract from these Proceedings be sent to the Acting Sessions Judge of Calicut for his information.

(Sent in No. 120)

Read Criminal Reports submitted by the Sessions Judge of Cuddalore for the month of December 1847.

(Here enter F. C. No. 126 of 1848)

Report B

The note which should be appended to the report of each case showing whether it has been noticed by the Sessions Judge or not, has been omitted in this Report.

Ordered that Extract from these Proceedings be sent to the Acting Sessions Judge of Cuddalore for his information

(Sent in No. 121).

Read Criminal Reports submitted by the Sessions Judge of Tinnevelly for the month of December 1847.

(Here enter F. C. No. 147 of 1848)

Report B
Case No. 180.

The Court of Foujdaree Udalut observe that the value of the property which the prisoners in this case were charged with having

destroyed

1st January 1848.

destroyed should have been specified in the State-
-ment of charge

Ordered that Extract from these
Proceedings be sent to the Sessions Judge of Vizaga-
-patam for his information and for communication
to the Principal Sudr Ameen

(Sentence No 122)

Read Criminal Reports sub-
-mitted by the Sessions Judge of Chicacole for
the months of December 1847

(Here enter F Uc No 191 of 1848)

Vizagapatam
Criminal Reports
B
Case No 58

The prisoner in this case was
charged with having stolen a gold necklace
valued at 10 Rupees which was on the neck of
the complainant and on conviction was sentenced
by the Acting Principal Sudr Ameen to 6 months
Imprisonment with hard labor and irons under
Section VII Regulation X of 1816.

2. The Court of Foujdaree Udalut
consider the punishment awarded in this case
extremely inadequate, and they observe that with
reference to the nature of the offence charged
which should have been designated as stealing
the prisoner should have been committed for
trial before the Court of Session.

Ordered that Extract from these
Proceedings

F Uc
31st January 1848.

Proceedings be sent to the Session Judge of Chicacole
for his information and for communication to the
Acting Principal Sudr Ameen of Vizagapatam.

(Sentence No 123)

Read letter dated 15th January
1848 from the Session Judge of Rajahmundry
submitting for the final Judgment of the Foujdaree
Udalut the Record of Case No 29 of 1847 of the Calendar of the Session
Court. (Here enter F Uc No 204 of 1848)

The Court of Foujdaree Udalut
Mr E B Thompson on a deliberate consideration of all the circumstances
of the case in evidence before them, being of opinion
that the proof against the prisoners,

1st Calapullee Bauparnah

and

2nd Chitrapoo Naugaraze

is sufficient to convict them of assault and
Robbery, for which according to the Mahommed-
-dan Law as declared in futwas of their Law
Officers discretionary punishment is awardable,
do convict them thereof, and under the provisions of clause
third Section VII Regulation XV of 1803 and Section XXXIV
Act VII of 1843, sentence them to be imprisoned
and kept to hard labor in irons on the public
roads or other public works for and during the
period of (5) five years

(Sent following Letter No 1)

Read

F. Uc.

31st January 1848.

Read Letter dated the 24th Ult.
= mo from the Session Judge of Cuddapah, referring
for the final judgment of the Foujdaree Udalut
the Record of Case No. 52 of 1847, of the Calendar
of the Session Court.

(Hereenter F. Uc. No. 159 of 1848)

The Court of Foujdaree Udalut
Mr. E. P. Thompson and Mr. W. A. Morehead on a deliberate consideration of all the circumstances
of the case in evidence before them, being of opinion
that the prisoners,

1st Vannana Rungareddy

and

2nd Yoraka Koochoogadoo

are not convicted on presumptive proofs or on the
evidence of credible witnesses or on their own con-
= fession of the crime charged, do acquit them thereof,
and direct that they be set at liberty.

1. The Court of Foujdaree Udalut
observe that however strong the moral conviction
may be of the guilt of the prisoners in this case,
the evidence as it appears on the Record, is not suf-
= ficient legally to bring the charge home to them.

2. The principal witness for the
prosecution is a very aged and feeble person
and so deaf that it was difficult to commun-
= icate with her; and with her infirmities,

the

5.

F. Uc.

31st January 1848.

the Court cannot give implicit credit to her
statement, that in the dead of a cloudy and rainy
night, as the other witnesses say it was, with no lamp
nor moon, she distinctly recognized the prisoners
as they left the house.

3. The Court have therefore given to
the prisoners the benefit of the doubt entertained in respect
of their guilt, and acquitting them, have ordered their release.

4. The Court observe that the evidence
of the Zillah Surgeon to the bites on the finger of the 2nd
Prisoner, should have been taken on oath in open Court in
the presence of the accused and not in the form of a
written Certificate.

Ordered that Extracts from
these Proceedings be sent to the Session Judge of Cud-
= dapah for his information and future guidance.

(Sent following Letter No. 125)

Read again Calendar of Case No. 3
of 1847 on the file of the Session Court of Calicut.

(Here enter F. Uc. No. 3108 of 1847)

Read also the following letter
from the Session Judge of Calicut

(Here enter F. Uc. No. 3295 of 1847).

1. Adverting to the remarks

recorded

-ceeded by the Court of Foujdaree Udalut in their pro-
-ceedings of the 13th Ultimo that any measures which
may appear proper to be adopted in regard to the
District Moonsiff of Anjengo should be recom-
-mended by the Session Judge in a separate com-
-munication that officer states that the enquiries
connected with the trial of the case above referred
to have tended greatly to shake his confidence in
the District Moonsiff in question and accordingly
suggests that the Magistrate be requested to pro-
-vide for the District Moonsiff on the first oppor-
-tunity with a suitable situation elsewhere, as in
addition to his Moonsiffship he holds the office
of Police Kurnum besides being employed under the
Travancore Government

2. Before passing further orders
in the matter the Court of Foujdaree Udalut desire
to be informed in what capacity the present District
Moonsiff of Anjengo is employed by the Rajah of Travan-
-core and that Extract from these
proceedings be sent to the acting Sessions Judge of
Cuttack for his information and guidance by present
returnable within 15 days from and after the receipt

(Sent following Extract to C.)

F 76.

31st January 1848.

Read Letter dated the 13th Novem-
-ber 1847 from the Sessions Judge of Rajahmundry
referring for the final Judgment of the Foujdaree
Udalut, the Record of Case No. 21 of 1847, of the
Calendar of the Sessions Court.

(Here enter F 76. No. 3250 of 1847).

Read also Letter dated the 21st
Ultimo from the Magistrate of Rajahmundry,
submitting, with his observations thereon, a copy
of an English Petition addressed to him by the
Head of Police of Rawlay, whose dismission, with
reference to his alleged misconduct in a case of
Culpable Homicide (Case No. 21 of the Calendar
of the Sessions Court of Rajahmundry of 1847) the
Sessions Judge recommended in his letter of the 13th
November 1847 addressed to the Register of the
Foujdaree Udalut.

(Here enter F 76. No. 54 of 1848.)

Read also Letter dated the
13th November 1847 from the Sessions Judge of
Rajahmundry, bringing to the notice of the Court
of Foujdaree Udalut, the conduct of the Head
of Police of Rawlay in the Bundaurlunka case
and recommending, under Section XXXIV Act VII

31st January 1848.

recorded by the Court of Foujdara Udalut in their pro-
ceedings of the 13th Ultimo that any measures which
may appear proper to be adopted in regard to the
District Moonsiff of Anjengo should be recom-
mended by the Session Judge in a separate com-
munication that officer states that the circumstances
connected with the trial of the case above referred
to have tended greatly to shake his confidence in
the District Moonsiff in question and accordingly
suggests that the Magistrate be requested to pro-
vide for the District Moonsiff on the first opportu-
nity with a suitable situation elsewhere, as an
addition to his Moonsiff ship he holds the office
of Police Darogah besides having employment under the
Travancore Government

2. Before passing further orders
in the matter the Court of Foujdara Udalut deem
it necessary to be informed in what capacity the present District
Moonsiff of Anjengo was employed by the Resident of Tra-
vancore and

Ordered that extract from the
proceedings be sent to the Session Judge of
Calicut for his information and guidance by the first
returnable within 7 days from and after the receipt

(Sent following Thursday 3d Feb.)

F 26.

31st January 1848.

Read Letter dated the 13th Novem-
ber 1847 from the Session Judge of Rajahmundry
referring for the final Judgment of the Foujdaree
Udalut, the Record of Case No. 21 of 1847, of the
Calendar of the Session Court.

(Here enter F 26. No 3250 of 1847).

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Session Judge recommended in his letter of the 13th
November 1847 addressed to the Register of the
Foujdaree Udalut.

(Here enter F 26. No 54 of 1848.)

Read also Letter dated the
13th November 1847 from the Session Judge of
Rajahmundry, bringing to the notice of the Court
of Foujdaree Udalut, the conduct of the Head
of Police of Rawlay in the Bundaurlunka Ca[se]
and recommending, under Section XXXIV. Act VII.

of 1843 that he be no longer employed as a Head of Police.

(Here enter F.C. No. 3251 of 1847)

Read also Letter dated the 15th Ultimo from the same Office explaining that inconformity of spelling the Witnesses and Prisoners' names in the Record of Case No. 21 of 1847 had not been completely observed, in consequence of the Court's circular instructions of the 11th November 1847 having been received after some of the proceedings had been fair copied.

(Here enter F.C. No. 3252 of 1847)

Mr. G. L. Cooper
and
Mr. W. A. Minchead

The Court of Foujdaree Udalut on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the prisoners,

1st Sastlah Venagah
2nd Bundy Surrapah
3rd Taulah Sastroloo
4th Mundhapoody Chena Rammacroostummah
5th Parry Reddy
and
6th Parry Vilsummah

are not convicted on presumptive proof or on the evidence

evidence of credible Witnesses, or on their confessions of the crime charged, do acquit them thereof; but considering that strong suspicion, tho' not amounting to conviction, attaches to the prisoner

1st Sastlah Vencayah

the Court direct that he be required, under Clause Sixth Section II Regulation XV of 1803, to find Two Sureties in (fifty) 50 Rupees each surety, for his good behaviour and appearance when required within one year or in default thereof, that he be detained for one year in confinement.

The Court further direct that the prisoners,

2nd Bundy Surrapah
3rd Taulah Sastroloo
4th Mundhapoody Chena Rammacroostummah
5th Parry Reddy
and
6th Parry Vilsummah

be unconditionally released.

1. The Court of Foujdaree Udalut are not of opinion that the evidence for the prosecution in this case is sufficient for the legal conviction of any one of the prisoners, although

there are strong grounds to suspect the 1st prisoner of being actively concerned in the affray and assault upon the deceased.

2. The Court cannot admit the force or propriety of the arguments advanced in the 3rd para: of the Sessions Judge's Letter of Reference.

3. The Court concur with the Sessions Judge in opinion that the Village Police are unfit to be trusted and they resolve to direct the Magistrate to dismiss them, and appoint more trustworthy persons in their room.

4. The Court, however, do not view the conduct of the Head of Police of the Rawlay Taloob and the Subordinate Police Officer, in the same unfavorable light as the Sessions Judge does.

5. There is not a particle of evidence on the Record, nothing in fact beyond the bare assertion of the Prosecutor himself, to prove that the Prosecutor made any Complaint whatever, either verbal or written, to the former Officer, or that he took his wounded brother along with him to Bobberlunha, and shewed him

shewed him to the Head of Police: nor has the Prosecutor attempted to produce any. Under the circumstances, and occupied as the Head of Police is described to have been by the Magistrate, the Court cannot but agree with the latter Officer, that the Head of Police was not to blame in refusing to take immediate notice of the Complaint, supposing, what is not at all proved, that such a Complaint was actually made.

6. Nor do the Court see any good reason for concluding that either the Head of Police or the Peshkar has been guilty of "partiality, intimidation or misrepresentation" or of falsifying the Record.

7. It was quite natural for the Head of Police, knowing that the Prosecutor had complained to the Magistrate of his having refused to receive his complaint, to cause his deposition to be attested by witnesses: and the Court see no cause to doubt the Prosecutor's having actually deposed in the manner recorded of his own free will and accord.

8. The moment the Head of Police received a Report from the Village

Police

1848 31st January 1848.

Police of the death of Provicutors brother, he
an order to the Peshcar to proceed immediately
to the spot and enquire into the matter - what
he did, and with all fairness as it appears to the
Court.

9 The explanations afforded and
Urzee addressed by the Head of Police to the
Magistrate appears to the Court to be satisfac-
tory, and the Court concurs with the Magistrate
in exonerating him from Blame

10. The Court thinks it necessary to
-ted that - should not occur to the Joint Magis-
-trate, to whom the Prosecutor made his com-
-plaint at Rajahmundry, to ascertain by a
-sonal inspection, the state of the wounded
person, and if necessary, direct medical aid to be
afforded him. Although, the Rawley Taluk
not being under his charge, he could not take
cognizance of the complaint himself, he might
and the Court think he ought to have done so

11 The Court of Foujdara Adalut
observe that the Sessions Judge, in pronouncing
that the prisoners should be punished by fine
and that a portion of such fine should be given

F46.

31st January 1848.

to the widow of the deceased, should have specified the Provision of the Law under which he proposes that sentence.

12. The Sessions Judge has likewise omitted to state for what additional period the 1st Prisoner should, in his opinion, have been imprisoned, in default of his paying the proposed fine of 50 Rupees.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Rajahmundry for his information.

(Sent following Letter No. 127)

Ordered also that Extract from these Proceedings (paras 3 to 10) be sent to the Magistrate of Rajahmundry for his information

(Sentence No. 128)

Read Return dated 25th Instant from the Sessions Judge of Madura to the precept of the Foujdaree Adalut under date the 21st Idem pointing out the illegality of proceedings of the Subordinate Judge in Case No. 165 entered in the Criminal Report Form B for December 184[illegible]

(Here enter F46 No. 34 [illegible]

31st January 1848.

Read Return dated the 28
Instant from the Sessions Judge of Sabu
to the Sheriff of the Sonydanga Subdivi
dated the 22nd Idem on perusal of the Calend
of Cases Nos 82, 87, 88, 89 and 92 of 1847 pe
denoting the commencement, pendency of the pro
ess No 87

(Forwarded F No 236 of 1848.)

Read Statement dated
Instant from the Subordinate Judge
Comparative showing the amount pa
by the Sabu of the
of 1847

End 11th

(Forwarded F No 240 of 1848.)

Entd

31st January 1848.

Read Return dated the
Instant from the Sessions Judge of
to the Juncture of the Forgeries Act
dated the 24th September passed by the
of Crimes Act 82, 87, 88, 89 and 92 of 1867
detailing the amendments, returned
ent Act 87

Received F No 238 of 1848

Read Statement dated
Instant from the Subordinate Judge
Coimbatore relating the amount
by the Jail of
of 1847

End 4th

Received F No 244 of 1848

Ends

Tuesday
1st February 1848.

At a Court of the Foujdaree Adalut.

Present.

J. A. Hooper Esqre ——— 1st Puisne Judge.
E. P. Thompson Esqre ——— 2nd Puisne Judge.
W. A. Morehead Esqre ——— 3rd Puisne Judge.

Read Report of Cases pending on the 31st October 1847 and committed for trial during the month of November 1847 before the Sessions Judge of Chicacole.

Present F. 16. No 58 of 1848.

Cases Nos 5. and 6.

1 The great delay which is apparent in the disposal of these cases is attributed by the Sessions Judge to the inability from illness of the Moofty to attend to his official duties.

2 In Case No 6 an interval of 16 days was allowed to elapse between the delivery of the Futwa, and the answer given to the 2nd question put by the Sessions Judge, and Case No 5, which was ready for trial on the 6th ultimo, was apparently still undisposed of on the date of the present Report.

3.

The detention of the parties concerned in these cases for so long a period appears to the Court of Foujdaree Udalut to have been quite unnecessary. If the Sessions Judge was aware from the serious nature of the illness of his Law Officer that he would be absent from the Station for so long a period it was incumbent upon the Sessions Judge to proceed with the trial of the Cases by Jury in conformity with the provisions of Section XIII Act VII of 1843 and this rendering the Sessions Judge will now be pleased to forward his report in regard to Case No 5 should it appear that the prisoner still unlikely from the inability of the Monthly Zuddeerdar to attend the Sessions Court.

4.

The Court of Foujdaree Udalut at the same time direct that on any future occasion when the illness of the Monthly may appear to entail so protracted an absence from his duties as occurred in the Case now under perusal the circumstances may be reported to them in order that immediate measures may be taken to prevent the recurrence of similar delay.

Ordered that a Extract from these Proceedings be forwarded to the Sessions Judge of Chicacole for his information and future guidance

(Sentence No 129)

Read Return dated the 18th Ultimo from the Sessions Judge of Rajahmundry, to the Precept of the Court of Foujdaree Udalut under date the 14th January 1848, requiring to be informed of the distance from Rajahmundry to Mundapeta with reference to the order of the Sessions Judge for the infliction of the corporal punishment upon the Prisoner in Case No 31 of the Calendar of the Sessions Court of 1847, at the latter place.

(Have enter Flo. No 205 of 1848)

The Sessions Judge reports that Mundapeta is 20 miles from Rajahmundry and he suggests that the Court of Foujdaree Udalut may be pleased to intimate that when medical attendance can be furnished, local punishment may be ordered at distance, when the Magistrate shall concur in thinking such advisable"

2.

The Court of Foujdaree Udalut do not approve of the course of proceeding suggested by the Sessions Judge and they think it proper to direct that sentences of corporal punishment

to

3

The detention of the parties con-
in these cases for so long a period appears to the
Court of Foujdaree Udalut to have been quite unne-
for. If the Sessions Judge was aware from the
Returns made of the Months of his Law Officer
he would be absent from the Station for so long
required it was incumbent upon the Sessions
to proceed with the trial of the Cases by
in conformity with the provisions of Section
Act VIII of 1843 and this under the Sessions Judge
will now be followed to prevent in regard to
No 5 should the Law Officer still unfortunately
from the inability of the Moosly Pundit to
to attend the Sessions Court.

4 The Court of Foujdaree Udalut
at the same time direct that in any future
occasion when the illness of the Moosly may appear
to entail a protracted absence from this duty
as occurred in the case now under review the
circumstances may be reported to them in order
that immediate measures may be taken to prevent
the recurrence of such delay.

Ordered that a Extract from this
Proceedings be forwarded to the Sessions Judge of
Chicacole

Chicacole for his information and future guidance

/Sentence No 129/

Read Return dated the 18th Ultimo
from the Sessions Judge of Rajahmundry, to the
Precept of the Court of Foujdaree Udalut under
date the 14th January 1848, requiring to be informed
of the distances from Rajahmundry to Mundapeta
with reference to the order of the Sessions Judge
for the infliction of the corporal punishment upon
the Prisoner in Case No 31 of the Calendar of
the Sessions Court of 1847, at the latter place.

/Herewith F/6. No 205 of 1848/

1. The Sessions Judge reports that
Mundapeta lies 20 miles from Rajahmundry and
he suggests that the Court of Foujdaree Udalut
may be pleased to intimate that when medical
attendance can be furnished, local punishment
may be ordered at discretion, when the
Magistrate shall concur in thinking such
advizable"

2. The Court of Foujdaree Udalut
do not approve of the course of proceeding suggested
by the Sessions Judge and they think it proper
to direct that sentences of corporal punishment

to

1st February 1848.

be always carried into effect at the Station where the Court is held which passes them.

Ordered that Extract from this Proceedings be forwarded to the Sessions Judge of Rajahmundry for his information and guidance.

(Sent in No 180)

Read Calendars of Cases — Nos and 115 of 1847 submitted by the Sessions Judge of Cuddapah under date the 3rd and 4th Instt.

(Recorded F.H. Nos 122 and 122 of 1848)

Read Calendar of Cases No 3 1848 submitted by the Sessions Judge of Chingleput under date the 27th Ultimo.

(Recorded under F.H. No 223 of 1848)

Read Letter dated the 26th Ultimo from the Acting Sessions Judge of Chingleput the precept of the Foujdaree Adawlut of the 23rd Ultimo conveying their observations on the Calendar No 3 submitted for the month of November last relative to case No 5th disposed of by the Assistant to Magistrate.

(Recorded F.H. No 233 of 1848)

Friday 4th February 1848.

F.H.

At a Court of the Foujdaree Adawlut.

Present.

G.S. Cooper Esqre — 1st Puisne Judge.
E.P. Thompson Esqre — 2nd Puisne Judge.
W.J. Morehead Esqre — 3rd Puisne Judge.

Read the Calendar of Cases No 95 of the Sessions Court of Coimbatore of 1847.

(Recorded F.H. No 89 of 1848)

In this case the prisoners

1st Chinna Alaghan

and

2nd Chinnaun.

were convicted of Gang Robbery by open violence; and Sentence was recorded against them of fourteen years' Imprisonment with hard labour in Irons.

2. But the Sessions Judge is of opinion "that the ends of Justice will be insufficiently met, in proportion to the share of the crime proved against the prisoners, by a sentence of seven (7) years' Imprisonment with labour in Irons."

3.

The Court of Foujdaree Udalut concur in this opinion and under the Provisions of Clause Third, Section III. Regulation I of 1825, authorize the Session Judge to issue his warrant accordingly.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Combatore for his information.

/Sent in No. 137./

Read again Calendar of Case No. 28 of 1847 of the Session Court of Chingleput.

/Herewith No. 66 of 1848./

Read also Letter dated the 22nd ultimo from the Acting Sessions Judge of Chingleput.

/Herewith File No. 182 of 1848./

1.

The Acting Sessions Judge, adverting to the Extract from the Proceedings of the Foujdaree Udalut under date the 27th January 1848 states that the original sentence has been corrected in Case No. 28 of the Calendar of the Session Court of 1847 and the Prisoners have been sentenced to fourteen years' Imprisonment with hard labour in Irons.

2.

But on consideration of the circumstances of the case, the little or no injury sustained on

on the parties robbed, together with the small amount of property taken, and the absence of any aggravating cause, the Acting Sessions Judge recommends that the prescribed penalty be mitigated to seven years.

3.

The Court of Foujdaree Udalut sanction the proposed mitigation, and under the Provisions of Clause third, Section III. Regulation I of 1825, authorize the Acting Sessions Judge to issue his warrant accordingly.

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Chingleput for his information.

/Sent in No. 138./

Read Statement dated the 31st December 1847 from the Acting Sessions Judge of Chingleput shewing the amount realized by the labor of Prisoners in the Zillah Court of Chingleput for the 4th Quarter 1847.

/Herewith File No. 231 of 1848./

Read Calendars of Cases No. 33 and 34 of 1847 submitted by the Sessions Judge of Rajahmundry under date the 27th ultimo.

/Herewith File No. 276 and 277 of 1848./

Read

4th February 1848.

Read Calendar of Cases Nos 1 of 1848.
submitted by the Acting Sessions Judge of Calicut
under date the 27th ultimo.

/Recorded F.No 278 of 1848/

Read Report dated the 1st instant
from the Acting Sessions Judge of Chingleput of
cases pending on the 31st January 1848 and committed
for trial during the month of November 1847 before
the Sessions Judge of Chingleput.

/Recorded F.No 280 of 1847/

Read Letter dated the 27th ultimo
from the Sessions Judge of Chicacole reporting the
exemption of the Prisoner in Case No 20 of 1847 on the
Calendar of the Session Court.

/Recorded F.No 282 of 1848/

Read Calendars of Cases Nos 2 and 3
of 1848 submitted by the Acting Sessions Judge of
Cuddapah under date the 28th ultimo.

/Recorded F.No 284 and 285 of 1848/

Read Statement dated the 29th ultimo
from the Acting Sess: Judge of Calicut of Batta paid
to Prosecutors and Witnesses during the 2nd half 1847.

/Recorded F.No 287 of 1848/

Saturday,
5th February 1848.

F. No.

At a Court of the Foujdaree Adalut.

Present:

S. S. Hooper Esqr ——— 1st Puisne Judge.
C. P. Thompson Esqr ——— 2nd Puisne Judge.
W. A. Morehead Esqr ——— 3rd Puisne Judge.

Read again Calendar of Case
No 50 of 1847 of the Session Court of Mangalore.

/Recorded F.No 2872 of 1847/

Read also Return dated the
15th ultimo from the Sessions Judge of Mangalore,
to the Precept of the Court of Foujdaree Adalut
under date the 7th December 1847 calling for
an English Translation of the Records of
Case No 50 of the Calendar of the Session
Court of 1847.

/Recorded F.No 270 of 1848/

The Court of Foujdaree Adalut
have read the Record of this Trial, and
see no reason to question the propriety of the
conviction or the justness of the sentence which
will now be carried into effect.

Ordered that Action [illegible]

that these proceedings be forwarded to the Sessions Judge of Tanjore Taluq for his information and guidance.

(Entered No. 143)

Read the Calendar of Cases No. 2 of 1848 of the Sessions Court of Trichinopoly.

(Transmitted F.M. No. 202 of 1848)

In this case two Prisoners were convicted of Gang Robbery by open violence, and sentenced to fourteen years' Imprisonment with hard labour in Irons, was recorded against them: "but in consideration of the Robbery not being attended with personal violence" the Acting Sessions Judge recommends that the prescribed penalty be mitigated to seven years.

2. Before passing a final order in this reference, the Court of Tanjore Taluq resolve to direct the Acting Sessions Judge to send up an English Translation of the complaint given by the Prosecutor on the 4th of December, of the List of the Property found on the 1st and 2d Prisoners, with a statement of the value of each article of the List of the stolen property

property as declared by the Prosecutor and of the 4th witnesses' Deposition and of the warrant given to him.

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Trichinopoly by Precept returnable within seven days from and after its receipt.

(Sent following precept No. 144)

Read return dated the 29th Ultimo from the Acting Sessions Judge of Cuddalore, to the precept of the Tanjore Taluq Court under date the 25th ulto., calling upon the Sessions Judge to furnish full information as to the grounds upon which he required Security from the 1st Prisoner in Case No. 58 on the Sessions Calendar for 1847.

(Here enter F.M. No. 288 of 1848)

Read Statement dated the 29th Ultimo from the Acting Sessions Judge of Cuddalore, required by Circular Order No. 4 for the 2d half of 1847.

(Here enter F.M. No. 289 of 1848)

Read Report dated the 1st instant from the Acting Sessions Judge of Cuddalore, of a case pending in the month of January 1848 before the Sessions Court of Cuddalore.

(Here enter F.M. No. 291 of 1848)

Read

Read report dated 1st instant from the Session Judge of Kilkee, of cases pending in the month of January 1848 before the Session Court of Kilkee

/Entered F.Kc. No 292 of 1848/

Read Calendar of Cases No 1 of 1848 submitted by the Acting Session Judge of Honore under date the 26th ultimo.

/Entered F.Hc. No 293 of 1848/

Read Calendar of Cases No 4 of 1848 submitted by the Acting Session Judge of Cashel under date the 31st ultimo.

/Entered F.Hc. No 294 of 1848/

Read Calendars of Cases No 2 and 6 of 1848 submitted by the Session Judge of Killaloe under dates the 29th and 31st ultimo.

/Entered F.Hc. No 295 and 296 of 1848/

Read Letter dated the 27th ultimo from the Agent to the Commissariat Department at Limerick, reporting that Lieutenant Bishop the Prisoner in Criminal Trial No 30 of 1847 was granted bail on the 27th ultimo.

/Entered F.Hc. No 297 of 1848/

(D.T.O.)

F. Hc.

Monday
7th February 1848.

At a Court of the Tongdarree Adalut.

Present:

Lt. S. Hooper Esqre ——— 1st Puisne Judge.
C. P. Thompson Esqre ——— 2nd Puisne Judge.
W. N. Morehead Esqre ——— 3rd Puisne Judge.

Read Miscellaneous Petition presented on the 10th January 1848 by Nagessha Naidoo of Zillah Tinnevelly.

/Entered F. Mc. P. No 17 of 1848/

The Petitioner adverting to his former Petition No 230 of 1847 prays that he may be granted protection, inasmuch as he has been unjustly required to produce security to the amount of 200 Rupees by the Session Judge of Tinnevelly.

The Court of Tongdarree Adalut observe that the demand of security from the Petitioner was approved of by the Judges of the Tongdarree Adalut so far back as the 12th June 1846 and that therefore no further order can be passed on this point.

The Court of Tongdarree Adalut

also observe — with regard to the other orders alluded to in Petition No 230 of 1847 that the Petitioner has even now neglected to furnish copies of those, of which he complains.

Ordered that Extract from these Proceedings be granted to the Petitioner on his application.

Read Miscellaneous Petition presented by T. Appiah Vakeel on behalf of J. Soobamah zillah Rajahmundry on the 24th January 1848.

/Here enter F. M. P. No 29 of 1848./

The Vakeel on behalf of his client, adverting to the trial of Cubbapilly Buttamma 1st Prisoner in case No 29 of 1847 on the file of the Sessions Judge of Rajahmundry, prays that the Court of Foujdaree Udalut will take into their serious consideration the defective nature of the evidence adduced by the Prosecutrix, together with the trifling injury said to be sustained by her, and will issue immediate orders for his liberation as well as that of the 2nd Prisoner.

2.

The Court of Foujdaree Udalut on a careful perusal of this Petition observe, that

that having maturely weighed and considered the record of this case, they have convicted and sentenced both the Prisoners to five years imprisonment with labour in Irons. This Petition is therefore dismissed.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Rajahmundry for his information.

/Entered No 145/

Ordered also that Extract from these Proceedings be furnished to the Petitioner's Vakeel on his application.

Read Letter dated the 20th ultimo from the Sessions Judge of Chittoor, referring for the final Judgment of the Foujdaree Udalut, the Record of Case No 49 of 1847 of the Calendar of the Sessions Court.

/Entered Fd. No 173 of 1848./

Mr Lyall Cooper
and
Mr E. P. Thompson

The Court of Foujdaree Udalut on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the Prisoners

1st Conatee Collador
2nd Reddah Bandigandoo.

7th February 1848.

3rd Canaka Vincatasoryandoo

4th Naraiah Vincatayandoo

5th Cracah Sungadoo

6th Cumpah Timmaiah

and

7th Cumpah Vincatayandoo

are not convicted on presumptive proof or on the evidence of credible witnesses or on their own confessions of the crime charged, do acquit them thereof, and direct that they be set at liberty.

1. The Court of Foujdaree Udalut have given to this important case, the utmost attention, but are unable to concur in the views adopted by the Sessions Judge.

2. The evidence of the Prosecutor and of the witnesses for the prosecution, to the recognition of the Prisoners on the night of the Robbery is, in the opinion of the Court, not at all to be relied on. And generally, the evidence for the prosecution is characterized by so many discrepancies and inconsistencies as to render it impossible to join with the Sessions Judge in founding a conviction thereon.

The

3. There is however reason to believe that the charge against the Prisoners was the result of enmity.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chittoor for his information.

Sent following Letter No. 146

Read Letter dated the 26th ult.o from the Sessions Judge of Cuddapah, requesting for the final Judgment of the Foujdaree Udalut, the Record of Case No. 57 of 1847 of the Calendar of the Sessions Court.

Herewith F.U. No. 242 of 1848

Mr. W. A. Morehead

The Court of Foujdaree Udalut, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the Prisoner

"Polleegadoo"

is not convicted on presumptive proof or on the evidence of credible witnesses or on his own confession of the crime charged, do acquit him thereof, and under the provisions of Section XXXIV Act VII of 1843 direct that he be set at liberty.

Sent following Letter No. 147

End F.U.

F. Ulo

Tuesday
8th February 1848. } At a Court of the Toujdaree Udalut.

Present.

W.K.B. G. A. Woopen Esqre.—1st Puisne Judge.
C.P.J. C. B. Thompson Esqre.—2nd Puisne Judge.
Wedr. W. A. Morshead Esqre.—3rd Puisne Judge.

Read again Criminal Re-
ports of the Sessions Courts of Nellore
for December 1847.

(Here enter F. Ulo. No. 119 of 1848.)

Read also Return dated 26th
Ultimo made by the Sessions Judge of
Nellore to the Precepts of the Toujdaree
Udalut dated 24th idem calling for infor-
mation in regard to the peculiar fea-
tures of Case at No. 185 of 1847 Reports B-
which rendered his commitment before
the Sessions Court necessary.

(Here enter F. Ulo. No. 245 of 1848.)

1. The Sessions Judge states in
explanation that the Prisoner "had
"been previously convicted by the Commis-
"sioner of 3 different acts of theft and
"had been furnished for the same with

wch. Circl

various degrees of severity and the head
also been held to security on another
charge of the same nature.

2. The Court of Pangalanes Vola-
-hitse observe that the above facts should
have been submitted for their information
in the reports now under review.

Ordered that Extracts from
these Proceedings be forwarded to the
Sessions Judge of Tamatave for his informa-
-tion and future guidance.

(Sentence No 154)

Read Calendar of Cases
No 39 of 1847 on the files of the Sessions
Court of Tamatave.

(Here enter F.V. No 255 of 1848)

The Court of Pangalanes
Volahitse observe, that the Situation
of the wounds inflicted on the 1st Prose-
-cutor by the Prisoner, should have
been particularized in the Column of
Charges.

Ordered that Extracts from
these Proceedings be forwarded to the Ses-
-sions Judge of Tamatave for his informa-tion and
guidance.

(Sentence No 155)

F. Vo.

Thursday 10th February 1848. At a Court of the Fingoland Division held

Present

G. S. Cooper Esqre ——— 1st Puisne Judge.
C. D. Thompson Esqre ——— 2nd Puisne Judge.
W. D. Morehead Esqre ——— 3rd Puisne Judge.

Read again Criminal Reports of the Sessions Court of Chittoor for December 1847.

(Here enter F. Vo. No. 87 of 1848)

Read also Return dated 29th Ultimo made by the Sessions Judge of Chittoor to the Precept of the Fingoland Division dated 24th Instant, requiring full explanation from the Hindoo Student Answers of the delay occasioned in the disposal of Cases Nos. 229. 230. 231 and 239 contained in Reports B.

(Here enter F. Vo. No. 249 of 1848)

The Court of Fingoland Division have perused with much dissatisfaction the explanation submitted by the Hindoo Student Answers, and they consider the reasons assigned by that Officer for

how

his delay in the disposal of the above-
cases to be very insufficient and dis-
satisfactory.-

Ordered that Extracts
from these Proceedings be forwarded
to the Sessions Judge of Chittoor for his
information and for communication to
the Hindoo Shrotriem Amens.-

(Sentence No 159

Read again Criminal
Reports submitted by the Sessions Judge
of Trichinopoly for November 1847

(Herewith Jr No 3233 of 1847)

Read also Letter dated 18th
Ultimo from the Acting Sessions Judge of
Trichinopoly in reply to the Extracts of the
Proceedings of the Tinjolaroo Vakeels dated
11th Idem requesting the Acting Sessions Judge
to look over the Proceedings in cases No 127
of 1847 on the file of the Principal Shrotriem
Amens, and to pass such orders as might
to him seem proper- reporting the result
for the information of the Tinjolaroo Vakeels.

(Herewith Jr No 101 of 1848)

1. The Acting Sessions Judge
states

states, that after looking over the proceed-
ings, he considers the case to be one of
aggravated theft, and that the ends of
justice would be best met by the Prin-
cipal Shrotriem Amens being directed
to sentence the Prisoners to two years im-
prisonment with hard labor, (1st Prisoner
in irons, and in addition to receive 150 lashes
under Clause IV Section III Regulation VI
of 1822.-

2. The Court of Tinjolaroo Vakeels
cannot sanction the proposal made by
the Acting Sessions Judge, and accordingly
direct that the sentence already re-
corded against the Prisoners by the
Principal Shrotriem Amens be allowed to
remain undisturbed.-

3. The Acting Sessions Judge
will, however, be pleased to instruct
the Principal Shrotriem Amens, that he
will fix his duty, in future, to commit
all cases of a nature similar to the
one now under review, for trial before
the Sessions Court: the administering
intoxicating drugs in the commission of

1 1/2

10th February 1848

theft being in the opinion of the Court an aggravating circumstance of the case which renders it deserving a severer punishment than the Criminal Judge is authorized to inflict under the general provisions of Regulation VI of 1832.

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Trichinopoly for his information and for communication to the Principal Shrotriet Ameen for the future guidance of that Officer.

(Sent in No 160)

to that

E W B

F: 86:

Saturday 12th February 1848.

At a Court of the Foujdaree Adalut.

Present.

G: S: Hooper Esqre ——— 1st Puisne Judge
E: P: Thompson Esqre ——— 2nd Puisne Judge
W: A: Morehead Esqre ——— 3rd Puisne Judge

Read return dated the 19th Ultimo from the Sessions Judge of Coimbatore to the Precept of the Foujdaree Adalut under date the 15th November 1847 directing that the trial of Case No 75 of 1847 of the Sessions Court be referred for the final judgment of the Foujdaree Adalut, and causing the suspension of the Sentence passed on the Prisoners.

(Here enter F: A: No 174 of 1848).

Mr W: A: Morehead.

The Court of Foujdaree Adalut, on a deliberate consideration of all the circumstances of the Case in evidence before them, being of opinion that the proof against the Prisoners,

1st Cootty.
2nd Tyapoory.
3rd Sengodon.
4th Masoovaroddy.
8th Saku Khan.
and
10th Boolaulkhan.

is sufficient to convict them of the crime of [illegible] robbery

robbery attended with wounding; do convict them thereof and under the provisions of Clause third Section IV Regulation XV of 1803, and Section XXXIV Act VII of 1843, Sentence them to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of (14) fourteen years.-

(Sent following letter No. 168).

Read again Criminal Report submitted by the Session Judge of Combaconum for November 1847

(Here enter F: R: No. 3206 of 1847).

Read also Return from the Session Judge of Combaconum dated 24th. January 1848, to the precept of the Foujdaree Adalut under date 12th. January 1848. calling for explanation of the Sentences recorded in Cases Nos. 278, 279 of the Criminal Report above referred to.-

(Here enter F: R: No. 214 of 1848).

1. The Court of Foujdaree Adalut having attentively perused the return from the Session Judge of Combaconum enclosing a report of the Cases noted in the margin furnished by the Subordinate Judge, are unable to discover whether the Prisoner is under Sentence of imprisonment for 12, or for Six months.-

Report B. Cases 278. 279.

2. The Court of Foujdaree Adalut determine to direct the Session Judge of Combaconum to call upon the Subordinate Judge, to furnish the information now required.-

Ordered

Ordered that Extract from these Proceedings be sent to the Session Judge of Combaconum for his information and guidance by Precept returnable in 3 days from and after its receipt.

(Sent following Precept No. 169).

Read Return dated the 24th. Ultimo from the Session Judge of Chittoor, to the Precept of the Court of Foujdaree Adalut under date the 20th. January 1848. directing him to pass Sentence on the Prisoner in Case No. 50. of the Calendar of the Session Court of 1847, under the Provisions of Section XXI Regulation VII of 1802, and then should he think proper to apply for a mitigation of the prescribed penalty.-

(Here enter F: R: No. 216 of 1848).

1. The Session Judge certifies that he has conformed to the instruction of this Court and having passed Sentence of Seven Years Imprisonment, he now recommends that that punishment be reduced to three (3) years Imprisonment with hard labor in Irons.-

2. The Court of Foujdaree Adalut, in accordance with the Provisions of Section IV Regulation I of 1825, Sanction the proposed mitigated Sentence and authorize the Session Judge to issue his warrant to that effect.-

Ordered

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Chittoor for his information and guidance.

(Sent in No. 170)

Read the following Letter dated the 21st Ultimo from the Sessions Judge of Chicacole

(Here enter F. Dr. No. 227 of 1848)

1. The Sessions Judge reports that a Prisoner has been sent to the Hospital of the Chicacole Jail from that of the Rajahmundry Jail, "with a complaint above every other, the most infectious, deadly and catching that can be introduced namely, Jail Diarrhoea" who died shortly afterwards. The Sessions Judge supposes that this was done by the express orders of the Foujdaree Adalut, on the recommendation of the Subordinate Judge and Assistant Surgeon at Rajahmundry; and after having expatiated in strong language on the disastrous consequences likely to ensue from such a Proceeding, he expresses a hope that the Judges will "for the future pause, before they again listen to a proposal which to save the life of one person, may cause the death of hundreds" and then, having requested that his letter may be laid before Government he states that "otherwise" he shall for the future consider it "his duty to disobey such an order by refusing to receive such a person unless

unless it emanate from the Government itself".

2. The Court of Foujdaree Adalut are satisfied that the Sessions Judge wrote this injudicious and very improper Letter, in entire ignorance of the Circular Order No. 144 which directs that "every officer in charge of a Jail shall have authority, without previous reference to" the Foujdaree Adalut, to transfer to any other Jail which may be indicated by the Medical officer of the Jail, any convict whose removal on account of sickness may be certified by the latter officer to be urgently necessary" &c. &c.

3. The Prisoner referred to by the Sessions Judge was transferred under that order without any previous reference to this Court who issued no instructions on the subject, because no instructions were necessary.

4. Of the nature of Jail Diarrhoea the Foujdaree Adalut are fully aware - but they likewise know that with that disease in its fatal prevalence in a Jail and the sickness of a single individual transferred from a long distance, there is no necessary connexion.

5. And it occurs to the Court that if the Zillah Surgeon and the Sessions Judge viewed the introduction of this individual into the Hospital with

with so much alarm, they should have placed him in some outhouse or solitary ward or in some temporary place of accommodation, in which he would be separate from the other inmates and all risk of infection be avoided.

6. The transfer of sick prisoners from one Jail to another for the sake of aiding recovery is constantly taking place all over this Presidency; and Humanity itself demands that it should be so.

7. The Court of Foujdaree Udalut will certainly not forward the Sessions Judge's Letter to Government and the Court trust that the Sessions Judge's calmer view of the matter will induce him from feelings both of prudence and propriety to conform to the very plain and explicit instructions conveyed in the 2nd Parah: of the Circular Order above cited, which is as follows "The original warrant for the confinement of the convict shall be sent with him, and shall be endorsed over to the officer in charge of the Jail to which he is sent, and the latter officer shall receive the convict and deal with him in all respects the same as if originally sentenced to be imprisoned in the Jail under his charge."

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Chicacole for his information and future guidance.

(Sent in No. 171)

Read

Read the Calendar of Case No. 68 of the Sessions Court of Mangalore for 1847.

(Here enter F. H. No. 263 of 1848).

1. It is stated that this case has been set down for reference to the Court of Foujdaree Udalut, but there is no Abstract of the Futwa entered in the Calendar, nor are the grounds of the Reference given.

2. The Court of Foujdaree Udalut resolve to call the attention of the Sessions Judge to their Circular order of the 11th October 1822, (Parah: 15) which directs that on every occasion of a Trial being referred, an abstract of the Futwa and the precise ground of the reference be entered in the Calendar.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Mangalore for his information and future guidance.

(Sent in No. 172)

Read Calendar of Case No. 1 of 1848 of the Sessions Court of Cuddapah.

(Here enter F. H. No. 283 of 1848).

1. The Court of Foujdaree Udalut observe that the Acting Sessions Judge states in his "remarks" on this trial that "the 3rd Prisoner" admitted in his talook Statement that he received as a present some pearls" from a person who is known to be a Muktasur or leader of a Gang" and that "he (the 3rd Prisoner) affirmed that statement to

be

be correct before the Subordinate Court.

2. The Court wish to be informed whether the prisoner made the latter statement in a separate and distinct deposition, and so repeated his first admission or if he was merely required to depose to the truth or falsehood of his previous confession before the Talook authorities.—

Ordered that Extract from these Proceedings be furnished to the Acting Sessions Judge of Cuddapah by speedy Receipt returnable within 2 days from and after date of receipt.—

(Sent following Receipt No. 1/3).

Read the following Letter dated the 28th. Ultimo from the Sessions Judge of Tellicherry.—

(Here enter F. C. No. 286 of 1848)

1. The Sessions Judge adverting to the Extract from the Proceedings of the Foujdaree Adalut under date the 17th. January 1848. calling for a Translation of the Record of Case No. 18 of 1847 of the Calendar of the Sessions Court, states that the nature of the evidence in Case No. 20 of 1847 in which Lieutenant Halsted is Prosecutor and the Petitioner is charged with Fraud, is more conclusive against him, and he applies for instructions whether translations of the Proceedings should be submitted with the other Record.—

2. The Court of Foujdaree Adalut wish Translations

Translations of both Records to be laid before them.—

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Tellicherry for his information and guidance.—

(Sent in No. 1/4)

Read the Calendar of Cases No. 3 of 1848. of the Sessions Court of Trichinopoly.—

(Here enter F. C. No. 256 of 1848).

1. The prisoner in this Case, was charged with Gang Robbery by open violence, but was acquitted and released by the Acting Sessions Judge whose summing up of the evidence closes with the following remark. "in the opinion of the Court, the charge against prisoner is false and groundless, and therefore prisoner, without being called upon for his defence or a Futwah taken from the Mahomedan Law officer, is discharged from the Bar. Had the committing officer given the Police evidence due consideration, the Court cannot but think that the case would never have been committed, for those very statements are suspicious in the extreme."

2. The Court of Foujdaree Adalut are of opinion that, with reference to the contradictory nature of the evidence before the Police and the Principal Sudder Ameen, the latter officer would have done well to abstain from committing the case.

But

3.

But the Court further observe that the Acting Sessions Judge could not legally discharge the Prisoner without first taking a Futwa from the Mahommedan Law officer. Under the Circular order of the 26th November 1821, a Sessions Judge, if, upon review of the Record, he is of opinion that the accused has been committed upon insufficient grounds, may order his discharge without Trial: but if the Trial has been gone into, he cannot proceed to record a sentence of acquittal and release, without the concurrence of the Mahommedan Law officer as prescribed in Regulation VII of 1802. It is possible that the Mahommedan Law officer might have delivered a Futwa of conviction in this case, and then the Trial must have been referred and the Court have no means of ascertaining what that officer's opinion was; they are compelled to direct the acting Sessions Judge to call upon him for a Futwa. Should he acquit, nothing further will be necessary; but in the event of his convicting, it will be requisite to take steps for the re-apprehension of the accused and the Trial must then be referred for the Final Judgment of the Foujdaree Adalut in accordance with the Provisions of Section XXII Regulation VII of 1802.

Ordered that Extract from these Proceedings be sent to the Acting Sessions Judge of

12th February 1848.

of Trichinopoly by Precept returnable within three days from and after its receipt.

(Sent following Precept No. 175)

E. Thomas

F. C.

Monday 14th. February 1848.

At a Court of the Foujdaree Adalut.

Present.

G. S. Hooper Esqr. ——— 1st. Puisne Judge

E. P. Thompson Esqr. ——— 2nd. Puisne Judge

W. A. Morehead Esqr. ——— 3rd. Puisne Judge.

Read Miscellaneous Petition presented on the 2nd. November 1846 by E. Vencatasamy Mooktar Vakeel on behalf of C. J. Ramappah Naidoo of Chittoor.

(Here enter F. A. M. P. No. 277 of 1846).

The above petition being accompanied by a Mooktarnamah drawn up on unstamped paper the Court of Foujdaree Adalut cannot consistently with the Regulations bring it under consideration.

Ordered accordingly that the Petition be removed from the file of the Court.

Read Miscellaneous Petition presented on the 14th. June last by Lutchmee Ummah of Bellary.

(Here enter F. A. M. P. No. 156 of 1847).

The above Petition being reported not only not to be sufficiently intelligible but also to contain matter of a Civil nature the Court of Foujdaree Adalut decline to bring it under consideration.

Ordered accordingly that it be removed from the file of the Court.

Read Miscellaneous Petition presented

on

on the 23d August last by Shaik Goodoo of St. Thomas mount.—

(Here enter F. Gr. P. No. 219 of 1847)

As the above address refers to matter of a civil nature the Court of Foujdaree Udalut declines to bring it under consideration.—

Ordered accordingly that it be removed from the File of the Court.—

Read Miscellaneous Petition presented on the 27th September last by N. Gounden Brooktar Vakeel on behalf of Sadoogadoo of Mundapatam.—

(Here enter F. Gr. P. No. 245 of 1847)

The above petition being signed by the Brooktar Vakeel and accompanied by a Brooktar's remark drawn upon unstamped paper the Court of Foujdaree Udalut cannot consistently with the Regulations bring the same under Consideration.—

Ordered accordingly that it be removed from the file of the Court.—

Read Miscellaneous petition presented on the 20th December last by Rungadasary of Chittoor.—

(Here enter F. Gr. P. No. 332 of 1847)

The above petition not bearing the Signature or Mark of the Petitioner the Court of Foujdaree Udalut are not prepared to take it under consideration.—

Ordered

Ordered accordingly that it be removed from the file of the Court.—

Read again Calendar of Case No. 55 of 1847 on the file of the Sessions Court of Calicut.—

(Here enter F. C. No. 327 of 1847)

Read also Miscellaneous Petition presented on the 4th January 1848 by Moondakul Cranil Yadathil Ittirapoory Nair zillah Calicut.—

(Here enter F. Gr. P. No. 1 of 1848)

Read also Miscellaneous Petition presented on the same date by Ramoo Nair of zillah Calicut.—

(Here enter F. Gr. P. No. 2 of 1848)

1. The Petitioners were convicted by the Sessions Judge of having stolen an Elephant belonging to the Prosecutor (one Chapoony Nair) and sentenced on reference to this Court, to a mitigated punishment of 4 and 2 years imprisonment respectively with hard labor in Irons.—

2. Against this decision No. 1st and 3d Prisoners now complain in the Petition under consideration, on the grounds that the Elephant in question was one caught by the writer of Petition No. 1 of 1848, and sold to a Merchant of Travancore in order to effect the repayment of a sum of money due to the Rajah Padinhare Kovilegum, on account

of a mortgage Bond.—

3. Petition No. 2 of 1848, states that the
3d. Prisoner in aforesaid case— carter of it, was not at the place from which the Elephant was taken, on the day of the Robbery, and he therefore contends his punishment is unjust.—

4. The Court of Foujdaree Adalut having perused these Petitions Can see no reason to doubt the correctness of the sentence recorded against the Petitioners in this Case.—

5. These Petitions are therefore rejected.—

Ordered that Extract from these Proceedings be furnished to the Petitioners thro' the Sessions Judge of Calicut.—

Read Miscellaneous Petition presented on the 4th Instant. by Cawder Saheb Zillah Salem.

(Here enter F. Gr. P. No. 9 of 1848)

1. Petitioner states that he is the father of one Hussen Saheb, who was convicted on a charge of Rape and Robbery and sentenced to be imprisoned for 14 Years with hard labor in irons by the Sessions Judge of Salem.—

2. This Sentence Petitioner says was unjust, as the offence was committed not by his son, but by others in his Company, while the former, being in a state of extreme intoxication was unable even to stand.—

Petitioner

3. Petitioner prays that his son may therefore be liberated.—

4. The Court of Foujdaree Adalut observe that this Case (No. 41 of 1847) was referred for their final Judgment, the Record carefully examined, and the sentence complained of, passed, from which sentence there is no appeal.—

5. This Petition is therefore dismissed.—

Ordered that Extract from these Proceedings be furnished to the Petitioner on his application.

Read Miscellaneous Petition presented on the 10th January 1848. by Mahomed Selamun Zillah Chingleput.—

(Here enter F. Gr. P. No. 14 of 1848).

1. Petitioner complains of the oppressive conduct of the Cutwal at St. Thomas Mount, in consequence of the exposure made of his conduct by the Petitioner in his Capacity of Police Peon attached to the Cantonment in question; Petitioner prays that the charges preferred by him may be investigated, the Cutwall punished, and himself restored to that Service, from which he contends he was unjustly dismissed.—

2. The Court of Foujdaree Adalut observe that in the case described by the Petitioner he should make his complaint against the Cutwall in the

first

first instance to the local authorities, provided he h
any valid grounds for doing so, and that if dissatisf
with their decision he will then be at liberty to
Appeal to this Court.—

Ordered that Extract from these Proc
be furnished to the Petitioner on his application.—

Read again Calendar of Case No. 3 of
1847 on the file of the Sessions Court of Madura.—

(Here enter F. R. No. 498 of 1847).

Read also Miscellaneous Petition pre
on the 17th January 1848 by Chellayee Zillah Headma

(Here enter F. R. Pet. No. 24 of 1848).

No. 3 of 1847. 1.

Petitioner who was prosecutrix in
this Case, prays the Court will on a full consideratio
of the Record reverse the Sentence of the Sessions Judg
and punish the 1st and 2nd Prisoners, in a manner
called for by their deserts, and affirms, that the evidence
adduced by herself in support of the prosecution
was sufficient to bring home to the Prisoners the
charge of wilfully murdering her late husband.—

2. The Court of Foujdaree Adalut observe
that the Prisoners in the Case alluded to, were tried
and acquitted by the Foujdaree Court and there appears
no reason to doubt the justness of the decision.—

4. Petitioners prayer is therefore rejected.—

Ordered that Extract from these Proceedings
be

be furnished to the Petitioner on her application.—

Read Calendar of Case No. 26 of 1847
on the file of the Sessions Court of Chingleput.—

(Here enter F. R. No. 59 of 1848).

Read also Miscellaneous Petition
presented on the 17th January 1848, by Pydadeen Sahib,
Zillah Chingleput.—

(Here enter F. R. P. No. 25 of 1848).

1. Petitioner states that his brother in law,
Mahommed Hussein alias Patcha Sahib, has been convicted
and sentenced by the Acting Sessions Judge of Chingleput,
to seven years imprisonment in the Zillah Jail, with
hard labor in irons, on a charge of having attempted
to Poison one Sheik Ally the Prosecutor.—

2. Petitioner impugns the justice of the
sentence, and urges that the Acting Sessions Judge
has decided in the manner above stated, in opposition
to the Futwa of the Law officer of the Court, who
declared that the Prisoner, was merely liable to
security and should therefore be set at liberty.—

3. Petitioner therefore prays the Sentence
of the Acting Sessions Judge may be reversed and
orders issued for the immediate release of his relative.

4 The Court of Foujdaree Adalut have
carefully perused this Petition, together with the
remarks on the Case furnished in the Calendar

before

before them, and being satisfied of the justness of the
prisoner's conviction, can see no reason for disturbing
the sentence pronounced by the Acting Sessions Judge
5. The Petitioners Application is therefore
rejected.—

Ordered that Extract from these
Proceedings be furnished to the Petitioner on his Applica

Read Miscellaneous Petition presented
on the 24th Ultimo by Tanna Pillay of Chingleput—
(Here enter F: Gr: P. No 36 of 1848).

As the above address refers to matter
of a Civil nature the Court of Foujdaree Adalut decline
to bring it under consideration.—

Ordered accordingly that it be return
from the File of the Court.—

Read again Miscellaneous Petition—
presented on the 26th April 1847. by T. Ramachendrah
Vakeel on behalf of Cunnatha Mannatty Nazir of Zillah
Court of Tellicherry.—

(Here enter F: Gr: Gr: P. No 96 of 1847).

Read also Return made under date
17th September 1847 to the Precept of Foujdaree Adalut dated
23rd August 1847. calling for an explanation in regard
to several points of the complaint of the aforesaid
Petition.—

(Here enter F: Gr: No 2589 of 1847).

Read

Read also Miscellaneous Petition—
presented on the 6th December 1847. by T. Ramachendrial
Vakeel on behalf of the same party.—
(Here enter F: Gr: Gr: P. No 315 of 1847).

1. Petitioner states on behalf of his client,
that with reference to the dismissal from office of the
latter, by the Sessions Judge of Tellicherry under date
22nd December 1847, the Petitioner is prepared to file an
appeal against that sentence in this Court; and concludes
by requesting that no orders may be passed on the
Report of his dismissal until his appeal has been
taken into consideration.—

2. The Court of Foujdaree Adalut with
reference to this application observe that the prayer
of the petitioner will be taken into consideration
when the Report of the Sessions Judge has been
received.—

Ordered that Extract from these Proceed-
-ings be sent to the Sessions Judge of Tellicherry for his
information.—
(Sent in No 1707).

Ordered also that Extract from these
Proceedings be furnished to the Petitioners Vakeel on
his application.—

Read again Miscellaneous Petition
presented on the 5th July 1847. by Veera Pillay Zillah
Cumbaconum.—
(Here enter F: Gr: Gr: P. No 173 of 1847)

Read

14th February 1848

Read also Return from the Sessions Judge of Combaconum under date the 11th December 1847. to the Precept of the Foujdaree Adalut dated 8th November 1847. calling for a Statement of the respective ages of both the 1st and 2nd Prisoners in Cases Nos. 78, 79 and 80 of 1846. on the file of the Sessions Judges of Combaconum.

(Here enter F: A: No. 3192. of 1848).

1. It appears from the Return from the Session Judge above entered that with regard to the respective ages, of the Prisoners in the Cases in question, the assertions made by the Petitioner on that point are false and incorrect.

2. The Court of Foujdaree Adalut on a reconsideration of the whole Case, are fully confirmed in the view formerly taken by them of the Sentence passed by the Session Judge, and accordingly refuse to disturb the same.

3. This Petition is therefore dismissed.

Ordered that Extract from these Proceedings be sent to the Session Judge of Combaconum for his information.

(Sent in No. 178).

Ordered also that Extract from these Proceedings be furnished to the Petitioner on his application.

Read Calendar of Case No. 106 of 1847. on the file of the Session Court of Salem.

(Here enter F: A: No. 3089 of 1847)

Read

14th February 1848.

Read also Miscellaneous Petition presented on the 4th January 1848. by Lutchmummal Zillah Salem.

(Here enter F: A: Mi: P: No. 8 of 1848).

1. Petitioner states that her son has been unjustly accused of the crime on account of which he was committed for trial before the Session Judge of Salem and states that the witnesses brought for the defence, fully established the innocence of the Prisoner, in spite of which however the Session Judge, considering him guilty, referred the trial for the opinion of the Law officer who declared him guilty and liable to seven years imprisonment. Petitioner in conclusion prays that this sentence may be cancelled as unjust, and her Son liberated.

2. The Court of Foujdaree Adalut having carefully considered this Petition together with the statements in the Abstract furnished by the Session Judge are resolved to call upon the latter officer, to forward for their information an English Translation of the Record in the above Case;- The Sentence will, in the mean time be suspended.

Ordered that Extract from these Proceedings be furnished to the Session Judge of Salem for his information and guidance by Precept returnable within XXV days from and after its receipt.

(Sent following Precept No. 177)

Ordered.

Ordered also that Extract from these Proceedings be furnished to the Petitioner on her application.

Read again Calendar of Case No. 35. of 1847. on the file of the Sessions Court of Madura.

(Here enter F. G: No. 3087 of 1847).

Read also Miscellaneous petition presented on the 4th January 1848. by Vencatram Chetty Zillah Madura.

(Here enter F. G: P. No. 10 of 1848).

1. Petitioner complains that his brother Alleghersy Soobramanyem Chetty 2d Prisoner in the case noted above, was unjustly convicted and sentenced to two years imprisonment with hard labor, by the Sessions Judge of Madura.

2. Petitioner states that the witnesses examined by the Head Police threw great doubts on the charge preferred by the Prosecutor, but that in their deposition before the Sessions Judge, they contradicted the evidence they had given in the preliminary examination a fact which alone, the Petitioner urges, should have led to the dismissal of the case, by the last named authority.

3. Petitioner therefore prays that Orders may be issued to the Sessions Judge, directing him to stay the execution of the sentence until final instructions from this Court.—

The

4 The Court of Foujdaree Adalut having carefully considered this Petition have come to the determination of calling upon the Sessions Judge of Madura to furnish for their information with the least practicable delay an English translation of the Record of the case now under consideration.—

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Madura for his information and guidance by Precept returnable in XXV days from and after its receipt.—

(Sent following Precept No. 186).

Ordered also that Extract from these Proceedings be furnished to the Petitioner on his application.—

Read the Criminal Reports submitted by the Sessions Judge of Rajahmundry for the month of December 1847.—

(Here enter F. G: No. 120 of 1848).

Read also Miscellaneous Petition presented by Mr: Soobamah Zillah Rajahmundry on the 10th January 1848.—

(Here enter F. G: P. No. 11 of 1848).

1. Petitioner brings to the notice of the Court of Foujdaree Adalut that his brother in law has been imprisoned for 6 months by the Subordinate

Subordinate Judge of Rajahmundry for making a false and malicious complaint, under Section II Regulation IX of 1832.

2. The Petitioner urges in opposition to this sentence that his relative is innocent of the charge brought against him and moreover that the original complaint made by him against Commala Durmiah and others is in reality a true one.

3. Petitioner therefore prays the Sentence of the Lower Court may be reversed and his brother in law set at liberty.

4 The Court of Foujdaree Adalut having carefully read this Petition together with the remarks of the Subordinate Judge in the Report before them, observe that the Petitioner appealed to the Sessions Judge against the conviction of his brother in law by the Subordinate Court when the former officer rejected his Petition observing "that he had gone into the Record of this case up to a certain point" and "was satisfied from what he had seen that the findings of the Subordinate Judge was founded on probable grounds."

5. The Court of Foujdaree Adalut observe that it was the duty of the Sessions Judge to have gone through the whole record of the Case and not limited his investigation to "a certain point" previously

14th February 1848.

to dismissing the appeal of the Petitioner.

6. The Court of Foujdaree Adalut therefore determine to direct the Session Judge to readmit the appeal from the decision of the Lower Court presented by the Petitioner and accordingly forward the Translation of this Petition for the careful consideration of that officer.

Ordered that Extract from these Proceedings be sent to the Session Judge of Rajahmundry for his information and guidance by precept returnable in X days from and after its receipt.

(Sent following Precept No. 187).

Ordered also that Extract from these Proceedings be furnished to the Petitioner on his application.

Read again Calendar of Case No. 24 of 1847 on the file of the Session Court of Chittoor.

(Here enter F. C. No. 2702 of 1847)

Read also Miscellaneous Petition presented on the 10th January 1848 by A. Chengama Naidoo Zillah Chittoor.

(Here enter F. C. Mis. P. No. 16 of 1848).

Read also counter Miscellaneous Petition presented on the 24th January 1848 by D. Streenevasacharry Vakeel on behalf of Rajah Bommarazy Bahader Zillah Chittoor, praying that the

Prisoner

14th February 1848.

Prisoner in the Case above alluded to may be visited with a heavier punishment than that already inflicted in the sentence passed on him.-

(Here enter F. Dr: P. No. 33 of 1848).

1. Petitioner in No. 16 of 1848 reiterates the request contained in his former applications to the Court of Fouzdaree Adalut under dates 4th October and 8th November 1847 that the Court will be pleased to call for the record of the Case No. 24 of 1847 on the file of the Sessions Court of Chittoor, in which his brother has been sentenced to 4 Years imprisonment on a charge of embezzlement and order his liberation.-

2. The Court of Fouzdaree Adalut resolve to call upon the Session Judge of Chittoor to forward for their consideration an English translation of the Record of the trial above alluded to.

Ordered that Extract from these Proceedings be sent to the Session Judge of Chittoor by Rumpt returnable in XXV days from and after its receipt.-

(Sent following Rumpt No. 182)

Ordered also that Extract from these Proceedings be furnished to the Petitioner on their application.-

Read

F. D:
14th February 1848.

Read again Calendar of Case No. 52. of 1847. on the file of the Session Court of Chittoor.-

(Here enter F. D: No. 3285 of 1847)

Read also Miscellaneous Petition presented on the 24th January 1848. thro' the Session Judge of Chittoor by Shungalroydoo of Chittoor Zillah.-

(Here enter F. Dr: P. No. 26 of 1848)

1. Petitioner states that he is the son of Dullapah Prisoner in the aforesaid case, and urges that his Father was illegally convicted and sentenced to 7 Years imprisonment with hard labor by the Session Judge of Chittoor.-

2. Petitioner prays, that, as the property stolen was only valued at 1 anna, and the evidence adduced was defective, the sentence recorded may be reversed and his Father set at liberty.-

3. The Court of Fouzdaree Adalut are of opinion that the Prisoner in this Case, who is an old offender, was justly convicted of the charge laid against him.-

4. This Petition is therefore dismissed.

Ordered that Extract from these Proceedings be sent to the Session Judge of Chittoor for the purpose of being communicated to the Petitioner.-

(Sent in No. 183)

Read.

Read Miscellaneous Petition presented on the 31st January 1848 by T. Vanmunnah Zillah Cuddapah.—

(Here enter F. Dr. P. No. 12 of 1848).

1. The object of this Petitioner is to obtain the interference of this Court, in a matter regarding which Petitioner states he has been grossly illused by the Head Police of Zammulmadgoo Talook and Petitioner prays that, as the Rayza entered into by him, was illegally obtained, the Court will be pleased to issue orders to the Magistrate to investigate his complaint regarding the wall of his house, and to punish the Head Police, for extorting from him the Rayza alluded to.—

2. The Court of Foujdaree Adalut observe on a perusal of this Petition that Petitioner should make his complaint if he has valid grounds for so doing, to the Magistrate of the District and that as the case now stands they are unable to interfere in the matter.—

3. This Petition is therefore dismissed.

Ordered that Extract from these Proceedings be furnished to the Petitioner on his application.—

Read Miscellaneous Petition presented on the 10th January 1848 by Mr. Narayana Chetty Zillah Cuddalore.—

(Here enter S. Dr. P. No. 12 of 1848).

Read also Miscellaneous Petition presented on the same date by the same party.—

(Here enter S. Dr. P. No. 13 of 1848).

1. Petitioner in the first of these Petitions complains of a decision passed by the Acting Head Assistant Magistrate of Cuddalore, whereby a house then in the occupation of Petitioners Uncle one Sooboo Chetty, was made over together with other property to a person of the name of Soobunnah.—

2. Petitioner states in regard to the above, that the decision of the Acting Head Assistant Magistrate was unjust, and that on making an Appeal to the Sessions Judge the latter officer gave Petitioner an endorsement stating that he saw no reason to pass any order upon the subject of the appeal.—

3. In Petition No. 23 of 1848, the Petitioner objects to the decision of the Acting Head Assistant Magistrate whereby the said Sooboo Chetty Uncle of the Petitioner was fined.—

and

and imprisoned, on a charge of assault and wounding.

4 The Court of Foujdarey Adalut observe with regard to the statements made in No. 12 of 1848, that on Petitioners making an Appeal to the Session Judge, against the order of the Acting Head Assistant Magistrate the former Officer refused to receive his application.—

5. In regard to this point therefore the Court determine to forward a Copy of the Petition under consideration, to the Session Judge for explanation.—

6. With reference to the statements contained in Petition No. 13 of 1848, the Court of Foujdarey Adalut remark, that the Session Judge after a perusal of the Record of the case, was satisfied that the punishment inflicted on Seeboo Chetty was just and proper and that they therefore see no just cause to disturb the order of the Acting Head Assistant Magistrate.

7. This Petition is therefore dismissed.

Ordered that Extract from these Proceedings be sent to the Session Judge of Cuddalore for his information by precept returnable in 10 days from and after its receipt.—

(Sent following Receipt No. 184)

Ordered also that Extract from these Proceedings be furnished to the Petitioner on his application.—

Read.

J: R:
14th February 1848.

Read the following Letter dated the 24th Ultimo from the Session Judge of Chittoor.—

(Here enter J: R: No. 207 of 1848).

1. The Session Judge submits Copies of his proceedings under date the 31st December 1847, and of a Letter from the Acting Magistrate of North Arcot under date the 22nd January 1848, having reference to Miscellaneous Petition No. 84 of 1847, in which Soobboo Chetty an inhabitant of Pooloor appealed against an order of the Acting Magistrate dated the 12th October 1847 reversing part of an order passed by the Acting Joint Magistrate who had imposed fines of 20 and 15 Rupees upon the aforesaid Petitioner Soobboo Chetty and Vengoo Chetty and 5 Rupees each on Ramalinga Chetty and Tiroovengada Chetty which latter the Acting Magistrate ordered should be remitted without any application from those persons. The Session Judge directed that the fines should be levied for the reasons set forth in his Proceedings above referred to.

2. The Acting Magistrate observed, in his reply that "this was a petty case of Assault and abusive Language. After the Acting Joint Magistrate had investigated the original charge, he entertained a counter charge preferred by the Defendants against the Complainants in reference

to

to the same transactions which had formed the subject of the first charge and thereupon fined both parties, although it was evident that the Defendants in the first charge were the aggressors and originally alone in the wrong, which the Acting Magistrate observes, he considered irregular and therefore on the appeal of the Complainants remitted the Fine. The Acting Magistrate concludes as follows: "I consider that I am competent to dispose of the question and that my decision is final and that you have exceeded the limits of your authority in interfering to maintain the decision of the Acting Joint Magistrate which I have set aside and I must beg to decline complying with your requisition to re-levy the fine".

3. The Question is referred by the Sessions Judge whether he did in the instance in question exceed his authority?

4. The Court of Foujdaree Adalut observe that, under Section XL. Regulation IX of 1816, and Section III Regulation VIII of 1832, the Sessions Judge is competent to transmit to the Magistrate such written orders as he may deem proper in all cases disposed of by the Magistracy under the Provisions of Sections XXXII and XXXIII of Regulation IX of 1816 and that whether the Sessions Judge might consider the accused had been either improperly punished or improperly

14th. February 1848.

improperly discharged.

5. If the Magistrate had doubts of the authority of the Session Judge to interfere, it was his duty, notwithstanding, to obey the order (which the Court observe should have been sent by Receipt) and then to refer the question for the decision of the Foujdaree Adalut.

6. The Court now resolve to direct the Acting Magistrate to conform immediately to the order he has received from the Session Judge, and recal his own order remitting the Fines imposed by the Acting Joint Magistrate. The parties if they deem themselves aggrieved, are, of course at liberty to appeal to the Foujdaree Adalut.

7. The Court of Foujdaree Adalut are not of opinion that the Session Judge exercised the power vested in him by the Regulations, judiciously. The Court think it would have been better if he had, in his Proceedings, limited himself to recording his opinion that the Fines ought not to have been remitted and abstained from commanding their re-imposition.

Ordered that Extract from these Proceedings be sent to the Session Judge of Chittoor for his information and for communication of Paragraph (No 6) to the Acting Magistrate of North Arcot for his information

information and guidance.—

(Sent in No. 185).

Read the Calendar of Case No. 5 of 1848 of the Session Court of Cuddapah.—

(Here enter F. C. No. 322 of 1848).

1. In this case, the Prisoner is charged with Murder and it is stated that the Futwa of the Mahommudan Law officer convicts her and awards Sokoolut, and further, that the Trial has been sent down for reference for the Final Judgment of the Foujdaree Adalut.—

2. The Court of Foujdaree Adalut observe that the Circular Order of the 14th October 1832 (last Paragraph) requires that the Calendars of Referred Trials shall contain not only the usual Abstract of the Futwa, but also "the precise ground of the reference".

Ordered that Extract from these Proceedings be sent to the Acting Session Judge of Cuddapah for his future guidance.—

(Sent in No. 186)

No further return having been received from the Session Judge of Bellary to the Precept of the Foujdaree Adalut under date the 26th August 1847 requiring that officer to communicate any explanation the Magistrate might have deemed fit to offer, respecting the detention by the Head of Police of Anantapoor, of

the Prisoners in Case No. 62, entered in the Criminal Reports submitted by the Session Judge for July 1847.—

Ordered that the Session Judge be required to make the necessary return by Precept returnable within 3 days from and after its receipt.—

(Sent following Precept No. 187)

Read Report of Cases pending on the 31st December 1847 and committed for trial during January 1848 before the Session Judge of Coimbatore.—

(Here enter F. C. No. 310 of 1848).

1 of 1848 on file of Session Court.

With reference to the Case noted in the margin the Court of Foujdaree Adalut desire to be informed of the cause of the delay noticed in the Column of Remarks in the transmission of the Case, from the Subordinate to the Session Court.—

Ordered that Extract from these Proceedings be sent to the Session Judge of Coimbatore by Precept returnable within 2 days from and after its receipt.—

(Sent following Precept No. 188)

Read again Calendar of Case No. 62 of 1847 on the file of the Session Court of Coimbatore.

(Here enter F. C. No. 295 of 1847).

Read again also Return made under date the 3rd December 1847 from the Session Judge of Coimbatore to the Precept of the Foujdaree Adalut dated

dated 26th. November 1847. calling for further informa
regarding the foregoing Case.-

(Here enter F: C: No. 3130 of 1847)

Read also Return made under date
11th. January 1847. from the Session Judge of Combaconum
to the Precept of the Foujdaur Adalut dated 24th. December
calling for an English translation of the Record of
the foregoing Case and directing the execution of the
Sentence to be suspended till further orders.-

(Here enter F: C: No. 99 of 1848)

The Court of Foujdaur Adalut have
carefully and deliberately perused the whole of the
Record now submitted for their consideration and are
of opinion that the charge brought against the
Prisoners has been entirely got up from motives
of enmity.-

2.

The Court have therefore come to
the determination of ordering the unconditional
release of the 2d. Prisoner, as well as of directing
that the Security required of the 1st. Prisoner
should be immediately cancelled, and himself, if
still in confinement under the requisition, discharged
out of custody.-

Ordered that Extract from these
Proceedings be forwarded to the Session Judge of
Combaconum by Precept returnable within 2 days
from

from and after its receipt.-

(Sent following Precept No. 189)

Read letter dated the 21st. Ultimo,
from the Session Judge of Bellary forwarding the
Original death Warrant signed by his Court in Case
No. 22 on the Sessions file for 1847. together with Copy
of the Subordinate Judge's letter which accompanied it.-

(Here enter F: C: No. 196 of 1848)

Read Calendars in Cases Nos. 60 and 70 of
1847 submitted by the Session Judge of Mangalore under
date the 25th. Ultimo.-

(Here enter F: C: Nos. 260 and 265 of 1848).

Read Calendar in Case No. III of 1848.
submitted by the Session Judge of Madura under
date the 28th. Ultimo.-

(Here enter F: C: No. 274 of 1848).

Read report dated the 1st. Instant,
submitted by the Session Judge of Salem of Cases
pending on the 31st. January 1848. before him for a
period in excess of 25 days calculated from the date
of commitment.-

(Here enter F: C: No. 300 of 1848).

Read Calendars in Cases Nos. 116 of 1847
and 1 of 1848. submitted by the Session Judge of Salem
under date the 24th. & 26th. Ultimo.-

(Here enter F: C: Nos. 301 and 302 of 1848)

Read

14 14th. February 1848.

Read Calendar in Case No. 1 of 1848. submitted by the Sessions Judge of Chicacole under date the 29th. Ultimo.-

(Here enter F. G. No. 303 of 1848).

Read return dated the 3rd. Instant, from the Acting Sessions Judge of Cuddapah to the precept of the Foujdaree Adalut under date the 31st. Ultimo directing that the period of imprisonment (14 Years) awarded in Case No. 60 of 1847. be reduced to 7 Years and to issue an amended warrant for the imprisonment for that period.-

(Here enter F. G. No. 312 of 1848)

Ent. W.

lyk

F. G.

Tuesday 15th. February 1848.

At a Court of the Foujdaree Adalut.

Present.

G. S. Cooper Esqre. ——— 1st. Puisne Judge.
E. P. Thompson Esqre. ——— 2nd. Puisne Judge.
W. A. Morehead Esqre. ——— 3rd. Puisne Judge.

Read Calendar of Case No. 4 of 1848.

of the Sessions Court of Calicut.-

(Here enter F. G. No. 317 of 1848).

Case No. IV

1. The Prisoners, 3 in number were charged by the Prosecutor with having inflicted sundry wounds on him, when he tried to seize the 1st. Prisoner in the act of stealing his property.-

2. The Sessions Judge convicted the 1st. Prisoner of the charge and sentenced him to 7 Years imprisonment with hard labor in irons, under Clause 2nd. Section III, and Clause 4th. Section II Regulation VII of 1822.-

3. The 2nd. and 3rd. Prisoners were acquitted and accordingly released.-

4. With regard to the sentence passed on the 1st. Prisoner in this Case the Court of Foujdaree Adalut are not of opinion that the crime of which he was convicted merited so severe a punishment as that recorded against him by the Sessions Judge.-

5. The Court consider that a reduction of

of the term of his imprisonment, to 4 Years will meet the ends of justice, and therefore resolve with reference to Section XXXV of Act VII of 1843, to mitigate the Sentence accordingly.-

6. The Session Judge will be pleased to issue a fresh warrant in conformity with the foregoing resolution.-

7. The Court of Foujdaree Adalut further remark with regard to Clause 2d Section III of the Regulation quoted in the Sentence under consideration, that that Section having reference to the Committal of parties by the Subordinate Court should have been omitted by the Sessions Judge, as inapplicable to a Sentence recorded by himself.-

Ordered that Extract from these Proceedings be sent to the Acting Sessions Judge of Calicut for information and guidance by Precept returnable within III days after receipt.-

(Sent following Precept No 192)

Read Calendar of Case No 12 of 1848 of the Sessions Court of Cuddalore.

(Heretofore F. C. No 304 of 1848).

1. The Prisoners
1st Yerrah.
2d Irundia.
and 3d were charged by the Prosecutor with having attacked him and others on the highway with cudgels and then

then and there robbed him of property valued at Rupees 8.-

2. The Acting Sessions Judge convicted both the Prisoners of the charge and Sentenced them to 14 Years imprisonment with hard labor in irons under Clause third Section IV Regulation XV of 1803.-

3. The Court of Foujdaree Adalut observe that, in consideration of the small value of the property stolen, (which appears to have been merely a turband and an old cloth, and did not include any money)- and of the fact, that, the Assault committed by the Prisoners, who do not appear to be old offenders, was evidently of an inconsiderable nature, the Sentence passed by the Acting Sessions Judge may with propriety be reduced to five (5) years Imprisonment with hard labor in Irons.-

4. The Sessions Judge will therefore be pleased to issue a revised Warrant, in accordance with the foregoing Resolution.-

Ordered that Extract from these Proceedings be sent to the Acting Sessions Judge of Cuddalore, by Precept returnable within two days from and after its receipt.-

(Sent following Precept No 193)

Read report dated the 1st Instant submitted by the Acting Sessions Judge of Cuddapah, of Cases pending on the 31st December 1847 and committed for

15th February 1848.

for trial during the month of January 1848.

(Here enter F. C. No 313 of 1848)

Read Calendars of Cases No 3
of 1848. submitted by the Sessions Judge of
under dates the 31st January and 1st February 1848.

(Here enter F. C. No 318 & 319

Read Calendars in Cases No
and 1 of 1848. submitted by the Sessions Judge
under dates the 4th and 5th Instant.

(Here enter F. C. No 320 & 321

Read Calendar in Case No
submitted by the Acting Sessions Judge of
under date the 10th Instant.

(Here enter F. C. No 338 of 1848)

Wednesday
16th February 1848. At a Court of the Foujdaree Adalut.

Present.

G. L. Hooper Esqre ——— 1st Puisne Judge.
E. P. Thompson Esqre ——— 2d Puisne Judge.
W. A. Morehead Esqre ——— 3d Puisne Judge.

Read Extract from the Minutes of Consultation in the Judicial Department under date the 4th January 1848. No 1, forwarding an Extract from a Genl Letter from the Honorable the Court of Directors dated 20th October 1847 No 21.

(Here Enter F.C. No 42 of 1848)

1. Ordered that a copy of para 6 of the Honorable Court's Despatch be sent to Mr Fane for his information.

2. With reference to para 8 of the Honorable Court's Despatch and para 5 of the Minutes of Consultation, the Court of Fouj:-Daree Adalut observe that the Insane ex-prisoner therein referred to, was ordered to be transferred to the Lunatic Asylum at Madras, in accordance with the opinion of the Medical Board that he was a fit subject for admission into

into that Asylum, communicated in their Letter to Government dated 27th February 1845 No 39.-

3. Adverting to para 17 of the Honorable Court's Despatch, and para 9 of the Minutes of Consultation, the Court of Foujdaree Adawlut observe that from the correspondence which has passed, there is every reason to believe that the new Gaol which is now in progress of construction at Trichinopoly, has been planned with due regard to all the important considerations referred to by the Honorable Court.-

4. A copy of the Honorable Court's remarks on this point will be transmitted to the Acting Sessions Judge for his information.-

Ordered that Extract from these proceedings be sent to the Secretary to Government in the Judicial Department for the purpose of being laid before the Most Noble the Governor in Council.-

(Sent in No 197

Ordered also that Extract from these proceedings (para 1) be sent to Mr Thomas late Head Assistant to the Magistrate of Madura for his information.-

(Sent in No 198

Ordered also that Extract from these proceedings (paras 3 and 4) be sent to the Acting Sessions Judge of Trichinopoly for his information.-

(Sent in No 199

Read again Criminal Reports submitted by the Sessions Judge of Coimbatore for December 1847.-

(Here Enter F R No 160 of 1848)

Read also return dated 2d February 1848, made by the Sessions Judge of Coimbatore, to the Precept of the Foujdaree Adawlut dated 29th January 1848, calling for Report A in Case No 431 of the Principal Sudder Ameen's file.-

(Here Enter F R No 311 of 1848)

1. The Sessions Judge annexes copy of the above Report, with the Remarks made by Mr Waters the late Sessions Judge thereon, and states that as the remark in question was not intended to interfere in any degree or annul in toto the Sentence recorded by the late Principal Sudder Ameen in the case under reference, but merely disapproved of the unusual diet prescribed for the prisoner, he, the present Sessions

16th February 1848.

Sessions Judges are not now necessary that they should submit the Form now called for: & should the Sessions Judge requests the instructions of the Court of Foujdaree Adawlut as to whether any such remarks as may be elicited on review of the Criminal Reports submitted by the Subordinate Courts under Circular Order No 185, should be recorded on their sentences, or suggest the necessity of their being noticed on all future occasions when they are similarly submitted—

The Court of Foujdaree Adawlut observe that when the remark elicited from the Sessions Judge is of the trivial nature of the one now under reference, its submission in the Form A is unnecessary, but a Note explanatory of the circumstance, which elicited the remark, and giving the purport of the order passed thereon by the Sessions Judge should be entered at the foot of the case to which it refers—

3. In the present instance, the note at the foot of the case "Revised by the Sessions Judge" in the Court of Foujdaree Adawlut to suppose that the sentence had been revised—

Ordered that Extract from the proceedings

F.H.

16th February 1848

proceedings be forwarded to the Sessions Judge of Coimbatore for his information and future guidance—

(Sent in a Ltr No 200

Read Calendar of Case No 1 of 1848 submitted by the Sessions Judge of Coimbatore under date the 19th ultimo—

(Here Enter F.H. No 163 of 1848)

Read Report dated 18th ultimo, submitted by the Acting Sessions Judge of Trichinopoly for the 4th Quarter of 1847—

(Here Enter F.H. No 166 of 1848)

Read return dated the 22d January 1848 from the Acting Sessions Judge of Chingleput, to the precept of the Foujdaree Adawlut under date the 21st January 1848 directing him to record the sentence awarded in Case No 27 of 1847 to one month, and to issue his warrant accordingly—

(Here Enter F.H. No 181 of 1848)

Read Report dated 15th ultimo submitted by the Agent to the Governor of Fort St George, of persons apprehended in the Separate Tract of Pulicat and delivered

to

to the Agency in the Month of December 1847.-

(Here Enter Ft Rec No 189 of 1848)

Read Criminal Report dated 17th Ultimo submitted by the Agent to the Govern of Fort St George at Kurnool for the month of December 1847.-

(Here Enter Ft Rec No 190 of 1848)

Read Calendar of Case No 62 of 1847 submitted by the acting Sessions Judge of Cuddapah under date the 21st Ultimo.-

(Here Enter Ft Rec No 195 of 1848)

Read letter dated the 22d Ultimo from the acting Sessions Judge of Honore, forwarding with reference to his letter of the 12th January 1848 the Report B of a case disposed of by the Magisthday of Canara during the month of December 1847.-

(Here Enter Ft Rec No 246 of 1848)

Read calendar of case No 2 of 1848 of the acting Sessions Judge of Canara under date the 27th Ultimo.-

(Here Enter Ft Rec No 247 of 1848)

Read Report dated 25th Ultimo submitted by the Sessions Judge of Bra

of persons apprehended in this Zillah and delivered to the Principal Sudder ameen for the month of December 1847.-

(Here Enter Ft Rec No 254 of 1848)

Read Calendar of Case No 1 of 1848 submitted by the Sessions Judge of Bellary under date the 25th Ultimo.-

(Here Enter Ft Rec No 257 of 1848)

Read Calendar of Case No 3 of 1848 submitted by the Sessions Judge of Bellary under date the 27th Ultimo.-

(Here Enter Ft Rec No 258 of 1848)

Read Calendar of Case No 59 of 1847 submitted by the Sessions Judge of Mangalore under date the 25th Ultimo.-

(Here Enter Ft Rec No 259 of 1848)

Read Calendar of Case No 62 of 1847 submitted by the Sessions Judge of Mangalore under date the 26th Ultimo.-

(Here Enter Ft Rec No 261 of 1848)

Read Calendar of Case No 63 of 1847 submitted by the Sessions Judge of Mangalore under date the 23rd Ultimo.-

(Here Enter Ft Rec No 262 of 1848)-

Ft Sec

F. Vlo.

Thursday.
17th February 1848. } At a Court of the Fingoe Laws Volo. held

Present:

G. S. Cooper Esqre 1st Puisne Judge.
C. D. Thompson Esqre 2nd Puisne Judge.
W. A. Norshead Esqre 3rd Puisne Judge.

Read the following Letter dated the 7th Ultimo from the Acting Resident Judge of Caffreland.

(Enclosure F. Vlo. No. 90 of 1848.)

1. The Acting Resident Judge forwards a copy of the charge in a case of being accessaries in Murder after the fact and gross abuses of Police Authority; and he requests to be informed whether the charge of being accessaries in Murder after the fact is one that is punishable under the Regulations and the Mohummedan Law.

2. The Court of Fingoe Volo observe that the offence in question is punishable under the Mohummedan Law.

3. Adverting to the statements in

17th February 1848

in finals 2 of the Colony the Session Judge's Letter, that he doubts how answer from a passage in the Circuit Remembrance the Court of Enquiry should observe that that mark does not prove any authority, never having received their official information."

Ordered that Extract from these Proceedings be sent to the Acting Session Judge of Galle for his information.

(Sentence No 204)

Friday
18th February 1848

F. 16.

At a Court of the Fouzdaree Adalut

Present:-

G. S. Hooper Esqre — 1st Puisne Justice

E. P. Thompson Esqre — 2d Puisne Justice

A. Morehead Esqre — 3d Puisne Justice

Read Calendar of Cases No 2 of 1848 of the Session Court of Galle.

Kere Puter Hr No 316/1848

The Prisoner

Arangot

was charged by the Prosecutor with having on the night of the 16th December 1847, broken into his house and stolen therefrom property valued at Rupees 106-15-7.

2 The Session Judge concurring in the Sentence, convicted the Prisoner of the Crime charged, but in consideration of extenuating circumstances

circumstances recommended under Sections III and ~~II~~ Regulation I of 1825, that the sentence of 7 years' imprisonment passed against him may be reduced to 5 years with hard labor in irons.-

3 The Court of Sunderee Adalut concurs in the views of the Sessions Judge and under the Provisions of Section IV Regulation I of 1825 authorize him to issue his warrant accordingly.-

4 The Court observe that the 2d Question was not correctly put under Clause fourth Section II Regulation XII of 1803 it should have been couched in these terms: "To what specific punishment would the Prisoner have been liable under the Mohammadan Law, had the special exception above mentioned not existed"?

Ordered that Extract from

from these Proceedings be forwarded to the acting Sessions Judge of Calicut for his information.-

Sent per Ns 207/

Read Letter dated the 8th Instant from the Agent to the Governor in Kurnool, submitting in conformity with Clause fifth of Rule I of the Agency Rules to the Department of Criminal Justice a summary of the Proceedings held in Case No 6 of the Calendar of 1868.

(Here enter Rec No 369 of 1868)

1 The three prisoners in this case pleaded guilty to the charge of House breaking by night and the theft of Property valued at Rupees 360-8-0.-

2 The agent recommends that the prisoners 1st Galagadoo and 2d Kadadoo to be sentenced to seven years' transportation

Imprisonment with hard labor in irons.-

3 The Court of Foujdaree Adalut approve and confirm the proposed sentence which will accordingly be carried into effect.

4 In consideration of certain extenuating circumstances, the agent recommends that the prisoner

3. Venkatigadoo.

be sentenced to four years' Imprisonment with hard labor in irons.

5 Under the authority vested in them by Section IV, Regulation I of 1825, the Court of Foujdaree Adalut sanction the proposed mitigated sentence.

Ordered that Extract from these Proceedings be forwarded to the Agent in Kurnool for his information.-

Clerk to Mr. 208/

Read

Read Calendar of Cases No 10 of 1868 of Sessions Court for Chittoor.-

/ Vide Cases Nos 32 & 33 /

The Prisoners

1 Ramaswamy and

2 Govindoo

were charged with having had adulterous intercourse with the 2d Prisoner being Prosecutor's Lawful wife.-

2 The Sessions Judge convicted the Prisoners and sentenced the 1st Prisoner to 2 years' Imprisonment with hard labor in irons and the 2d to a similar period with labor but without irons under Clause VII Section II Regulation XII of 1803.

3 The Court of Foujdaree Adalut do not consider that the crime of which the Prisoners were convicted, called for, under the peculiar circumstances of the

the case, as severe a punishment as that recorded against them by the Sessions Judge

4 The Court observes that the Subordinate Judge should have gone into the pleas of alibi urged by the 2nd Prisoner in palliation of the offence and stated so for the information of this Court whether it was made good or not.

5 The Court considers that in this case, a reduction of the term of imprisonment awarded to the Prisoners, to 6 months will sufficiently meet the ends of justice; and therefore resolves with reference to section XIII Act VII of 1848 to mitigate the sentence

6 The Sessions Judge will be pleased to issue a fresh warrant in conformity with the foregoing resolutions.

Ordered

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chittagong for his information by Precept returnable within 10 days from and after its receipt.

Sent following precept 8th 209/

Read the following Letter dated the 7th instant from the acting Sessions Judge of Chittagong.

(Rent Letter File No 356 of 1848)

The acting Sessions Judge refers the following Question: Whether when after a Criminal case has been sent up by a Heads of Police and duly examined into by the Subordinate Judge and it appearing that the Prosecutor's charge is false and malicious and that he ought to have been sent up as a Prisoner for preferring a false charge instead of as a Prosecutor the Subordinate Judge has power to

to forwarde the Prosecutor to the Magistrate, requesting him to send up the Prosecutor as Prisoner, if he considers the "false charge" established, upon evidence, against him".

2 The Court of Tonjdaree Adalut answer this question in the negative. If the Prosecutor has sworn to the charge before the Subordinate Court, he must be committed to take his trial for Perjury.-

3 Under no circumstances could the Magistrate send up such a case. The charge preferred must appear false to the Head of Police. In the present instance it is clear that it did not so appear, otherwise he would not have sent up the parties accused by the Prosecutor, to the Criminal Court.

Ordered

FW
18th February 1848.

Ordered that Extract from these Proceedings be forwarded to the acting Sessions Judge of Cuddapah for his information.-

Sent pr No 210 /

Read the following Letter dated the 5th instant from the acting Sessions Judge of Bauree.

(Here enter FW. No 365 of 1847)

The acting Sessions Judge forwards for the consideration and orders of the Tonjdaree Adalut, an abstract of case No 6 of 1848 tried by the Moofty Sudder Ameen and of his own Proceedings thereon.-

2 It appears that the Prisoner in this case, a Sepoy of the 35th Regiment N. I. was charged with having, on the 21st January 1848, at 7½ a.m. left his Post as sentry at the Talook Treasury and descended into the high road where the Prosecutor was riding, attacked and

about four feet below him; and there stabbed the Pony, that Prosecutor was riding, by thrusting his Bayonet through the Pony's neck, and thereby inflicted a severe wound.

3 The Monthly Garrison Court convicted the Prisoner and sentenced him to two Months' Imprisonment without Labor or irons.-

4 On the grounds that the case is unprecedented in the experience of the acting Deputy Judge Advocate - that the sentence awarded, if carried into execution involves dismissal from service, and that the offence charged must have been preceded by the Military offence of deserting his Post. the acting Deputy Judge Advocate applies for instructions as to the proper disposal of it.-

5 The Court of Inquiry dated 8th

approved

approved of the acting Deputy Judge having ordered the intermediate suspension of the sentence.-

6 As the act charged was committed while the Prisoner was on duty as a Sentry the Court are of opinion that the disposal of the case should be left to the Military authorities

7. The Court resolve to direct the acting Deputy Judge to furnish the officer commanding the detachment at Konoe with copies or translations of the entire Proceedings held in the case for the information of the Commandant of the Regiment.-

8 The sentence of the Monthly Garrison Court will of course be annulled, and as he is entered in the Monthly Criminal Reports and the Prisoner will be finally transferred to the charge

18th February 1848

16th February 1848

Sessions of the Collectory authorities.

Ordered that Extract from these Proceedings be sent to the acting Sessions Judge of Kovoor for his information and guidance.

Contempt at 211/-

Read Calendar of Cases

Nos III of 1848 of the Sessions Court of Calicut

(Here enter File Nos 35 of 1848)

The Prisoner

Chatin

was charged with having severely wounded Prosecutrix with intent to kill: and the case has been set down for reference for the final judgment of the Foujdaree Adalut.

2 The Court of Foujdaree Adalut observe that under the Circular order of the 16th October 1822, the usual abstract of the Finding and the precise grounds of the reference should have been entered in the Calendar and they resolve to return the Calendar to

Filed
18th February 1848

the Sessions Judge with instructions to supply the omission

Ordered that Extract from these Proceedings be forwarded to the acting Sessions Judge of Calicut by Precept returnable within 30 days from and after its receipt.

(Sent following precept at 212/

Read Calendar of Cases

Nos 69 and 71 of 1847 submitted by the Sessions Judge of Mangalore under date the 26th January 1848

(Here Enter File Nos 264 & 266 of 1848)

Read returns dated 20th January 1848 from the Sessions Judge of Tinnevelly, to the precept of the Foujdaree Adalut under date the 21st idem requiring him to submit a brief abstract of the defence made by the Prisoner in Case No 1 of the Sessions Courts Calendar for 1848

(Here Enter File No 268 of 1848)

Read Statement submitted

submitted by the Sessions Judge of
Combatore under date the 28th Ultimo.
of batta paid to Prosecutors and
witnesses attending before him during the 2nd half of 1847

(Here Enter File No. 269. of 1848)

Read Calendar of Case
No. II of 1848 submitted by the Sessions
Judge of Madura under date the
28th January 1848

(Here Enter File. No. 273 of 1848)

Read Criminal Report
submitted by the Sessions Judge of
Guntoor for the Month of January
1848, under date the 3d Instant

(Here Enter File No. 315 of 1848)

Read return dated
the 3d Instant from the acting
Sessions Judge of Calicut to the pre-
cept of the Tongaree Adalut
under date the 28th January 1848
directing him to submit the
Proceedings held in case No. 252
on the Criminal Files

(Here Enter File No. 332 of 1848)

Read

Read Calendar of Case
No. 2 of 1848. submitted by the Sessions
Judge of Nellore

(Here Enter File No. 336. of 1848)

Read Calendar of Case
No. 1 of 1848. submitted by the Sessions
Judge of Rajahmundry under date
the 5th Instant

(Here Enter File No. 341 of 1848)

Exd HH

EMS

Saturday
19th February 1848

F. 64

At a Court of the Fouzdaree Adalut

Present:

J. A. M. — D. A. Hooper Esqre. — 1st Puisne Judge.
C. P. — C. P. Thompson Esqre. — 2nd Puisne Judge.
W. M. — W. A. Morehead Esqre. — 3rd Puisne Judge.

Read letter dated 5th Instant from the Sessions Judge of Mangalore, submitting for the final Judgment of the Fouzdaree Adalut the Record of Case No. 60 of 1847 of the Calendar of the Sessions Court.

(Interpreter No. 356 of 1848)

Mr. D. A. Hooper
and
Mr. W. A. Morehead.

The Court of Fouzdaree Adalut on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the prisoner,

"Nalkay Coorka"

is sufficient to convict him of being accessary to murder, do convict him thereof; and under the provisions of Clause third Section VII Regulation XV of 1803, sentence him to be transported

transported to such place or places beyond the seas as the Governor in Council shall appoint, there to be imprisoned and kept to hard labor in irons on the public roads or other public works, for and during the period of his natural life.

1. The Court of Foujdaree Adalut observe that the manner in which the Prisoners confession was recorded by the Court, is far from satisfactory. Before the Subordinate Court, he was made merely to acknowledge his Talaki confession instead of being required to give before that Court a detailed statement of all that he wished to have recorded in his Defence. Before the Sessions Court when arraigned, he pleaded "not guilty" to the charge of murder, and when put on his defence he is made to state "I have already stated all that I took place. I never committed any such misdeed before this" &c. &c. and this the Sessions Judge, without asking the Prisoner to state plainly and fully what he meant to acknowledge, at once accepts as an admission of the Prisoners Police confession. The Mahommedan Law Officer

Officer, however, although present in Court with the Sessions Judge, did not consider that the Prisoner before that Court, had acknowledged his guilt; for he states in his Futwa, "Before the Sessions Court, however, he denies the charge"

2. The Sessions Judge will be pleased to point out to the Subordinate Judge that it is his duty, in all cases in which Prisoners may admit their guilt before him, to cause their statements to be taken and recorded in detail.

3. The Court deem it proper also to call the attention of the Sessions Judge to the very vague manner in which he has allowed the Prisoner's statements in his Defence to be written down, and to the circumstance of his not having noticed that whilst he considered the Prisoner had acknowledged before him his guilt, such was not considered by the Mahommedan Law Officer to be the case.

Ordered that Extracts from these Proceedings be forwarded to the Sessions Judge of Mangalore for his information

information and guidance.

/Sent following Letter No 215/

Read Extract from the Minutes of Consultation in the Judicial Department under date the 4th January 1848 No 5 forwarding an Extract from a General Letter from the Honorable the Court of Directors Dated the 20th October 1847. No 22.

/Reverter Fde. No 51 of 1848/

Ordered that a copy of Paragraph 4 of the Honorable Court's Dispatch be sent to Magistrate of Salem for his information with reference to the Extract from the Minutes of Consultation under date the 27th June 1846 No 301.

/Sent in No 216/

Ordered that a copy of Paragraph 7 of the Honorable Court's Dispatch, be sent to the Acting Magistrate of Trichinopoly with reference to his predecessors Letter to Government dated 13th May 1845 No 729.

/Sent in No 217/

Ordered that a Copy of Paragraph 14 of the Honorable Court's Dispatch be sent to the Magistrate of Tanjore for his information with

with reference to the late Acting Magistrate's Letter of the 26th November 1844.

/Sent in No 218

Read Letter dated the 7th instant from the Agent of the Governor in Vizagapatam, Submitting, in conformity with Clause fifth of Rule I of the Agency Rules in the Department of Criminal Justice, a Summary of the proceedings in a Trial held before him.

/Reverter Fde. No 388 of 1848/

1. In this case, three prisoners

1st B. Chinna Ravoolu.

2nd B. Peddu Ravoolu

and

3rd B. Chinnegandoo

were charged with Housebreaking by night and the theft of Property of the value of Rupees 150.

2. The 2nd prisoner had been acquitted and released.

3. The Agent convicts the 1st and 3rd prisoners and recommends that, under Section XXI, Regulation VIII of 1802, they be imprisoned and kept to hard labour in

Irons for three years.

4. The Court of Tongadaree Udalut in accordance with the Provisions of Section IX Regulation I of 1825, sanction the proposed mitigated sentence, and authorize the Agent to issue his warrant accordingly.

Ordered that Extract from these Proceedings be forwarded to the Agent of the Governor in Vizagapatam for his information.

/Sent in N° 219/

Read Calendar of Cases N°2 of 1848 submitted by the Session Judge of Rajahmundry under date the 8th instant.

/Hereenter F.Bo. N° 373 of 1848/

Read Calendars of Cases N°s 4 5 and 9 submitted by the Session Judge of Tinnevelly under date the 7th instant.

/Hereenter F.Bo. N° 374 and 376 of 1848/

Read return dated the 11th instant from the Session Judge of Combatoor to the precept of the Tongadaree Udalut under date the 26th ultimo directing that the Prisoner in Criminal Case N° 304 of 1847 be exempted from labour and requiring to be informed for what reasons

reasons the cases N°s 311 and 312 were not disposed of by the Police authorities.

/Hereenter F.Bo. N° 376 of 1848/

Read Calendar of Cases N°3 of 1848 submitted by the Session Judge of Combatoor under date the 11th instant.

/Hereenter F.Bo. N° 381 of 1848/

Read Calendar of Cases N°4 1848 submitted by the Session Judge of Trichinopoly under date the 9th instant.

/Hereenter F.Bo. N° 383 of 1848/

Read Calendar of Cases N°s of 1848 submitted by the Acting Session Judge of Cuttack under date the 9th instant.

/Hereenter F.Bo. N° 391 of 1848/

Read letter dated the 12th instant from the Session Judge of Coimbatoor forwarding a Duplicate copy of Descriptive Roll of 25 Convicts transferred to the Acting Session Judge of Trichinopoly.

/Hereenter F.Bo. N° 396 of 1848/

End H.

F. M.

Monday, 21st February 1848. At a Court of the Faujdaree Adalut.

Present

G. S. Hooper Esqre ——— 1st Puisne Judge.
C. P. Thompson Esqre ——— 2d Puisne Judge.
W. A. Morehead Esqre ——— 3d Puisne Judge.

Read Miscellaneous Petition

presented on the 23d November 1847 by Veeravasamy

Acharry Zillah Chingleput.

(How entered F. M. D. No. 300 of 1847.)

1. Petitioner states that he is the Father of one Appavoo who was convicted by the Sessions Judge of Chingleput, and sentenced, on reference to this Court to 14 years imprisonment with hard labor in irons.—

2. Petitioner urges that his son was innocent of the crime laid to his charge, and that he was disqualified from aiding in the perpetration of the foul murder which took place by serious bodily ailment on those grounds he prays the sentence may be reversed and his son set at liberty.—

3. The Court of Faujdaree Adalut, observe that Appavoo the 2d Prisoner in the case referred to was, on due deliberation convicted and

sentenced

~~Outlined on the~~ strongest evidence of being one receipt
in the commission of the crime for which the 4th
Prisoner suffered and that they see no grounds for
disturbing the sentence recorded against him.-

4. Their Petition is therefore dismissed.-

Ordered that Extract from these
proceedings be furnished to the Petitioner on his ap-
plication.-

Read Miscellaneous Petition pre-
sented on the 13th December 1847 by Ramaden Reddy
& Zillah Nellore.-

(Here enter F. 26. No. 322 of 1847.)

1. Petitioner prays a reconsideration of
the Courts order dated 29th November last rejecting
his prayer for the release of his relatives the 2d and
3d Prisoners in Case No. 13 of the Session Court of
Nellore for 1847.-

2. Petitioner is informed that the former
Order of the Court of Sudder Adawlut was passed
after due consideration of the whole merits of the case
and is final.-

Ordered that the prayer of this Peti-
tion be rejected and that Extract from these Pro-
ceedings be given to the Petitioner on his application.

Read

Read Return dated 24th ultimo and
further Return made under date 28th ultimo by
the Sessions Judge of Chittoor to Precept of Sudder
Adawlut dated 6th January 1848 requiring proceedings
held by the Acting Magistrate of North Arcot in
regard to the Mahazernamah signed by Petitioner
Rayenappa Moodelly and 30 others of Pulicat.-

(Here enter F. 26. No. 215. and 243 of 1848.)

Read again Miscellaneous Petition
presented on the 1st November 1847 by Rayenappa
Moodelly and 30 others of Pulicat.-

(Here enter F. 26. No. 276 of 1848.)

Read again also Miscellaneous
Petition presented on the 1st November 1847 by
Joshua Moodelly Zillah Chittoor.-

(Here enter F. 26. No. 280 of 1847.)

1. Persons to proposing final orders in
the matter of these Petitions the Court of Sudder
Adawlut resolve to call upon the Sessions Judge of
Chittoor, to procure from the Acting Magistrate
and submit with the least practicable delay, a
copy of the Proceedings held by the latter officer
in the case of Joshua Moodelly, Petitioner in No.
280 of 1847 on the file of this Court which proceedings
have not been submitted with the Record now

forwarded

21st February 1848.-

forwarded.-

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Chittoor by Precept returnable within XII days from and after its receipt.-

(Sent following precept No. 220

Read again Miscellaneous Petition presented on the 13th December 1847 by the Vakeel S. Tirumalachary on behalf of Mutlu Gowdha of Honore.-

(Here enter M. P. No. 321 of 1847.)

Read also Return dated the 29th ultimo from the Acting Sessions Judge of Honore to the Precept of this Court of Foujdaree Adalut under date the 17th January 1848- calling for an English Translation of the Record of Case No. 8 of the Calendar of the Session Court of 1847- and stating that the sentence passed upon the 1st Prisoner in that case, be, in the mean time, suspended.-

(Here enter F. C. No. 324 of 1848.)

Read also Letter dated the 8th Instant from the Acting Sessions Judge of Honore, reporting the death of Shevaya Gowdru- the 1st Prisoner in Case No. 8 of the Calendar of the Session Court

F. C.

21st February 1848.-

Court of 1847.-

(Here enter F. C. No. 398 of 1848.)

The 1st prisoner in Case No. 8, on whose account alone, an English Translation of the Record was called for, having died, the Court of Foujdaree Adalut observe that their order of the 17th ultimo, is to be considered as cancelled.-

Ordered that Extract from these Proceedings be forwarded to the acting Sessions Judge of Honore for his information and guidance.-

(Sent in No. 221

Read Miscellaneous Petition presented on the 20th December 1847 by Annavirraga Zillah Salem.-

(Here enter S. M. P. No. 326 of 1847.)

With reference to Petitioners former Petition No. 275 of 1847 and the return made under date 17th December 1847 by the Sessions Judge of Salem to a Precept of this Court dated 6th Salem, Petitioner prays that as the deposition forwarded for the consideration of the Court was that of Gosaulacharry Goonnata to Vencatramya or Tatacharrier, and not that of the latter individual himself the Sessions Judge of Salem

may

may be called upon to procure from the Magistrate of Chittoor, and submit for the perusal of this Court, the deposition of the person in question, as he is now, and will be for a month to come at Tripatty in the Chittoor District.-

2. The Court of Foujdaree Udalut resolve to comply with the request, and direct the Session Judge of Salem to procure and send us a translation of the deposition in question with the least practicable delay.-

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Salem by Precept returnable in x days from and after its receipt.-

(Sent following precept № 222

Ordered also that Extract from these proceedings be furnished to the Petitioner on his application.-

Read Miscellaneous Petition presented on the 20th December 1847 by Ayyamal Zillah Chinglepute.-

(Hereunto F. Mr. P. № 327 of 1847)

Read also Miscellaneous Petition presented on the 4th January 1848 by the same party.

(Hereunto F. Mr. P. № 6 of 1848.)

Read also Miscellaneous Petition presented on the 17th January 1848 by the same party.-

(Hereunto F. Mr. P. № 19 of 1848.)

1. Petitioner prays the Court of Foujdaree Udalut will be pleased to call for certain Document presented by her to the Principal Sudr Ameen of Chinglepute and by him referred to the Magistrate, wherein she offered to adduce sufficient proof that her late husband was murdered by one Ayyana praveesem. She states however that, hitherto no steps have been taken to accord her justice, and punish the murderer.-

2. Petitioner therefore prays the Court will be pleased to order the investigation, and punish the offender.-

3. The Court of Foujdaree Udalut observed that the subject in question was disposed of in the proceedings of this Court under date 20th October 1847 on her former Petition № 248 of 1847.-

4. In those Proceedings therefore Petitioner is referred.-

Ordered that Extract from these proceedings be furnished to the Petitioner on her

her application.-

Read Miscellaneous Petition presented on the 20th December 1847 by Ranga Sowamoothoo Zillah Cuddapah.-

(Vide enter Mn. P. No. 329 of 1847.)

1. Petitioner complains of an Order passed by the Sessions Judge of Cuddapah confirming the sentence of the Sudder Ameen and acquitting one Hanoomantoo who was examined on a charge of preferring a false complaint against himself (Petitioner) and certain others.- Petitioner says that as the said individual was unable to substantiate the charges brought by him against the Defendants the Court of Foujdaree Adalut will be pleased with reference to Section XXXV, Act VII of 1843 to reverse the order of the Sessions Judge and inflict an adequate punishment on the Petitioner Hanoomantoo.

2. The Court of Foujdaree Adalut having carefully considered this Petition together with the Extract from the Proceedings of the Sessions Judge of Cuddapah submitted by the Petitioner, see no ground whatever to doubt the propriety of the order passed by that Officer in the case in question.-

3. The Court therefore refuse to interfere in this matter and this Petition is accordingly dismissed.

dismissed.-

Ordered that Extract from these proceedings be furnished to the Petitioner on his application.-

Read Miscellaneous Petition presented on the 17th January 1848 by Krishnaswamy Iyengar and 2 others Zillah Combaconum.-

(Vide enter F. Mn. P. No. 15 of 1848.)

1. Petitioners complain at great length, of an unjust decision passed by the Joint Magistrate of Combaconum and confirmed afterwards by the Sessions Judge under date 15th March 1847, whereby Petitioners were fined by the former Officer in Rupees 2 each, on a charge preferred by one Valodian, against Petitioners accusing them of having committed an assault, and with having forcibly carried off certain crops, and Cavaunto the property of the former.-

2. Petitioners represent that the said Valodian has fraudulently misrepresented the object of a Bond executed by Petitioners wherein the latter agreed on the receipt of Rupees 1650, to permit Valodian to enjoy possession of certain lands, for four years. when it was to be at the option of Petitioners to redeem them but that he

he only paid Rupees 1110 of the sum agreed upon, and afterwards succeeded in making it appear that the Land was sold unconditionally, at a price which Petitioners urge was manifestly far below its real value.-

3. Petitioners pray the Court of Sudder Adalut will be pleased to reverse the order of the Joint Magistrate according Valsadeen possession, and restore the property to the right owners;- and lastly order the remission of the fines imposed on them Petitioners as manifestly unjust.-

4. The Court of Foujdaree Adalut observe on a perusal of this Petition that the period for appeal in this case has long since expired - and that Petitioners therefore, if they have any valid grounds for impugning the justness of the order of the Joint Magistrate, should seek redress by civil action, for the recovery of the property claimed, from the parties now in enjoyment of the same.-

5. This Petition is accordingly dismissed.-

Ordered that Extract from these proceedings be furnished to the Petitioners on their application.-

Read

Read Miscellaneous Petition presented on the 17th January 1848 by M. Narrayya Chetty Zillah Cuddalore.-

(Heretofore F. G. P. No 20 of 1848)

1. Petitioner adverting to his former Petitions Nos 12 and 13 of 1848 reiterates his complaint against a certain decision of the Head Assistant Magistrate of Cuddalore, whereby one Arangam Soobo Chetty was sentenced to be imprisoned 6 months and a house and certain property therein contained were made over to me Soobomah.-

2. Petitioner prays for redress against this unjust decision.-

3. The Court of Foujdaree Adalut observe that Petitioner has failed to submit any proceedings held either by the Head Assistant Magistrate or the Session Judge in the case in question and that no orders can in consequence be passed on the subject of this Petition.-

Ordered that Extract from these proceedings be furnished to the Petitioner on his application.-

Read Miscellaneous Petition presented on the 17th January 1848 by Anvidian

21th February 1848.

No rules heard - D.

(Here enter F. M. P. No 21 of 1848.)

1. Petitioner presses sundry complaints against the Acting Magistrate of Trichinopoly who he states has endeavoured to place the Pagoda in his (Petitioner's) charge, under the superintendance of the Cash Keeper of his office, Comprimarily Woodelly by name - that on certain false complaint preferred against Petitioner by the former the Acting Magistrate proceeded to treat the Petitioner in a manner highly derogatory to his character as a respectable, and highly connected man, and finally on his appealing against this usage to the Sessions Judge the latter officer took no notice of his Petition and thereby rendered him obnoxious to further ill treatment from the Magistrate -

2. Petitioner therefore prays that the Court will be pleased to take his case into consideration and cause the local authorities to do him ample justice.

3. The Court of Sessions observe that in regard to the case of the Collector of Trichinopoly in reference to the management of the Pagoda in question Petitioner if he has any valid grounds for

complaint against the same, should address his Petition to the Board of Revenue, to whom alone an appeal in this matter can be made. -

4. The Court further remark that with regard to the fine imposed by the Acting Magistrate against which the Petitioner remonstrates, the latter should, if he has sufficient grounds for doing so, prefer an appeal in the first instance to the Sessions Judge; - and that should he then meet with no redress he will be at liberty, to present a Petition on the subject to this Court, filing, at the same time the Orders passed by the lower authorities. -

Ordered that Extract from these proceedings be furnished to the Petitioner on his application. -

Read Miscellaneous Petition presented on the 24th January 1848 by Vebie Zillah Chittoor -

(Here enter M. P. No 35 of 1848.)

1. Petitioner states that she is the wife of one Conaty Collendo 4th Prisoner, and otherwise related to 2d, and 3d Prisoners in Case No 49 of 1847 on the file of the Sessions Court of Chittoor and prays on behalf of the individuals in question, that the Court of Sessions Madura will

with on a full consideration of the evidence adduced against them on the trial, forthwith set them at liberty, as the charge brought was unjust, and entirely got up by the Complainant and witnesses from motives of enmity.-

2. It is observed that no orders are called for in this case, the Prisoners in question having been already acquitted and released by the Foujdaree Adalut.-

Ordered that Extract from these proceedings be furnished to the Petitioner on her application.-

Read Miscellaneous Petition presented on the 31st January 1848 by Moonsamah Zillah Chittoor.-

(Here enter F.M. P. No 12 of 1848.)

1. Petitioner reiterates her request that the Court of Foujdara Adalut will be pleased on a perusal of the Record of the Case No 23 of 1847 on the file of the Sessions Court of Chittoor, to release her husband now under sentence of imprisonment for Forgery- and adds that in consequence of the 1st, 2d, 3d, 4th, and 5th witnesses for the prosecution having caused a certain proclamation to be made by beat of tom tom derogatory to the character of her husband, she and her family have been exposed to great indignity and loss. Petitioner therefore prays that the Court will visit the individuals in question with a punishment merited by their conduct.-

2. The Court having perused this Petition remark with regard to the Proclamation made by the individuals above mentioned, announcing that Petitioner's husband had been flogged and exposed in the mode called Jasheer, that the Petitioner, if she has valid grounds for doing so, should make a complaint on the subject to the local authorities.-

3. Adverting to the former portion of Petitioners statement she is informed that the Court passed final orders on the subject in their Proceedings under date 6th September 1847.

4 To those Proceedings Petitioner is referred and this Petition is accordingly dismissed.-

Ordered that Extract from these Proceedings be furnished to the Petitioner on her application.-

Read Miscellaneous Petition presented on the 31st January 1848 by Abdool Khader

will on a full consideration of the evidence adduced against them on the trial, forthwith set them at liberty, as the charge brought was unjust, and entirely got up by the Complainant and witnesses from motives of enmity.-

2. It is observed that no orders are called for in this case, the Prisoners in question having been already acquitted and released by the Tondaree Adalut.-

Ordered that Extract from these proceedings be furnished to the Petitioner on her application.-

Read Miscellaneous Petition presented on the 31st January 1848 by Moneamah Zillah Chittoor.-

(Wre entered F. Mn. P. No 42 of 1848.)

1. Petitioner reiterates her request that the Court of Sindara Adalut will be pleased to send a perusal of the Record of the Case No 23 of 1847 on the file of the Sessions Court of Chittoor, to release her husband now under sentence of imprisonment for Forgery- and adds that in consequence of the 1st, 2d, 3d, 4th, and 5th witnesses for the prosecution having caused a certain proclamation to be made by beat of tom tom derogatory to the character of her husband, she and her family have been exposed to great indignity and loss. Petitioner therefore prays that the Court will visit the individuals in question with a punishment merited by their conduct.-

2. The Court having perused this Petition remark with regard to the Proclamation made by the individuals above mentioned, announcing that Petitioner's husband had been flogged and exposed in the mode called Trasher, that the Petitioner, if she has valid grounds for doing so, should make a Complaint on the subject to the local authorities.-

3. Adverting to the former portion of Petitioners statement she is informed that the Court passed final orders in the subject in their Proceedings under date 6th September 1847.

4 To those Proceedings Petitioner is referred and this Petition is accordingly dismissed.-

Ordered that Extract from these Proceedings be furnished to the Petitioner on her application.-

Read Miscellaneous Petition presented on the 31st January 1848 by Abdool Khader

21st February 1848.

Thadee Zillah Combaconum.-

(Here enter F. C. M. P. No. 10 of 1848.)

1. Petitioner states he is brother in law to one Chinnatomby Veeracyan who preferred a charge against one Para Mootoo and others in No. 17 of 1847 on the file of the Sessions Court of Combaconum - and that, the Sessions Judge after punishing the individuals in question in a manner merited by their deserts, subsequently, punished his relation on a charge of Perjury, and sentenced him to five years imprisonment with hard labor in irons, under Clause 1st Section III Regulation VI of 1811.-

2. This Sentence Petitioner contends is an unjust one and submits that the fact of the charge of perjury regarding a case finally disposed of, so many months previously, is of itself sufficient to prove, the malicious nature of the accusation brought against Chinnatomby Veeracyan, and concludes by praying that the Court of Foujdaree Udalut will on a consideration of his Petition and the Records of Cases Nos. 17 and 30 of 1847 on the file of the Sessions Court, order the immediate release of his brother in law out of custody.-

The

F. C.

21st February 1848.

3. The Court of Foujdaree Udalut resolve to call upon the Sessions Judge of Combaconum to submit, with the least practicable delay, an English translation of the Records of the Cases Nos. 17, and 30 of 1847, for their consideration.-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Combaconum by Precept returnable within XXV days from and after its receipt.-

(Sent following precept No. 223

Ordered also that Extract from these proceedings be furnished to the Petitioner on his application.-

Read Miscellaneous Petition presented on the 7th February 1848, by P. Sangadoo Zillah Chittoor.-

(Here enter M. P. No. 48 of 1848.)

1. Petitioner states he was Prosecutor in Case No. 49 of 1847 of the Sessions Court of Chittoor, and prays that the Prisoners, who were released on Security may be, on a Investigation of the evidence adduced in the Prosecution, punished according to their deserts, and the money stolen by them, restored to him (Petitioner) the rightful owner.-

The

2. The Court of Foujdaree Udalut observe that the case in question was finally disposed of by this Court, on a careful consideration of the Record of the trial, and, that consequently, no further orders are required on the subject.—

3. This Petition is therefore dismissed.—

Ordered that Extract from these proceedings be furnished to the Petitioner on his application.—

Read again Calendar of Case No. 3 of 1847 of the Court of the Principal Sudder Ameen of Cochin.—

(Here enter F. C. No. 3108 of 1847.)

Read also Letter dated the 21st December 1847 from the Sessions Judge of Calicut, submitting observations on the conduct of the District Moonsiff of Anjengo, with reference to the Trial of Case No. 3 of the Cochin Calendar of 1847.—

(Here enter F. C. No. 3295 of 1847.)

Read also Return dated the 7th Instant from the Acting Sessions Judge of Calicut, to the Precept of the Court of Foujdaree Udalut under date the 31st January 1848, calling for information as to the capacity in which the present District Moonsiff of Anjengo is employed by

by the Resident of Travancore.—

(Here enter F. C. No. 371 of 1848.)

1. The Court of Foujdaree Udalut observe that the objections taken by the Sessions Judge to the District Moonsiff of Anjengo, are not sufficiently definite and precise, nor are the circumstances connected with Case No. 3 of the Cochin Calendar, sufficiently grave, to justify the Court in recommending to the Magistrate of Malabar, to remove that Officer to another sphere of duty.—

2. The Court presume to direct the Sessions Judge to cause it to be intimated to the District Moonsiff that his proceedings in the case in question are not deemed satisfactory; that it is matter for regret that he should have sent up the Prisoners for Trial on such insufficient grounds; and that the Foujdaree Udalut expect that he will exercise, in future, more discretion and caution.—

3. The Court observe that if the Sessions Judge have aught more serious against the District Moonsiff, it is within his power to proceed in the usual way.—

Ordered that Extract from these proceedings

proceedings be forwarded to the Session Judge of Calicut for his information and guidance.-

Sent in No. 224

Read Criminal Reports submitted by the Session Judge of Chittoor for January 1848.

(Here enter F. 86. No. 363 of 1848.)

Report B. Case 241 of 1847.

1. The Court of Sudder Adawlut are of opinion that no sufficient grounds have been shown for the demand of security from the 2nd Prisoner in this case.-

2. It appears that the Prisoner was sent up to the Court upon his own confession before the Police; this confession was, however, subsequently denied by him before the Court, and the attempt to obtain proof against him from that confession failed.-

3. The Court accordingly direct that the Prisoner, if still in confinement, be immediately and unconditionally set at liberty; if released on security, that his Bail Bonds be cancelled.-

Cases 2 and 3 of 1848.

4. The Court consider the sentence of six months imprisonment recorded against the Prisoner in these cases to be unnecessarily severe, and accordingly resolve to mitigate the same, and

under

under the provisions of Section XXXIII Act VII of 1843 to direct that he be immediately set at liberty, a sentence of one months' imprisonment, which the Court observed expired on the 18th instant being recorded against him.-

Case No. 4 of 1848.

5. The Court of Sudder Adawlut are further of opinion that the sentence awarded to the Prisoners in this case may be, with propriety, reduced, and under the provisions of the enactment before quoted, the Court resolve to direct that they be kept in confinement with hard labor in irons for the period of six months.-

6. The Sessions Judge will be pleased to instruct the Moofty Sudder Ameen to issue fresh Warrants in accordance with the foregoing resolutions.-

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Chittoor by Precept returnable within III days from and after its receipt.-

(Sent following Precept No. 225)

Read Extract from the Minutes of Consultation in the Judicial Department under date the 4th January 1848. No. 2. forwarding an Extract from a General Letter from the Bombay

the

the Court of Directors dated 20th October 1847 - No 23.

(Here enter F. 26. No 50 of 1848)

Ordered that copy of parah 8 of the Honorable Court's Dispatch be sent to the Acting Magistrate of Trichinopoly, for his information with reference to his predecessor's Return dated the 15th June 1845 to the Precept of the Sessions Court under date the 22d May 1845. -

(Sent in No 226

Ordered that a copy of parah 13 of the Honorable Court's Dispatch be sent to all Officers in charge of Jails for their information and guidance, and with instructions to submit a Report on the effects of Solitary Confinement in the Jails under their charge, so far as their experience thereof may enable them to judge. -

(Sent following Circular No 227

With reference to parah 17 of the Honorable Court's Dispatch and parah 12 of the Minutes of Consultation, the Court of Sudder Adalut observe that the claim of the Vakeel Tirumbrow to certain Fees appears to have been finally disposed of by the late Judges in the Extract from their Proceedings under date the 25th November 1845. of which the Court direct that a copy be

forwarded

forwarded to Government. -

Ordered that Extract from these proceedings be forwarded to the Secretary to Government in the Judicial Department for the purpose of being laid before the Most Noble the Governor in Council. -

(Sent in No 228

Read Report B. dated the 12th Instant submitted by the Sessions Judge of Mangalore of Persons apprehended in his Zillah, and delivered to the Subordinate Judge and tried in the Month of January 1848. -

(Here enter F. 26. No 101 of 1848)

Read communication dated the 15th Instant from the Sessions Judge of Chittoor. with reference to Case No 10 of 1848, sending the extract from the proceedings of this Court regarding the explanation of the delay in forwarding the Prisoner to the Court. -

(Here enter F. 26. No 111 of 1848)

Read letter dated the 14th Instant from the Acting Sessions Judge of Trichinopoly stating that in making his reply of the 10th Ultimo, to Extract of the proceedings of the Foujdary Adalut of the 14th Idem, he omitted to

to give his reasons for not directing the committal of the Case No 127 of 1847 and the file of the Principal Sudr Ameen to be sent and confirming the charge to me of Theft.-

(Here enter F. C. No 113 of 1848.)

Read Criminal Report dated the 7th Instant - submitted by the Sessions Judge of Tellicherry for the month of January 1848.-

(Here enter F. C. No 120 of 1848.)

Read letter dated the 11th Instant from the Acting Sessions Judge of Calicut - transmitting the Criminal Reports B. and other Statements received from the Acting Subordinate Judge of Calicut and Principal Sudder Ameen of Cochin for January last (and) stating that the Magistrate has had no case to include in those reports during the above month.-

(Here enter F. C. No 123 of 1848.)

Read Report dated the 14th Instant submitted by the Sessions Judge of Masulipatam - of persons apprehended in the Zillah of Masulipatam, and delivered to the Principal Sudder Ameen in the month of January 1848.-

(Here enter F. C. No 124 of 1848.)

Read

Read Calendar of Case No 13 of 1848 submitted by the Acting Sessions Judge of Cuddalore under date the 16th Instant.-

(Here enter F. C. No 129 of 1848.)

Read Calendar of Case No 5 of 1848 submitted by the Sessions Judge of Madura under date the 15th Instant.-

(Here enter F. C. No 131 of 1848.)

End H.

F. C.

Tuesday 22nd. February 1848.

At a Court of the Foujdaree Adalut.

Present.

G. S. Hooper Esqr. ——— 1st. Puisne Judge.
E. P. Thompson Esqr. ——— 2nd. Puisne Judge.
W. A. Morehead Esqr. ——— 3rd. Puisne Judge.

Read letter dated the 10th. Instant from the Sessions Judge of Salem submitting the record of the trial in Case No. 107 on the Calendar of the Sessions Court for 1847.—

(Here enter F. C. No. 368 of 1848).

Mr. G. S. Hooper.

The Court of Foujdaree Adalut, on a deliberate consideration of all the circumstances of the Case in evidence before them, being of opinion that the Prisoners,

1st. Palany.
2nd. Venkatachellum.
3rd. Crisnan
4th. Veeran
and
5th. Veeran of Poudichery

are not convicted on presumptive proof, or on the evidence of credible witnesses, or on their own confessions of the Crime charged; do acquit them thereof; but considering that strong suspicion, tho' not amounting to conviction, attaches to the Prisoner

1st. Palany.

they

they direct that he be required under Clause sixth, Section II Regulation XV of 1803, and Section XXXIV Act VII of 1843, to find Two sureties in 25 Rupees each surety for his good behaviour and appearance when required within 3 Years, or in default thereof, that he be detained for 3 years in confinement.—

2. The Court further direct that the prisoners,

2nd Vencatachellum.
3rd Erium
4th Veerum
and
5th Veerum of Poudichery.

be unconditionally released.—

(Sent following letter No. 235)

Read the Calendar of Case No. 2 of 1848. of the Sessions Court of Cuddalore.—

(Here enter F. Ct. No. 350 of 1848).

1. In this case, three prisoners were charged with "Attempting Subornation of Perjury."—

2. The Jurors brought in a verdict of "Guilty" and the Sessions Judge concurring in the finding, sentenced the 1st and 2nd prisoners to one year and the 3rd prisoner to six Months' Imprisonment with hard labour in Irons, under Clause seventh Section II Regulation XV of 1803.

3. The Court of Foujdaree Adawlut observe that

that this sentence is illegal and must be annulled. There is no provision of the existing Code which provides for the punishment of persons "attempting" Subornation of Perjury.—

4. The Court observe that the prisoners may have been guilty of a Misdemeanour and for that, have been liable to punishment: but to ascertain that point, it would be necessary to call for an English Translation of the Record, which would probably involve a delay of some weeks; and one of the prisoners has already been in confinement for three Months- and the other two for two Months.—

5. Considering therefore that the imprisonment they have already undergone is sufficient for any offence they may have committed in regard to the matter at issue, the Court resolve in exercise of the authority vested in them by Section XXXV Act VII of 1843, to order their immediate and unconditional release from confinement.—

6. It is further to be observed that this case is connected with case No. 62 of 1847. the charge in which, this Court have already pronounced to be false.—

7. The Court deem it proper to point out to the Sessions Judge, for his future guidance, that

that the Calendar is deficient in respect of information which it ought to afford. The original committing authority ought to be set forth and the names & numbers of the respective prisoners should be specified opposite to the dates given as those of their apprehension.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Combaconum by Receipt returnable within three days from and after its receipt.—

(Sent following Receipt No. 230)

Read Calendar of Case No. 7 of 1848 of the Sessions Court of Tinnevelly.

(Here enter F. C. No. 386 of 1848).

1. The Prisoners 8 in number were charged with, and convicted of, the crime of Gang robbery and sentenced by the Sessions Judge to 14 Years imprisonment with hard labor in irons.—

2. The Sessions Judge in consideration of certain palliating circumstances recommends that this sentence be mitigated as respects the 1st Prisoner to 3 Years imprisonment with hard labor in irons, to 18 Months as regards 2nd Prisoner to 1 Year in the case of the 3rd, 4th, 5th, 6th and 8th Prisoners, and to 6 Months as regard to the 7th Prisoner, all with hard labor in irons.—

3. The Court of Foujdaree Adalut concurs

F. C.
22nd February 1848.

concur with the Session Judge in considering that the ends of justice will be met by mitigating to the extent suggested, the sentence recorded against the prisoners in this Case.—

4. The Session Judge will be pleased therefore to issue a warrant in conformity with his recommendation.—

5. The Court observe that the Session Judge should have entered at length in the sentence now under remark the penalty to which the Prisoners had rendered themselves liable, together with the Provisions of the Law under which that sentence was passed.—

Ordered that Extract from these Proceedings be sent to the Session Judge of Tinnevelly for his information and future guidance by Receipt returnable within V days from and after its receipt.—

(Sent following Receipt No. 237).

Read the following Letter dated the 9th instant from the Joint Magistrate in charge of the District of Rajahmundry.—

(Here enter F. C. No. 390 of 1848).

1 The Joint Magistrate, adverting to the remarks in Parah: 10 of the Proceedings of the Foujdaree Adalut under date the 31st January 1847 on Case No. 21 of the Calendar of the Session Court.

Court of Rajahmundry for 1847, relative to the supposed omission on the part of the Joint Magistrate to ascertain by personal inspection, the state of the wounded person and direct medical aid to be afforded him, now submits an explanation on the subject from which it is manifest that the expressions used in the Sessions Judge's Letter referring the Trial, have led the Foujdaree Adalut to entertain an erroneous conception of the facts of the case.

2. The Court of Foujdaree Adalut observe that the explanation now furnished by the Joint Magistrate, is perfectly satisfactory.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Rajahmundry for his information, and such instructions to communicate a Copy of the same to the Joint Magistrate.

(Sent in No. 238)

Read letter dated 7th Instant from the Sessions Judge of Salem submitting for the final Judgment of the Foujdaree Adalut the Record of Case No. 96 of 1847 of the Calendar.

(Here enter No. 338 of 1848).

Mr. E. P. Thompson and Mr. H. S. Morehead

The Court of Foujdaree Adalut, on a deliberate consideration of all the circumstances of the Case in evidence before them, being of opinion that the proof against the Prisoner,

4th Cofrun a Village Watcher

is sufficient to convict him of the crime charged, do convict him thereof; but considering that the imprisonment which he has already undergone is sufficient punishment for his offence, direct that he be set at liberty.

And being of opinion that the Prisoners,

1st Coopiches gounden of Caruttoopolliam

and

3rd Sengodan or Sengodagoundenof Tokavady

are not convicted on presumptive proof, or on the evidence of credible witnesses, or on their own confession, the Court do accordingly acquit them, and direct that they also be set at liberty.

(Sent following letter No. 239).

1. The Court of Foujdaree Adalut find no evidence whatever against the Prisoners except their alleged talook confessions and the statement of the 17th Witness that she saw the 3rd Prisoner in company with Tomaragoundenon the day he is said to have been murdered.

2. The discovery of some property, said to belong to the deceased, in the 1st Prisoners house and with the 4th Prisoner, is clearly accounted for by their having rifled the corpse when set to watch it during the night (see their confessions before

before the Sessions Court and the evidence of the 22nd. witness) and for which offence they are undoubtedly liable to punishment.—

3. The Case appears to the Court to have been very carelessly got up by the Talook authorities, and imperfectly examined by the Sessions Court.—

4 On the night of the 8th. Purtasy (the English date not given) "Tayaman pilly" a Curanum and the 19th. witness, was informed by the 1st. Prisoner that a corpse was lying within the limits of his Village - Instead of repairing immediately to the spot with the Chief people of the place to ascertain whose corpse it was and to make arrangements to secure it for the night, the Curanum directed the 1st. and 4th. Prisoners and the 22nd. witness to watch it - These people seeing the indifference and apathy with which the matter was treated by the Head Village officer, determined to be equally indifferent and culpable themselves - The night being dark and rainy and not liking the job assigned to them, they conveyed the corpse without the boundary of their Village and threw it into a ditch - They then returned and reported to the Curanum that some animals had carried it away.—

5. The Curanum being perfectly satisfied with

with this statement, wrote on the following morning a letter to the Head of Police, that he had himself inspected the corpse and that afterwards an Hyaena had taken it away".—

see his deposition page 78.

6 The corpse was never afterwards discovered, and the Court can no where find that the Police or Magistracy or Sessions Court caused any enquiry to be made respecting this, (if true) most extraordinary circumstance.—

7. The non-discovery of the body is not distinctly stated by the Session Judge, although in the 4th. para of his letter he says, "there appears "no doubt but that the corpse seen by the 7th. to 9th. "and 11th. & 20th. witnesses was that of the husband of "the Prosecutrix".— but it was not until a perusal of the Mahazarnamah attached to the Police proceedings that the Court were fully assured that the body was not found.—

page 46.

8. Whose corpse it was that the 7th. 8th. 9th. 11th. and 20th. witnesses saw lying in the field, has not been satisfactorily proved.—

9. The Court now resolve to order the dismission of Tayaman Pillay the 19th. witness from his office of Curanum for having written the false Report to the Head of Police.—

10. It will be the duty of the Magistrate immediately

immediately upon receiving a Copy of these instructions from the Sessions Judge, to institute a further and rigid inquiry into the whole circumstances of the murder, punishing those officers of the Village and District Police who may be found to have been wanting in their duty.—

11. From the Police Deposition of the 19th. Witness Tayumma Pillay, it would appear that there has been no Moonsiff or Monegar of the Village of Moottanumpollium where the Murder was committed, for four or five years, and only one Curnum (the witness himself) who is old and infirm, instead of two.—

12. The Court of Foujdaree Udalut direct that the attention of the Magistrate be called to these circumstances.—

13. The Court deem it necessary to call the attention of the Sessions Judge to their Circular orders of the 17th. January 1815 and 2nd. November 1821 and to direct that he be careful in future, whenever a native date is mentioned in the Record of a Referred Trial, to enter a Note of the corresponding English date.—

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Salem by Precept returnable within one Month from

from and after its receipt.—

(Sent following Precept No. 239)

Read letter dated — December 1847. the
and stated, in a Note to be dispatched from — ...ph
Coimbatore on the 10th. February 1848. from the late —
Sessions Judge of Trichinopoly, submitting for the
final Judgment of the Foujdaree Udalut the Record
of Case No. 28 of 1847. of the Calendar of the Sessions ...
Court.— V

(Here enter No. 380 of 1848)

The Court of Foujdaree Udalut, on a
Mr. G. S. Hooper and Mr. H. A. Morehead. deliberate consideration of all the circumstances of the ...
Case in evidence before them, being of opinion that the ...
the Prisoners,

1st. Cumatchy killy condamn.
2nd. Suppanyna lyttam,
3rd. Pumbien alias Palanyandy nalyttam. ...
and
4th. Sandameeah goorookul.

are not convicted on presumptive proof or on the ...
evidence of credible witnesses or on their own —
confessions of the crime of Murder, do acquit them
thereof and direct that they be set at liberty.—

(Sent following letter No.)

The Court of Foujdaree Udalut.—
1.
consider the evidence for the prosecution in this Case, ...
to

to be in every way, undeserving of Credit.—

2. Not one of the Witnesses came forward to state what they knew, or professed to know, of the murder of the deceased, until after the apprehension of the Prisoners, many days after the murder, although the 1st Witness asserts he saw the murder committed, and the 13th 14th and 15th Witnesses, that they saw the Prisoners with the corpse.

3. No Mahazarnamah or Inquest Report is to be found in the Record and it is singular that the only Witness not connected in other respects with the case, who deposes to the dead body being found tied up in such a manner as to lead to the conclusion that a Murder had been committed, is the 7th Witness.—

4. The Court, with reference to these circumstances, cannot agree with the late Session Judge in the opinion even that "a murder has been committed". The whole case seems open to much doubt. It is possible that the deceased was drowned accidentally in the stream where the body was found, and the charge of Murder afterwards got up. The mode in which the "styles and the white cloth were brought out of the houses of the 1st 2nd and 3rd Prisoners (apparently by the Prosecutor himself) seems to the Court to strengthen the above

view

view of the case.—

5. The Court deem it necessary to direct the Acting Session Judge to call upon the Magistrate to report for their information (through the Session Court) how it happened that no Inquest was held in this case.—

Ordered that Extract from these Proceedings be sent to the Acting Session Judge of Trichinopoly by Precept returnable within XV days from and after its receipt.—

(Sent following Precept No. 240)

Read return dated the 17th Instant, from the Acting Session Judge of Cuddalore to the Precept of the Foujdaree Adalut under date the 15th idem directing that the sentence of 14 Years imprisonment passed upon the Prisoners in Session Case No. 12 of 1848 be reduced to 5 years imprisonment with hard labor in irons.—

(Here enter F. 86. No. 434 of 1848)

Read letter dated the 16th Instant, from the Session Judge of Guntoor forwarding Criminal Reports of the Session Court of Guntoor for the month of January 1848.—

(Here enter F. 86. No. 437 of 1848).

Read Criminal Report B dated the 15th Instant submitted by the Session Judge.

2

22nd February 1848

Journal of Proceedings for the Months of January 1848.

Ent'd

(Here enter F. C. No. 438 of 1848).

Wednesday,
23rd February 1848. At a Court of the Foujdaree Adaulut.

Present.

Gt. C. G. A. Hooper Esqre. ——— 1st Puisne Judge
C. P. S. E. O. Thompson Esqre. ——— 2d Puisne Judge
W. M. H. A. Morehead Esqre. ——— 3d Puisne Judge.

Read Calendar of Cases Nos 38-39 of 1847 on the file of the Session Court of Honore.

(Here Enter F. C. No 330 of 1848)

Case No 38 / 39. 1. The Prisoners in these cases

1st Davara Bhut

2d Collaya

were charged with abuse of authority in two instances, and committed for trial on those charges to the Sessions Court by the Tahsildar of Cundapoor.

2. The Sessions Judge considered that the charges were proved against the Prisoners but differing in opinion with the Law Officer resolved to submit the cases for the final judgment of the Foujdaree Adaulut.

3. The Court of Foujdaree Adaulut observe with Regard to the remarks recorded by the Sessions Judge in the Column of Sentence

Case 38

that

that the following passage occurs "The Prisoners
"named several witnesses to prove that they did
"not go to the Busty Pagoda on the day named
"but their evidence did not appear to be important.
"They were therefore not summoned."

4. The Court observe that with reference to a practice which was found to obtain in some of the Criminal Courts, of omitting to examine evidence for the defence when only one witness was named, that the Court issued an order under date 4th October 1833, terming this practice "an irregularity" and recording their opinion "that
"nothing could be more improper and unjust than
"to deprive a prisoner of any testimony that can
"be adduced in his behalf."

5. In the case now under remark, as well as in case No 39 of the same Calendar, the Court observe that, not one, but several witnesses were named by the Defendants and that the Sessions Judge in neither case considered it expedient to summon and examine them.

6. The Court are of opinion that the reasons given by the Sessions Judge for the omission in question, are unsatisfactory and insufficient,

and

23d February 1848.

and accordingly resolve to direct that officer to summon, and receive the evidence of the witnesses named, in each case, preparatory to sending up the records for their consideration.

Ordered that Extract from these proceedings be sent to the acting Session Judge of Honore for his information and guidance.

(Sent in No 242

Read Calendar of Case No 2 of the Session Court of Salem.

(Here Enter Ft No 339 of 1848)

Case No 2 1. The Prisoners in this case 17 in number were charged with, and convicted of the crime of Gang Robbery by open violence.

2. The Session Judge under Section XXI Regulation VII of 1802 sentenced each Prisoner to 14 years imprisonment with hard labor in Irons - but recommends a mitigation of the punishment to 8 years imprisonment as regards 1st 2d 3d and 7th Prisoners, to 3 years in the case of the 4th 8th 9th 11th to 14th and to 4 years, for the 5, 6, 10th Prisoners respectively.

3. The Court of Foujdaree Adalut on a mature consideration of the Calendar of the

case

case now before them, are unable to concur in the view of the case taken by the Sessions Judge, and cannot perceive the existence of those palliative circumstances, which would render a mitigation of the punishment adjudged to the extent suggested, either necessary or desirable.

4. The Court consider that as regards the 1st 2d 3d and 7th to 11th Prisoners, the Sentences recorded against them, was just and proper, and accordingly resolve not to reduce the punishment in their case.

5. The Sentence recorded against the 4th to 5th 6th 8th to 17th (inclusive) Prisoners, the Court consider may, consistently with the demands of justice, be mitigated, and therefore resolve with reference to Clause third, Section III Regulation I of 1825 to sanction a reduction of the term of their imprisonment to seven years each with hard labor in Irons.

6 The Sessions Judge will be pleased to issue a warrant in conformity with the foregoing resolutions.

7. The Court observed that the crime in this case being specifically provided for by the

the Regulations namely by Clause third Section IV Regulation XV of 1803, that provision should have been cited in support of the sentence, and not, Section XXI Regulation VII of 1802.

Ordered that Extract from these proceedings be sent to the Sessions Judge of Salem for his information and guidance.

Sent in No. 243

Read Calendar of Cases No. 1 of 1848 of the Sessions Court of Combaconum.

(Here Enter Ik No. 340 of 1848)

1. The Prisoner Appoo pillay was charged with having struck, one Ramen, a blow on his left fore arm, and thereby eventually caused his death.

2. The Sessions Judge convicted the prisoner of the charge and sentenced him under Clause 2d Section XV Regulation VII of 1802 to be imprisoned for 3 months without Irons.

3. The Court of Sudder Adalat are of opinion, in consideration of the long period during which the Prisoner has now been deprived of his liberty, and of the fact, that the blow of which Ramen died, was struck without premeditation

premeditation, that the Prisoner should be immediately released out of Custody, as having already undergone a sufficient punishment.-

2. The Sessions Judge will be pleased to issue a warrant for the release of the Prisoner in conformity with the foregoing opinion.-

Ordered that Extract from these proceedings be sent to the Sessions Judge of Combaconum by precept returnable within 10 days from and after its receipt.-

(Sent following Precept to No. 244)

Read Calendar of Case No. of 1848 of the Sessions Court of Madulipatam.-

(Here Enter Ft No. 26 of 1848)

1. The Prisoner M. Danlummal was charged with having entered Peruntan house and stolen therefrom certain articles, and 2d Prisoner Coolusumbee, with having knowingly received some of the stolen property.

2. The Sessions Judge convicts the 2 Prisoners of the crimes charged against them, and sentenced 1st Prisoner to 7 years imprisonment and 2d to 2 years imprisonment both with hard labor under Section XXI Regulation VII of 1802 and the

Clause Second Section IV Regulation XI of 1822 in recommending however, that the Sentence against 1st Prisoner should be reduced to 2 years imprisonment as no aggravated circumstances attended the commission of the crime charged against her.

3. The Court of Foujdaree Adawlut do not consider that the crime of which the 2d Prisoner was convicted merited so severe a punishment as that recorded against her by the Sessions Judge.-

4. A reduction of the term of her imprisonment to 12 months will in their opinion amply meet the ends of justice and they resolve to mitigate the Sentence accordingly, and to direct the Sessions Judge to issue a fresh warrant in conformity with this determination.-

5. With regard to the recommendation of the Sessions Judge, in reference to the mitigation of the Sentence recorded against the 1st Prisoner to 2 years imprisonment the Court of Foujdaree Adawlut Concur with that officer in thinking that the term of imprisonment suggested will be sufficient in the case in question, to satisfy the demands of the Law, and direct the issue of a warrant accordingly.-

accordingly.-

6. The Court observe that the sentence to "imprisonment" "with hard labor," as it now stands in the Calendar under remark, should be modified, (in consequence of the prisoners being females) to "imprisonment" "with labor suited to her sex" in each case.-

Ordered that Extract from these proceedings be sent to the Sessions Judge of Masulipatam by precept returnable within III days from (and after its) receipt.-

(Sent following Receipt No. 245

Read the following letter dated the 11th instant from the Acting Sessions Judge of Trichinopoly-

(Here Enter Fl. No. 377 of 1848)

1. The Acting Sessions Judge forwards for the orders of the Sudder Court, a copy of a correspondence between himself and the Principal Sudder Ameen regarding the intent and meaning of the Circular Order No. 139.-

2. It appears that in a case of cattle stealing, the Principal Sudder Ameen sentenced two of the offenders to five and three months of Imprisonment

Imprisonment, respectively, "under clause fourth, Section III Regulation VII of 1822."-

3. The Acting Sessions Judge is of opinion that Section VII Regulation X of 1816, would have been the more correct - or at least, the more appropriate Provision to be cited.

4. The Court of Foujdaree Adawlut observe that the Principal Sudder Ameen did not err in citing clause fourth Section III Regulation VII of 1822.-

5. But the Court concurs in opinion with the Acting Sessions Judge that in cases of cattle stealing for which the punishment allowed by Section VII Regulation X of 1816, is deemed by the Criminal Court, adequate to the offence, that Provision would be more appropriately quoted than clause fourth, Section III Regulation VII of 1822, which, though as explained by Section III Regulation VII of 1827, it does not compel, does certainly contemplate, in the generality of cases supposed to fall within its scope, an enhancement of the penalty indicated in the former provision.-

Ordered that Extract from these

accordingly.-

6. The Court observe that the sentenced to "imprisonment" "with hard labor," as it now stands in the Calendar under remark, should be modified (in consequence of the prisoners being females) to "imprisonment" "with labor suited to her sex" in each case.-

Ordered that Extract from these proceedings be sent to the Sessions Judge of Chingleput by precept returnable within III days from and after its receipt.-

Sent following Receipt No. 245

Read the following letter dated the 11th instant from the Acting Sessions Judge of Trichinopoly.-

(Here Enter F.R. No 377 of 1848)

1. The Acting Sessions Judge forwards for the orders of the Foujdaree Adawlut, a copy of a correspondence between himself and the Principal Sudder Ameen regarding the intent and meaning of the Circular Order No 139.-

2. It appears that in a case of cattle stealing, the Principal Sudder Ameen sentenced two of the offenders to six and nine months of Imprisonment

Imprisonment, respectively, "under clause fourth, Section III Regulation VI of 1822."-

3. The Acting Session Judge is of opinion that Section VII Regulation X of 1816, would have been the more correct - or at least, the more appropriate Provision to be cited.

4. The Court of Foujdaree Adawlut observe that the Principal Sudder Ameen did not err in citing Clause fourth Section III Regulation VI of 1822.-

5. But the Court concurs in opinion with the Acting Session Judge that in cases of cattle stealing for which the punishment allowed by Section VII Regulation X of 1816, is deemed by the Criminal Court, adequate to the offence, that Provision would be more appropriately quoted than Clause fourth, Section III Regulation VI of 1822, which, though as explained by Section III Regulation VI of 1827, it does not compel, does certainly contemplate, in the generality of cases supposed to fall within its scope, an enhancement of the penalty indicated in the former provision.-

Ordered that Extract from these

these proceedings be sent to the Sessions Judge of Trichinopoly for his information.-

(Sent in Rc 246

Read Calendar of Case No 3 of 1848

of the Sessions Court of Tellore-

(Here Enter Fk No 382 of 1848)

1. The Prisoners first third in number were charged with the crime of having concealed the murder of one G. Rungaragadoo-

2. The Case was Returned for reference to the Court of Foujdaree Udalut-

3. The Court observe with reference to the Circular Orders of the 24th October 1822, that the 2d clause of the precise grounds of the reference, in this case has been omitted, and accordingly resolve to direct the Sessions Judge to furnish in the Calendar, now returned, the information required-

Ordered that Extract from these proceedings be sent to the Sessions Judge of Tellore by Precept returnable within 10 days from and after its receipt-

(Sent following Precept No 247

Read Calendar of Case No 6 of 1848

of the Sessions Court of Mangalore-

(Here Enter Fk No 384 of 1848)

The

The Prisoner in this case was discharged with the crime of retaining in his possession stolen property, knowing it at the time, to have been so-

2. The Case is returned for reference to the Court of Foujdaree Udalut-

3. The Court observe, that the Circular Order of the 14th October 1822, requires that in all cases of referrible trials, the precise grounds of the reference should be entered with the annual abstract of the Futwah in the Calendar-

4. These grounds having in the present case been omitted, the Court resolve, to return this Calendar and direct the Sessions Judge to supply the information required under the annual head-

Ordered that Extract from these proceedings be sent to the Sessions Judge of Mangalore by precept returnable within three days from and after its receipt-

(Sent following Precept No 248

Read Calendar of Case No 77 of 1847

of the Sessions Court of Cuddalore-

(Here Enter Fk No 397 of 1848)

1. In this case, the first third of prisoners

23d February 1848.

Prisoners were charged with Housebreaking by night and the Theft of property valued at Rupees 304-4as the 4th and 5th prisoners, with knowingly purchasing part of the stolen property and the 6th prisoner, with being an accessary to the theft, before the fact.-

2. The Mookummudan Law Officer, in his Futwa, acquitted the 1st prisoner and convicted the 2d 3d 4th 5th and 6th prisoners of the crimes with which they respectively stood Charged and declared them all liable to Kissoot.-

3. Concurring in this finding, the Acting Sessions Judge, considering that strong suspicion attaches to the 1st prisoner, required him to find security for his good behaviour for two years: and sentenced the 2d and 3d Prisoners, under Clause fourth, Section II Regulation V of 1822" - to seven years imprisonment with hard labor in Irons, and the 2d prisoner in addition, to receive one hundred Lashes, he having before been imprisoned for cattle stealing: the 4th and 5th prisoners to three, and the 6th prisoner to two years' Imprisonment with hard labor in Irons respectively.-

The

F.C.

23d February 1848.

4. The Court observe that the offence not having been accompanied with wounding, the Provision cited is inapplicable. The Mookummudan Law Officer should have been required to declare by a second Futwa to what specific punishment the prisoner would have been liable, if there had been no Bar to Him - This the Acting Sessions Judge must now do, and in the event of Kid being declared, he must proceed to pass sentence upon the 2d and 3d prisoners under Section XXI Regulation VII of 1802 - and his warrant must be amended accordingly, and in support of the corporal punishments he must cite in his amended sentence and cowarrant the provisions of Section II Regulation VII of 1827.-

5. The Acting Sessions Judge will be pleased to point out to the Mookummudan Law Officer that he ought, in his first Futwa, to have declared on what ground Kid was barred, and enjoin him to do so in all future cases in which that or any other specific penalty may be awardable under the Mookummudan Law.-

6. The Court observe that against the

the 6th prisoner, there is nothing whatever in evidence,
save his uncorroborated Police confession: and this
Cs 27th December 1815
18th June 1817
9th July 1835 (2030) has been ruled by the Sovereare Courts to be
wholly insufficient for conviction.-

7 The Court therefore resolve, under
the authority vested in them by Section XXXIII of Act VI
of 1843, to annul the sentence passed on this prisoner
and to direct his immediate and unconditional
release from confinement.-

Ordered that Extract from these
proceedings be sent to the Acting Sessions Judge
of Cuddalore by precept returnable within III days
from and after its receipt.-

(Sent for Flowing Court Note 249

Read Criminal Return submitted
by the Sessions Judge of Chingleput for the month
of January 1848.-

(Here Enter S.R. No 405 of 1848)

Case No 115 of 1847 on the file of the Principal Collector ameen

The Court of Sovereare Courts observe that the reply of the Magistrate to the letter addressed to him by the Acting Sessions Judge under date 22d January should have been entered in the report of the Cases, and they resolve to call upon the Acting Sessions Judge to forward a copy of the letter

letter in question for their consideration with the least practicable delay.-

Case No 64 of the Acting Joint Magistrate Captain Gunne

2 The Prisoner in this case was charged with "obstructing justice and using menacing gestures in the presence of the Acting Joint Magistrate" and on conviction sentenced "to pay a fine of 200 Rs" "under Act XXX of 1841 (in default under Act II of "1839 his property for that amount to be requested and sold by public auction) or to suffer imprisonment for one month in the Zillah Gaol of "Chingleput."-

3 The Court of Sovereare Courts observe that Act II of 1839 was promulgated to meet those cases when the Act authorizing a Fine does not lay down the course to be followed upon non payment. Act XXX of 1841, under which the prisoner in this case was sentenced, specifies the alternative of one months imprisonment for the payment of the fine or not more.-

4 This decision therefore is incorrect, and the Court accordingly resolve to direct the Acting Joint Magistrate, to refund the amount of the fine to the Prisoner if it has been realized on Registration of his property, and to adhere strictly

23rd February 1848.

thirty to the provisions of Act XXX of 1841 - leaving it optional with the Prisoner, either to pay the fine or to undergo the imprisonment adjudged -

Ordered that Extract from these proceedings be sent to the Sessions Judge of Chingleput for information and for communication to the Acting Joint Magistrate by Receipt returnable within X days from and after its receipt -

Sent following Receipt No. 257

Ed 7th.

F.U.

Thursday 24th February 1848

At a Court of the Fouydaree Adalut

Present

G. S. Hooper Esqre 1st Puisne Judge
E. P. Thompson Esqre 2nd Puisne Judge
W. A. Morehead Esqre 3rd Puisne Judge

Read again Calendar of Case No. 1 of 1848 of the Sessions Court of Trichinopoly

(Here enter F.U. No. 117 of 1848)

Read also Return made under date 5th Instant by the Acting Sessions Judge of Trichinopoly to the Receipt of the Fouydaree Adalut dated 7th ultimo calling for an English translation of the entire Record of the foregoing Case -

(Here enter F.U. No. 348 of 1848)

The Court of Fouydaree Adalut on a deliberate consideration of the Record now submitted are satisfied that the Prisoner in this Case was a party concerned in setting fire to the Prosecutors' House, and accordingly resolve not to disturb the Sentence recorded against him, which will

now

now be ~~caused~~ to effect.

Ordered, that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Trichinopoly for his information and guidance.

(Sent as No. 251)

Read Criminal Report for the month of January 1848 submitted by the Sessions Judge of Tinnevelly.

(Here enter T. R. No. 502 of 1848.)

B

Case No. IV of the Head of Magistrate's file.

With reference to the amount of property which the Prisoner was found guilty of having stolen, the Court observe that the Sentence recorded by the Head Assistant Magistrate appears to be an unnecessarily severe one. They therefore desire to be informed of the causes which rendered the heavy punishment adjudged requisite in this Case.

2. The Sessions Judge will be pleased to procure and submit the information required with the least practicable delay.

Ordered, that Extract from these Proceedings be sent to the Sessions Judge

of Tinnevelly

by Receipt returnable within 12 days from and after its receipt.

(Sent following Receipt No. 252)

Read Criminal Reports of the Sessions Court of Combatore for January 1848.

(Here enter T. R. No. 395 of 1848)

Case No. 9 of 425

The Offence charged against the Prisoners in each of these Cases appears to fall under the Head of "Snatching" and Case No. 9, as such, should have been committed for trial before the Sessions Court.

Case No. 29. 2.

The Court of Foujdaree Adalut are unable to understand upon what grounds the 1st Prisoner in this Case was deemed by the Principal Sudder Ameen to be an "old offender," as in the Case admitted to by that Officer it appears that the Prisoner was released for want of prosecution. In the present instance the Court are of opinion that a Sentence of one months' imprisonment is adequate punishment for the offence of which the Prisoners have been

Convicted

convicted, and under the provisions of Section XXXIII Act VII of 1843 the Court resolve to mitigate their sentence accordingly.

3. The Sessions Judge will be pleased to instruct the Principal Sudder Ameen to issue a fresh warrant in conformity with the foregoing resolution.

4. In conclusion the Court would draw the attention of the Sessions Judge to the imperfect manner in which the charge in Case No. 15 is drawn up - other cases also in the Reports under review appear susceptible of improvement.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Coimbatore for his information and future guidance by Precept returnable within III days from and after its receipt.

(Sent following Precept No. 253)

The Register lays before the Court, the following Statements drawn up in his Office, from the Returns received this day from the Sessions Courts, exhibiting the operations of the Village and District Police and the Magistracy of the Subordinate Criminal Courts and the Courts of Session respectively, he also submits an abstract of the operations of the Tondaree Adalut from the 1st of January to the 30th June 1848 prepared according to the forms approved by Government.

(Here Enter No. 69)

Statement No. 1 and 2. Village Police

2. Statement No. 1, with the details in No. 2 exhibits the number of persons summoned before the Village and District Police and Magistracy, for Petty Offences punishable by Banishment together with the number of acquittals and convictions, and the nature of the punishments inflicted.

3. The total number of persons brought before the Village Police together with the number acquitted or convicted of Petty Offences, as compared with the preceding half year, or from the

the 1st of July to the 31st December 1845, is as follows-

	Persons Summoned	Persons acquitted for want of sufficient proof of their guilt	Persons convicted	Persons Punished
From the 1st of July to the 31st Dec. 1845	4809	750	1207	2552
From the 1st of January to the 30th June 1846	8796	794	975	2027

4 Of the 2027 persons punished by the Village Police, 1545 were confined in the Village Chaultry and 480 in the Stocks-

5 Out of 3796 persons brought before them, 3030 were for Petty Assaults or affrays and 752 for Petty thefts- of the former 1851 were punished; of the latter 672-

District Police 6. The total number of Persons brought before the District Police from the 1st January to the 30th June 1846 for Petty Offences punishable by themselves was 62914, besides whom there were also 801 persons whose Cases were not disposed of at the close of the previous report-

7. In the preceding half year the number of Persons summoned before the District Police, was 7022.

8. The subjoined is a comparative Statement of the acquittals and convictions by the District Police during the period under review and the last six months of the year 1845-

| | Persons summoned | Persons acquitted for want of sufficient proof of their guilt | Persons convicted | Persons punished | Persons acquitted on the ground of their having satisfied the Magistrate that they were insane at the time of committing the offence charged against them | Persons acquitted on the ground of their having satisfied the Magistrate that they were under the age of seven years

before the District Police, of Petty offences only.

10. The following Statement exhibits the number of persons punished, and the nature of their punishment, by the District Police, for the two periods above referred to, in addition of those punished after reference to the Magistrate.

Punishments	1st half year ending 31st Dec. 1845	1st half year ending 30th June 1846.
Fined	15823	13077
Confined in the Lock up with or without labor	5409	5294
Confined in the stocks	172	198
Flogged	157	342
	21561	18911

11. In regard to the 342 persons entered as having been flogged by the District Police, it is necessary to explain, with reference to clause first Section V. Regulation XIII of 1832, that those persons were subjected to corporal punishment by order of the Magistrate upon reference made to that authority under the provisions of clause second Section II. Regulation II of 1831.

Before

Magistracy 12 Before the Magistracy there were brought during the half year under review, 3488 persons for petty offences; besides whom there were 30 persons whose cases had not been disposed of at the close of the previous six months, making a total of 3518 persons. In the preceding half year the total number was 4120.

* 4120
× 3513
607 Decrease

13. The following is a Statement of the number of persons Acquitted and Convicted by the Magistracy, and subjoined to it is a Statement of the nature of the punishments inflicted by the Magistracy during the 1st half of the year 1846.

	Persons summoned and under examination.	Acquitted	Discharged upon Reference or dismissed for default or other cause.	Convicted	Total disposed of	Persons under examination at the close of the year.	Total
From 1st January to 30th June 1846	3513	1430	786	1283	3499	14	3513

Statement shewing the manner in which the persons Convicted before the Magistracy were punished.

	Fined	Imprisoned	Flogged	Total Punished
From 1st of January to 30th June 1846	862	350	71	1283

Of

before the District Police, of Petty Offences only.

10. The following Statement exhibits the number of persons punished, and the nature of their punishment, by the two District Police, for the periods above referred to, in duplicate of those furnished after reference to the Magistrate.

Punishments	Half year ending 31st Dec.r 1845.	Half year ending 30th June 1846.
Fined	15823	13077
Confined in the House of correction without labour	5409	5297
Confined in the stocks	172	188
Flogged	157	342
	21561	18904

11. In regard to the 342 persons entered as having been flogged by the District Police, it is necessary to explain, with reference to Clause first Section V. Regulation XIII of 1832, that those persons were subjected to corporal punishment by order of the Magistrate upon reference made to that authority under the provisions of Clause second Section IV. Regulation IV of 1821.

Before

Magistracy 12 Before the Magistracy there were brought during the half year under review, 3480 persons for petty offences, besides whom there were 30 persons whose cases had not been disposed of at the close of the previous six months, making a total of 3513 persons. In the preceding half year the total number was 4120.

* 4120
× 3513
607 Decrease

13. The following is a Statement of the number of persons Acquitted and Convicted by the Magistracy, and subjoined to it is a Statement of the nature of the punishments inflicted by the Magistracy during the 1st half of the year 1846.

	Persons summoned and under examination.	Acquitted	Discharged upon Reference made or dismissed for default or other cause.	Convicted	Total disposed of	Persons under examination at the close of the year	Total
From 1st January to 30th June 1846	3513	1430	786	1283	3499	14	3513

Statement shewing the manner in which the persons Convicted before the Magistracy were punished

	Fined	Imprisoned	Flogged	Total Punished
From 1st of January to 30th June 1846	862	350	71	1283

Of

14 Of the 1,430 persons acquitted by the Magistracy, there were 19 persons against whom the accusations preferred were considered to be wilfully false and malicious: the number of persons regarded as having been falsely and maliciously accused before the Magistracy during the previous half year was 12.

15. Of the 3513 persons charged with petty Offences, 2,474 persons were brought up for petty Assaults, 291 persons for Petty thefts, 189 persons for breaches of certain Revenue laws, 169 persons for abuse of Authority as Police Officers - of the 169 persons charged with abuse of Authority only 54 were convicted and punished, 50 by fine and 4 by imprisonment.

16. The following is a General Statment in which the number of persons brought before the Village and District Police and the Magistracy for Petty Offences with the number acquitted

acquitted and punished during the last half of the year 1845 and the 1st half of the year 1846, have been contrasted.

	During the half year ending 31st December 1845.				During the half year ending 30th June 1846.			
	Summoned and depending	Acquitted	Discharged upon Recognizance &c.	Punished	Summoned and depending	Acquitted	Discharged upon Recognizance &c.	Punished
Village Police	4,509	750	1,207	2,552	3,796	794	975	2,027
District Police	73,146	25,799	25,176	21,861	63,715	21,718	22,410	18,754
Magistracy	4,120	1,854	751	1,485	3,513	1,430	786	1,283
	81,775	28,403	27,134	25,398	71,024	23,937	24,171	22,064

17. The above Statement exhibits a decrease as compared with the preceding half year of 1,751 persons brought before the Native Police Officers and Magistracy.

18. The sums remitted to the Magistrates by the District Police Officers on account of the 13,077 persons who were fined by them, amount on the aggregate to Rupees 12857. 7. 8.

Crimes and Misdemeanors.

Statement Nos 3. and 4.

19 The Total number of Crimes and Misdemeanors committed during the half

Year

year ending on the 30th June 1845, including those not disposed of at its commencement, as exhibited in the Statement No 3 with its details in No 4, amounts to 2888, in which it is calculated that 8015 persons were concerned, being 127 Cases and 534 persons more than in the preceding six months.

20. Of the 20129 persons supposed to have taken part in the Cases ascertained to have occurred during the period embraced in this Report, 10901 persons appear to have escaped apprehension, which is 3184 persons more than are believed to have eluded apprehension during the previous Half year.

21. The following Statement exhibits the nature of the heinous Crimes committed during the

1st

1st half of the year 1846.

	Half year Ending the 30th June 1846.	
	Cases	Persons
Murder	96	261
Murder by Thugee	3	6
Culpable Homicide	33	98
Robbery and Murder	19	86
Gang Robbery attended with or without aggravating circumstances	642	7863
Robbery by a single individual	28	28
House breaking by Day	76	120
Ditto by night	1891	4075
Theft	1146	3152
Receiving Stolen goods	74	179
Arson	210	338
Sodomy	3	4
Rape	33	48
Procuring abortion	15	39
Forgery	34	85
Perjury	7	7
Subornation of Perjury or Forgery	1	2
Maiming or Wounding	154	454
Revenue (Laws breaches of certain)	93	329
Poisoning	8	13
Branding	1	5

22. It will be seen that the number of Cases brought before the Magistracy during the half year under review, is 839, including 1087 persons, of which 45 Cases and

10.

101 persons were disposed of by the Magistrates under the provisions of Section IX & XII of 1843

23 In the Districts of

Bellary

Madura

South Arcot

Tinnevelly and

Vizagapatam

no Cases were disposed of by the Magistracy under the authority vested in them by the act abovementioned.

Statements Nos 6. Subordinate Criminal Courts.

24. Statement No 5 with the details in No 6, exhibits the operations of the Subordinate Courts from the 1st of January to 30th June 1848.

25 The total number of Cases brought before the Subordinate Courts during the above period, together with those not disposed of at the close of the preceding report, is 2079 including 4715 prisoners.

26. In the preceding half year the total number of Cases was 2084 including 4808

4308 prisoners, being an increase on the half year under review of 415 Cases and 407 prisoners.

27 Of the Cases brought and depending before the Subordinate Courts 78 were Cases of Murder, 31 of Culpable Homicide, 13 of Robbery and Murder, 3 of Poisoning, 88 of maiming and wounding, 11 of Rape, 9 of procuring abortion, 119 of Gang Robbery attended with aggravating circumstances, 155 of Gang Robbery without aggravating circumstances, 18 of Robbery by a single individual, 31 of arson, 49 of House breaking by day, 328 of House breaking by night, 266 of theft, 95 of Receiving stolen goods, 19 of Forgery, 33 of Perjury, 14 of Subornation of Perjury or Forgery, 123 of Breaches of Revenue Laws &c &c.

28. Of the 4715 persons brought before the Subordinate Courts.

951 were released unconditionally.

against 13 of whom the charge was considered wilfully false and malicious.

57 were released on security.

67 were detained on a demand of security.

1292 were convicted and punished in Cases cognizable by the Subordinate Courts.

29. In Cases cognizable by the Session Courts.

864 Were released by the Subordinate Courts against none of whom the charge was considered wilfully false and malicious.

40 Were released on security.

49 Were detained on a demand of security.

1428 Were committed for trial.

143 Were under examination.

19 Were returned to the Magistrates.

4 Were concerned in other cases.

1 Died.

4715.

30. Of the 1292 persons who were convicted and punished by the Subordinate Courts.

810 were imprisoned

297 were fined

5 were flogged

64 were imprisoned and fined

116 were imprisoned and flogged

1292

31. The number of persons convicted and punished in the preceding half year was 1234, the number committed was 1364, and the number

number unconditionally released in cases either punishable by themselves or by the Courts of Sessions was 1344; in the half year under review this number as shown above, was 1615.

32. The reports required in para 4 of the Minutes of Consultation under date the 24th October 1839, No. 853, and submitted by the Sessions Judges regarding the manner in which the Sudder Ameens have exercised the Criminal Jurisdiction conferred upon them by Regulation III of 1833 shew that generally they have exercised their duties as Criminal Judges, satisfactorily.

Statements Nos. 7 and 8 Courts of Session.

33 The Statements Nos. 7 and 8 exhibit the operations of the Sessions Courts from the 1st of January to 30th June 1846.

34 The Cases of every description which came before those Courts during the six months under review, were 587 including 1728 persons; 348 persons more than were brought before the Sessions Courts during the 2d half of the year 1845.

Of

35

Of the 728 persons who were Committed for trial, 459 were released unconditionally, of whom 10 were considered to have been falsely and Maliciously accused, 135 were released on Security and 571 were convicted and punished.

36. Of these latter.

4 Were flogged and imprisoned for a term exceeding 7 years.

15 Do. Do. not exceeding 7 years

281. Were imprisoned for a term exceeding 7 years without flogging

270 Were imprisoned for 7 years and under without flogging

1. Was flogged and discharged.

571.

37 There were 98 Cases including 288 Prisoners referred to the Foujdaree Udalut, 82 Cases containing 285 Prisoners remained to be disposed of by the Sessions Courts at the close of the half Year, 1 Prisoner was sent back to the Subordinate Court to be disposed of by that Tribunal, 8 Prisoners were sent back to the Magistrate Courts for further investigation, 6 Prisoners were discharged from the bar and 15 Prisoners died.

38. The greatest number of cases

was

was brought before the Sessions Courts at

Tinnevelly 72 of which 14 Cases were referred to the Foujdaree Udalut

Cuddapah	53	9	Do.	Do.
Combaconum	48	6	Do.	Do.
Mangalore	46	4	Do.	Do.
Salem	46	7	Do.	Do.
Calicut	35	4	Do.	Do.
Chittoor	33	7	Do.	Do.
Cuddalore	29	6	Do.	Do.

Chingleput 28. of which none was referred

Madura	27	5	Do.	Do.
Coimbatore	24	8.	Do.	Do.
Bellary	21	3.	Do.	Do.

39. Of the 98 Trials referred to the Foujdaree Udalut by the Sessions Courts, the Futwahs delivered by their Law Officers were concurred in by the Sessions Judges in 44 Trials, but the nature of the Offences made the Trials referrible, and 49 Cases were referred because the Sessions Judges did not approve of the Futwahs of their Law Officers.

Statement No. 40 Foujdaree Udalut.

Statement No. 9 exhibits the operations of the Foujdaree Udalut during the 1st half of the year 1848.

It

41 It shews that at the date of the last report there were 3 Cases including 3 Prisoners which had not been disposed of and that there were received during the half year under observation 87 Trials including 257 Prisoners; making together 90 Trials and 254 Prisoners, whereof 82 were trials for Murder, 2 Cases of Culpable Homicide, 10 Cases of Murder and Robbery, 3 Cases of Maiming or wounding 2 Cases of Assault, 4 Cases of Gang Robbery and Rape, 1 Case of Procuring abortion, 18 Cases of Gang Robbery attended with aggravating circumstances, 4 Cases of Gang Robbery without aggravating circumstances, 1 Case of Robbery by a Single individual, 4 Cases of House breaking by night, 4 Cases of Perjury, 1 Case of Murder, Robbery and arson, 1 Case of Treason and Rebellion, 2 Cases of wounding with intent to kill, and 1 Case of attempting to commit Suicide.

42 Of the 90 Trials, 88 were disposed of within the half year under review, leaving 7 Cases undisposed of at the close of that Report.

43 Of the 83 Cases containing 208 prisoners in which the Court of Judicature

Adalut

Adalut proceeded to Judgment.

66 Prisoners were released unconditionally } Of whom 52 were considered
10 Were ordered to be released on security } convicted by the Sepoy Judges
119 were convicted and sentenced to punishment. Of whom 1 was considered not convicted by the Sepoy Judges.

1 Died
2 Insane
10 Were returned to the Sepoy Judges to be disposed of by them.
208.

44 Of the 119 Prisoners convicted.

22 Were sentenced to suffer death.
8. Flogged and Transported
81. Transported without flogging
1. Imprisoned for life without flogging
1. Flogged and imprisoned for more than 7 and not more than 14 years.
26 Imprisoned for more than 7 and not more than 14 years without flogging
2 Flogged and imprisoned for 7 years and under
28. Imprisoned for 7 years and under without flogging.
119

45. In conformity to the instructions contained in the 22d Para of the Extract from the Minutes of Consultation under date the 8th August 1834, the Judges beg leave to explain that out of the 44 Cases referred

to

to the Foujdaree Adalut because the presiding Judge disapproved of the Futwa of the Law Officer, or the finding of the assessors, the decision of the Sessions Judge was confirmed by the Foujdaree Adalut in 29 Cases.

46 The subjoined Statement exhibits the information required by the Honorable the Court of Directors in the 41st Para of their General letter under date the 20th March 1833. as to the "number of sentences passed by each "Judge of the Foujdaree Adalut whether sit- "ting singly or whether more than one judge "be present."

G. S. Waters Esqre 1st Judge	9 - 39	Singly Constantly	attached to the Court	
M. Lewin Esqre 2d Judge	6. 46	do	do	do
T. C. S. Boileau Esqre 3d Judge	8. 47.	do	do	do

47. A Statement is also transmitted shewing the number of trials disposed of by the Foujdaree Adalut within the period under review, and the average number of days delay in the disposal of those Trials, as required by the 33d para of the General Letter from the Honorable Court of Directors dated 20th March 1833.

48. With reference to the instructions contained in Para 8 of the General letter from the Honorable the Court of Directors dated 19th February 1840, the Judges beg to submit two Statements marked A and B shewing the Extent to which the Magistrates have themselves discharged their Police duties and how far it has been delegated by them to their Assistants, and in accordance with the Honorable Courts further instructions conveyed in Para 1 of their letter dated 30th December 1842, the Judges beg also to forward a Statement marked C shewing the extent and degree of supervision and control exercised by the Magistrates over the proceedings of their Assistants.

49 The Statement marked D shewing the number of Cases forwarded to the Criminal Courts by each Head of Police, and the manner in which they were disposed of, is also submitted, in obedience to the orders conveyed in para 20 of the extract from the Minutes of Consultation dated the 30th June 1845.

Accompanying

50

Accompanying the Statements submitted for the consideration of Government will be found Statements in abstract exhibiting the state of crime during the 1st half of 1848, in the Separate tracts of the Ganjam and Vizagapatam Districts, and in the District of Kurnool placed under the jurisdiction of the Government Agents.

51.

The Statement marked B prepared mutatis mutandis on the form followed by the Nizamut Adawlut exhibits in greater detail than any of the Returns furnished in the Madras Presidency prior to 1st half of 1845, the labor individually performed by the Judges of this Court during the period under review -

Ordered, that Extract from these proceedings, together with copies in triplicate of all Statements connected therewith, be forwarded to the Secretary to Government for the purpose of being laid before the Honorable the Governor in Council.

(Sent in No. 254) vs

24th February 1848.

Read Communications received from the several Judicial Officers transmitting the Criminal Reports for the 1st half 1848.

Ben Enter Nos 38. 2406. 2534. 2546 2799. 2831. 2846. 2961. 2948. 2955. 3012. 3037. 3019. 6069. 3078. 3169. 3184. 3206. 3208. 3236. 3267. 3291. 3342. 3364. 3396. 3704 of 1848) 5

F. 11.

Saturday
28th February 1848. At a Court of the Toujdaree Udalut.

Present

S/ R. C. L. Hooper Esqre 1st Puisne Judge
F. S. E. L. Thompson Esqre 2d Puisne Judge
W. W. A. Morehead Esqre 3d Puisne Judge.

Read Letter dated 8th January 1848 from the Sessions Judge of Salem submitting for the final Sentence of the Toujdaree Udalut the Proceedings in Case No. 118 of 1847.

/Here enter No. 462 of 1848/

The Court of Toujdaree Udalut E. L. Thompson Esqr. on a deliberate consideration of all the and W.A. Morehead Esqre circumstances of the Case in evidence before them, being of opinion that the proof against the prisoner,

"Cooppagoundan"

is sufficient to convict him of the crime of wilful murder, do convict him there of, (and) under the provisions of Section X Regulation VIII of 1802, Sentence him to

Suffer

suffer death by being hanged at the usual time and place of execution.

(Sent following Letter No. 259)

Read Letter dated 12th instant from the Acting Superior Judge of Calicut submitting for the final sentence of the Zillah Court the Proceedings in Case No. 1 of 1848.

(Here Enter Ft No. 426)

The Court of Zillah Adalut

E. P. Thompson Esqre. on a deliberate consideration of all the circumstances of the case as evidenced before them, being of opinion that the proof against the Prisoners,

1st Pandarattil Kondy Moon Ishee
Cornavelah of Calicut

2d Keelayil Ramootty Nair Attigary
of Valayanaad Tuneshom

3d Mangavil Coonjy Menon
Accountant of Dittos

4th Cramambalata Krishnan Nair
Kolkar of Calicut Taluk

5th Vellen Cauro Native Doctor

6th Chalapoonatha Rama Panikar

7th Parrakel Shangara Menon

8th Polatil Ittoony Rauva Menon
Karnaseten of Padunhar Kovilgom

9th Talakody Madalail Kadunga
Nedoongady

10th Mangot Manchan Grady

11th Mangot Shangaren

12th Choudenkat Keshavan

13th Arcemboora Ramootty

14th Panolly Tamaracandy Chekoony
Acting Kolkar of Valayanaad Tuneshom

15th Potocham wetil Koondos Nair

16th Lyooren Konikel Nandotty

17th do Panangot Ramen

18th Velarambata Chathoo

19th Velatadatha Dapoo (and

20th Modicherry Itteraricha Menon)

is sufficient to convict them of the crime charged, do convict them thereof, and under the provisions of Section XXXV Act VII of 1843 and Clause third Section VII Regulation XV of 1803 Sentence the

Prisoners

Prisoner,

1st Pandaratil Kondy Menon
Police Jemadar of Calicut

to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of [5] five years; the prisoners,

2nd Kootayil Ramotty Nair,
Adigary of Valaynaad Umshom
and
3rd Manjavil Oonny Menon
Accountant of Ditto

to be imprisoned, and kept to hard labor in irons on the public roads, or other public works for, and during the period of [2] Two years; the prisoner,

4th Eranambalala Krishnen Nair
Tolkar of Calicut Talook

to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of [1] one year, and the prisoners

6th Pellan Tamen Native Doctor
7th Chalapoorathe Rama Panicker Moopanar
8th Parakel Shangara Menon
9th Oolakil Illoony Raman Menon Karianthe of Randuthan Kovilagom
10th Talakoody madathil Kaimoy Kidomady of

12th Mangot Manachen Cady
13th Mangot Shangaren
14th Chondaikat Keshaven
15th Arcumboora Ramotty
16th Panolly Tamara Kandy
Chekkony Acting Tolkar
of Valaynaad Umshom
17th Kolochan veetil Koondoo Nair
19th Iyooven Konikel Kanakotty
20th do Panangat Ramen
21st Velarambata Chathoo
22nd Velatadatha Bapoo
and
23rd Moolishery Illeraricha Menon

to be imprisoned with labor but without irons for and during the period of [6] Six Months.

(Sent following letter No 260)

Read Memo dated 15th February 1848 from the Sessions Judge of Madura, transmitting copy of a Supplementary Letter and its enclosure in regard to the delay in Sessions Case No III of 1848.

Were entered D. M. No 428 of 1848.

The

The Court of Fouzdaree Adalut concurs with the Session Judge in deeming the reasons assigned by the Acting Head Assistant Magistrate for his delay in the disposal of the Case referred to, to be insufficient. The Court request the Session Judge will make communication of this nature by an Extract from his Proceedings and not by a Memorandum.

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Madura for his information and for communication to the Magistrate.

(Sent in No. 261)

Read the Calendar of Cases No. 11 of 1848 of the Sessions Court of Cuddalore.

(Here taken No. 450 of 1848.)

1. In this case, the 1st and 2d prisoners were charged with Highway Robbery and the 3d and 4th with knowingly receiving and concealing part of the plundered property.

2. It is stated that the 4th Prisoner, being mother of the 1st Prisoner, and therefore not being

being considered a free Agent, was not put upon her trial."

3. The Court of Fouzdaree Adalut observe that the 4th prisoner ought to have been put upon her trial, the Law not recognizing such relationship as an excuse for crime.

Ordered, that Extract from these Proceedings be sent to the Acting Sessions Judge of Cuddalore for his information and future guidance.

(Sent in No. 262)

Read Criminal Reports submitted by the Acting Sessions Judge of Cuddalore for January 1848.

(Here taken No. 422 of 1848)

Report A
Cases Nos. 206-207 208. 209-210-211-212 213 & 214.

1. The Court of Fouzdaree Adalut fully concur in the opinion of the late Sessions Judge, that the Prisoner Chinniah, who was convicted in each of these Cases of Cattle Stealing should have been committed for trial before the Sessions Court and they further consider the Sentence recorded against him

him by the Principal Sudder Ameen to be inadequate punishment for the several offences he committed.

Ordered, that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Cuddalore for his information and for communication to the Principal Sudder Ameen.

(Sent in No. 263)

Read Criminal Reports of the Sessions Court of Combaconum for January 1848.

/ Here enter F. H. No. 421 of 1848 /

Form A
Case No. 7 of 1848.

1. The Court of Fouzdaree Adalut are of opinion that the Sentence recorded against the Prisoner in this Case by the Sudder Ameen, may be, with propriety, mitigated, and under the provisions of Section XXXVII Act VII of 1843, the Court resolve to direct that the term of her imprisonment be reduced to one year.

2. The Sessions Judge will be pleased to instruct the Sudder Ameen to issue a fresh warrant in accordance with the

foregoing resolution.

Form B
Case No. 42 of 1848.

3. The Court of Fouzdaree Adalut observe that the mere offer of a Bribe forms no legal grounds for either fine or imprisonment. The Sessions Judge will accordingly be pleased to direct that the fine if paid, be immediately refunded to the party concerned in this Case.

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Combaconum by Precept returnable within V days from and after its receipt.

(Sent following Precept No. 264)

Read the Calendar of Case No. 42 of 1847 of the Sessions Court of Mangalore

/ Here enter F. H. No. 454 of 1848 /

1. In this Case, two Prisoners were charged with Culpable Homicide, and it is stated that the Case has been set down for reference to the Fouzdaree Adalut.

2. The Court of Fouzdaree Adalut direct that the Calendar be sent back

to

to the Sessions Judge, with instructions to enter in the appropriate Columns, the usual abstract of the Tuluvah and the pre-cise grounds of the Reference, as required by the Circular Order of the 14th October 1822.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Mangalore by Precept returnable within three days from and after its receipt.

(Sent following Precept No 265)

Read Calendars of Cases No 24 and 25 of 1847 of the Sessions Court of Chingleput

/ Here enter P.R. Nos 859 and 860 of 1848 /

Before passing any orders on these Calendars, the Court of Foujdaree Adawlut resolve to direct the Sessions Judge to submit for their consideration, with the least possible delay, an English Translation of so much of the record of Case No 24 as relates to the 9th 10th 11th 15th 17th and 18th Prisoners: and in the mean time to suspend the sentences recorded against those prisoners detaining them in confinement without Irons or Labor.

Ordered

Ordered that Extract from these Proceedings be sent to the Acting Sessions Judge of Chingleput by Precept Returnable within XX days from and after its receipt.

(Sent following Precept No 266).

End VII

ENB

Read Return dated 21st Instant from the Sessions Judge of Bellary to the Precept of the F.R. under date the 14th February 1848 calling for a further return to their Precept of the 28th August last requiring him to communicate any explanation the Magistrate might have offered with regard to the detention by the Police authorities of Annuntapoor of the Prisoners in Case No 62 on the Criminal File for 1847.

/ Here Enter P.R. No 488 of 1848 /

No.

Monday,
28th February 1848.

At a Court of the Fouzdaree Udalut.

Present,

G. S. Hooper, Esquire - 1st Puisne Judge,
E. P. Thompson, Esquire - 2d Puisne Judge,
W. A. Morehead, Esquire - 3d Puisne Judge,

Read Miscellaneous Petition presented on the 17th January 1848 by Veeraswamy Achary - Zillah Chingleput.

Here Enter M. P. No. 23 of 1848.

1. The object of this Petition is to induce the Court of Fouzdaree Udalut to cancel the sentence passed against Petitioner's son, one Appavoo by name, who was convicted of being an accessary in a Case of Murder.

2. Petitioner is informed that the individual on whose behalf he now appeals, was convicted along with others in the same Case, on a most careful consideration of the evidence adduced and that the guilt of the 2d Prisoner,

being

being fully established sentence of transportation for life, was recorded against them by the Court. Petition dismissed.

Ordered, that a Extract from these Proceedings be given to the Petitioner on his application.

Read Miscellaneous Petition presented on the 31st January 1848 by Mahomed Suleiman Zillah Chingleput.

(Here Enter M.P. No. 39 of 1848.)

1 Petitioner notwithstanding his complaint contained in his former Petition No. 14 of 1848 and hence certain charges of oppression and irregularity in his public capacity, against the Cutcherry Sheristadar Thomas Mant.

2 The Petitioner requested that the subject of his Petition might be proceeded on in the Court Proceedings under date 4th Instant & further order being called for, this Petition is dismissed.

Ordered, that a Extract from these Proceedings be furnished to the Petitioner on his application.

Read

Read Miscellaneous Petition from Mirza Imam Beg of Rajahmundry, forwarded by the Sessions Judge of that Zillah.

(Here Enter M.P. No. 45 of 1848.)

1 It appears that a dispute arose between the Zemindar of Peddapooram and the Petitioner touching the occupation of certain lands on which the latter had been accustomed to manufacture Saltpetre, and that the Zemindar's adherents attempted to take forcible possession of them, upon which, the Petitioner complained to the Magistrate who referred the investigation to the Heads of Police of Peddapooram and Cocanada. In the middle of the enquiry, the contending parties, however, entered into an amicable adjustment of their differences, and presented Razeenamahs which were filed and all further proceedings were stayed. Some time after, however, the Magistrate saw fit to annul these Razeenamahs, which would appear, in the first instance, to have been admitted without due caution;

and

and to refer the Petitioner to the Civil Court for redress. From this Order the Petitioner appeals to the Sessions Judge who refused to interfere.

2. The Petitioner prays that the Magistrate may be instructed to re-admit the Recognizances.—

3. The Court of Foujdaree Udalut are of opinion that the order of the Magistrate was correct, and of course that of the Sessions Judge, declining to disturb it.—

4. The Court however will observe that this Petition ought not to have been forwarded by the Sessions Judge. In the first place it obviously relates to a Civil Matter and should have been written on Stamp Paper. Moreover, it does not belong to that Class of Petitions which alone were contemplated by the Circular Order No 188 namely Petitions presented by parties considering themselves aggrieved by sentences or orders of the Sessions Judge in strictly Criminal Cases, as must be obvious from the marginal Quotations in para 2.

Ordered,

Ordered, that Extract from these proceedings be sent to the Sessions Judge of Rajahmundry for communication to the Petitioner and for his own information and future guidance.—

/Sent in No 269/—

Read Miscellaneous Petition presented on the 7th February 1848 by Palaney Ammy Zillah Salem.—

/Mem entd M.P. No 49 of 1848/

1. Petitioner reiterates the request contained in her former Petitions No 218 and 329 of 1846, that the Court of Foujdaree Udalut will be pleased to order the Liberation of her husband a Prisoner in Case No 62 of 1846 on the file of the Sessions Court of Salem.—

2. The Court direct that the Petitioner be informed that the subject of her Petition was disposed of in their Proceedings under date 2d November 1846 and that that order is final.—Petition rejected.—

Ordered, that Extract from

from these proceedings be furnished to the Petitioner on her application.—

Read Miscellaneous Petition presented on the 7th February 1848 by Ratnajatha of Chittoor Zillah.—

/Here Enter M.P. No. 52 of 1848./

1. The object of this Petition is to endeavour the Court to order the release of Petitioner's son Sheik Bandeen 2d Prisoner in Case No. 8 of 1845 of the Sessions Court of Chittoor.—

2. Petitioner is informed that the orders passed by the Court on the subject under date 11th October 1847 are final.—

Ordered therefore this Petition be dismissed and that Extract from these proceedings be furnished to the Petitioner on her application.—

Read Miscellaneous Petition presented on the 11th February 1848 by Lakka and 10 others Zillah Chingleput.—

/Here Enter M.P. No. 54 of 1848./

1. Petitioners state that they have lately

lately been released from confinement in irons by Capte. Wroster, and Quindy Jail by orders of Capte. Wroster, and pray that this Court will issue orders, for payment to be made them at the rate of Rupees 5 each, in accordance with the regulations that are in force in the Chingleput District, with regard to released convicts.—

2. The Petitioners are informed that the Court decline to interfere in the manner requested. Petition dismissed.—

Ordered, that Extract from these proceedings be furnished to the Petitioners on their application.—

Circular Order.

No. 190.

1. The attention of the Zillah Udalats has been attracted to the "Interpretation" of Section XIV Act VII of 1843, published by the late Judges in the Fort St. George Gazette of the 9th December 1845.—No. 629. (Page 1075.)

2. By that "Interpretation" it was declared that a Magistrate, under the

the additional powers vested in him by Section LIII Act VII of 1843, could not punish charges of "Cattle Stealing" to the extent laid down in Section VII Regulation X of 1816.—

3. From this view of the Law, the Court, as at present composed, see reason to dissent.—

4. Prior to the passing of Regulation VI of 1832, the Criminal Courts were empowered to, and constantly did, pass sentence under Section VII Regulation X of 1816, in cases of Cattle Stealing for which the penalties prescribed in Section XXXIII Regulation IX of 1816 were not deemed sufficient.

5. Clause first, Section LIII Act VII of 1843, enacts "that the Magistrates be authorized to exercise the powers vested in Criminal Judges by Section VII Regulation X of 1816, concurrently with the Subordinate Criminal Courts".

6. The terms of this Provision are unqualified; there is nothing whatever to warrant the supposition that the legislature intended to exclude cases of Cattle Stealing

Cattle Stealing from its operation; nor can any valid reason be assigned for such exclusion.

7. The Court resolve, therefore to cancel the Interpretation above-mentioned, and to declare by a Circular Order that, under Section LIII Act VII of 1843, Magistrates are empowered in cases of Cattle Stealing for which they may deem the penalties authorized by Section XXXIII Regulation IX of 1816, insufficient, to pass sentence to the extent authorized in other cases of Theft by Section VII Regulation X of 1816.—

Sent following Circular Order No. 270/—

Read Criminal Reports of the Sessions Court of Nellore for January 1848.—

Here Enter F.C.C. No. 425 of 1848/—

Report B Case No. 7.

1. The information supplied in the present Report being insufficient to enable the Court of Foujdaree Udalut to judge of the propriety of the sentences recorded against the Prisoners in this case; the Court resolve to call for Report A of the same, and to direct that it be submitted with

with the least practicable delay.—

2. The Sessions Judge will at the same time be pleased to explain the cause of one Peon having been employed on steps of the prescribed number in guarding the Prisoners during the month under review.—

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Tellore by Firm[?] returnable within III. days from and after its receipt.—

Sent following receipt No. 2711

Read the Calendars of Cases No. 2 and 3 of 1848, of the Sessions Court of Chicacole.—

Were Entered Kkk. Nos. 418 and 419 of 1848.

1. The same prisoner is convicted in both cases.—

2. In No. 2, he was charged with having stolen a box containing 270 Rupees and articles of the value of 111 Rupees from a tent belonging to the Provost Ensign R. Dove of the 26th Regiment Native Infantry.—

The

3. The Prisoner was convicted and sentenced to seven years' Imprisonment with hard labour in Irons and to receive one hundred and fifty lashes.—

The Mohummudan Law

4. Officer; in his first Futwa, objected to the evidence of the 1st. 2d. 3d. 8th. 9th. and 10th. witnesses on the ground that they were Police Peons and servants of the Prosecutor: and he would not admit his Declaration before the Sessions Court confirmatory of that given before the Police because the witnesses to it were not examined before the Sessions Court.—

5. The Sessions Judge properly put a second Question to remove the objections taken to the evidence of the witnesses but he improperly asked, in the same question, if the Prisoner would have been liable to Hud, if the witnesses who had attested his Declaration before the Criminal Court had been examined by the Sessions Court.—

6. This last was not a technical objection,

objection, nor one which could be set aside by a second Question.—

7. Still, the Mohummadan Law Officer declared the prisoner liable only to suspicion, observing that the Prisoner had neither confessed the crime, nor had the witnesses deposed either that they saw him commit it or heard him confess it.—

8. Upon which, the Sessions Judge put a third Question in the following terms: "If the prisoner had confessed the crime, or if the witnesses stated they saw the Prisoner commit the crime, to what punishment would the Prisoner be liable"?—

9. This last question was wholly illegal. The objection that the Prisoner had not been seen to commit or heard to confess the crime, cannot, obviously, be classed among the special exceptions or scrupulous distinctions referred to in the Clause fourth, Section II Regulation XV of 1803.

10. The Sessions Judge must have summoned and examined the witnesses to the prisoner's

prisoner's declaration before the Subordinate Courts and having done so, he must call upon the Mohummadan Law Officer to give a fresh Futwa. Should it then be necessary to put a second Question, the Sessions Judge will be pleased to take care that both as it regards the purport, and the terms in which it is couched, it be put in strict accordance with the Provisions of Clauses third or fourth, Section II, Regulation XV of 1803, which have not been attended to on this occasion.—

11. The same course must be pursued in regard to Case No. 3. The omission to put a second question in that case, was irregular.—

12. Upon the answer which may be given by the Mohummadan Law Officer to the Question or Questions now to be put to him, will depend the reference or not of the Trial for the Final Judgment of the Sunjdaree Adalut.—

13. The Sessions Judge will, in due course, submit Amended Calendars in

in both cases.

14. The wording of the Session Judge's remarks is not clear. The Court of Toujdaree Udalut will be glad to see some improvement in that particular.

Ordered, that Extract from these proceedings be sent to the Session Judge of Chinsurah by Precept, returnable within 7 days from and after its receipt.

(Sent following Precept No. 272.)

Read returns dated the 15th instant from the Acting Session Judge of Trichinopoly, to the Precept of the Court of Toujdaree Udalut, under date the 12th February 1848, conveying their observations and orders on review of the Calendar of Case No. 3 of 1848, of the Session Court of Trichinopoly.

(Vide Order No. 116, No. 127 of 1848.)

1. The Acting Session Judge states "that the Prisoner was discharged without a Futwa, after consulting with the then Mahomedan Law Officer, and with that Individual concurred

The

2. The Court of Toujdaree Udalut observe that the Acting Session Judge has confined himself to re-stating what he had already set forth in the Calendar, and what the Court had pointed out was inadmissible.

3. The Court will therefore repeat that the course adopted by the Acting Session Judge was contrary to Law: and that the Trial having been entered upon and concluded, a Futwa must be taken from the Mahommadan Law Officer.

4. The Acting Session Judge will be pleased to lose no time in conforming to this Court's instructions: and he will forward a Translation of the Futwa for their consideration.

Ordered, that Extract from these proceedings be sent to the Acting Session Judge of Trichinopoly by Precept returnable within three days from and after its receipt.

(Sent following Precept No. 273.)

Read

28th February, 1848.

Read Criminal Reports submitted by the Sessions judge of Salem for January 1848.—

/Here Enter F.M.C. No. 392 of 1848/

Statement No. VII.

The Court of Foujdaree Udalut require an explanation of the circumstances under which the Joint Magistrate of Salem deemed himself competent to take security from the Prisoner Koppela Coopen, who was "suspected of setting fire" - a crime, which, the Court of Foujdaree Udalut observe, is beyond the legal jurisdiction of that Officer.—

Ordered, that Extract from these Proceedings be forwarded to the Sessions judge of Salem by Precept returnable within x days from and after it's receipt.—

/Sent following precept No. 274/-

Read the Calendar of Cases No. 1 of 1848 of the Sessions Court of Calicut.—

/Here Enter F.M.C. No. 417 of 1848/

The

F.M.C.

28th February, 1848.

1. The Prisoners, in this case, were charged with being Accessaries after the fact, in Murder, and Gross abuse of Police Authority.—

2. It is stated that the "Case is set down for reference", but neither the Abstract of the Futwa nor the grounds of Reference are recorded in the Calendar, as required by the Circular Order of the Foujdaree Udalut of the 14th October 1822. Moreover it is not stated in the appropriate Column when the Trial commenced and when it closed.—

3. The Court of Foujdaree Udalut direct that the Calendar be sent back to the Sessions judge with instructions to supply the omissions above pointed out.—

Ordered, that Extract from these Proceedings be sent to the Sessions judge of Calicut by Precept returnable within three days from and after it's receipt.—

/Sent following precept No. 275/-

B.

4th February 1848.

B. Atchut Rowlatt
Deputy Javabnevis of Cuddapah, moves the Court to return the Enclosures in his Miscellaneous Petition No. 299 of 1847.—

Ordered accordingly.

End 1 H.

F. 116

Tuesday
29th February 1848. } At a Court of the Sessions Adalut.

Present

G. A. Cooper Esqre — 1st Puisne Judge.
E. D. Thompson Esqre — 2nd Puisne Judge.
W. A. Morehead Esqre — 3rd Puisne Judge.

Read again Calendar of Case No. 2 of 1848. of the Session Court of Trichinopoly.

(Here enter F. 86 No. 202 of 1848)

Read also Return dated the 10th Instant from the Acting Sessions Judge of Trichinopoly, to the Precept of the Court of Sessions Adalut under date the 5th February 1848, calling for an English Translation of the Complaint given by the Prosecutor on the 4th December, of the List of the Property found on the 1st and 2nd Prisoners, with a Statement of the values of each Article of the List of the stolen property as declared by the Prosecutor and of the 4th Witness's Deposition and of the warrant given to them.

(Here enter F. 116 No. 370 of 1848)

The

29th February 1848.

The Courts of Zemindaree Vizagapatam are of opinion that this is a case in which any mitigation of the full penalty prescribed by Law would be improper.

2. The case is a regular Dacoity-Highway Robbery, and marked by circumstances of much atrocity.

3. The Law must be allowed to take its course.

Ordered that Extracts from these Proceedings be sent to the Acting Assistant Judge of Vizagapatam for his information and guidance.

(Sentence at p. 276)

Read a Jail Letter dated the 22d Ultimo from the Magistrate of Rajahmundry, submitting, in accordance with the Provisions of Clause Fifth, Section XVIII, Regulation IX of 1816, a translation of the Record of a Case in which he has declared the lands of Row Venkatee Row of Cuppa to be forfeited to Government, in consequence of his having received a party of Peons whom the Magistrate had

29th February 1848

had sent with a warrant to apprehend him upon a certain charge, for which he has suffered the penalty of three months' Imprisonment, awarded by the Subordinate Courts under Regulation IX of 1832.

(Here enter F. C. at p. 40 of 1848)

Read also Return dated the 10th Instant from the Joint-Magistrate in charge of the District of Rajahmundry to the Precept of the Court of Zemindaree Vizagapatam under date the 21st January 1848, directing that the Koazor Dhalgee Mahomed Jeeroo in whose name the warrant for the apprehension of Row Venkatee Row was made out, be examined, touching the manner in which that Warrant was issued, that the Prisoner's witnesses be likewise examined; and that English Translations of those Depositions be submitted for the Court's consideration.

(Here enter F. C. at p. 447 of 1848)

1. In the Return now recorded, the Joint-Magistrate states that at the

29th February 1848.

the warrants for the apprehension of Row Venkata Row, although originally made out in the name of a Mahomedan Queen, was given to a Peon to execute, a Deposition has been taken from the latter Dhalayet, of which he submits a Translation.

2. The Joint Magistrate further states that of the Prisoner's witnesses, two are reported to be at Hyderabad, and two too sick to attend.

3. The Court of Foujdaree Udalut observe that from the Deposition now submitted, it appears that Row Venkata Row was not legally arrested: for the warrant for his apprehension was not served upon any person shown to him, and the person on whose name the warrants was issued, was not one of those who attempted to capture him.

4. The Court of Foujdaree Udalut cannot grant the application of the Magistrate in this case; and under the provisions of Section XX Regulation IX of 1816, they receive to order the

F. Vo.

29th February 1848 the attachment to of the Lands to be retained.

ff.

5. The Court deem it proper to point out to the Magistrate that it is necessary in cases of this nature, that the name of the Officer in whose charge the warrant is actually placed to be served, should be entered in the Warrants.

Ordered that Extracts from these Proceedings be sent to the Magistrate of Rajahmundry for his information and guidance.

(Sentence pc 277)

Read the Calendar of Case No 5 of 1848 of the Sessions Court of Nellore.

(Here enter F. Vo pc 472 of 1848)

1. In this case, three prisoners were charged with House breaking by night, and the Theft of property valued at Rupees 16-12- and the 4th Prisoner was charged with knowingly purchasing a part of the stolen property.

2. The 4th prisoner was required to

to find Guilty.

3. The 1st and 3rd Prisoners were sentenced to seven years' Imprisonment with hard labour in Irons, under Section XXI Regulation VII of 1802, and to corporal punishments.

4. On behalf of the 2d prisoner the Sessions Judge recommends that the prescribed penalty be reduced to two years as he is barely more than a Lad; he must be younger, at least, than the 1st and 3rd Prisoners who are brothers and he their sister's son, that he is highly probable he was led away by them.

5. The Court of Sudder

Dewanny Adawlut approve of the proposed mitigation, and under Section IV. Regulation I of 1825, authorize the Sessions Judge to issue his warrants accordingly.

Ordered that Extracts from these Proceedings be sent to the Sessions Judge of Tipperah for information.

(Sentence No 278)

Read

Read the following Letter dated the 16th Instant from the Acting Sessions Judge of Chittagong.

(Here enter F. Gr. No 409 of 1848)

1. The Acting Sessions Judge refers a question submitted to him by the Principal Sudder Ameen on the following points:- "whether a convict now in Jail, undergoing a sentence for a crime of which he was convicted is a competent witness to give evidence on the part of the prosecution against a prisoner now on Trial for the very charge, Gang Robbery, for which the said Convict is suffering; and whether this mode of obtaining evidence is sanctioned or contemplated by Act XIX of 1837, which declares that no person shall be competent to be a witness in any Criminal Case, by reason of any conviction for any offence whatever.

2. The Court of Sudder Dewanny Adawlut observe that under Act XIX of 1837, the enacting question is a competent

No. 21

2nd February 1848

competents witness. The degree of credibility attaching to his evidence is a question for the consideration of the Judge before whom he may be examined.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Chingleput for his information.

(Sent in No. 279)

Read Letter dated the 17th Instant from the (late) Acting Sessions Judge of Cuddapah, referring for the final Judgment of the Sudder Adawlut, the Records of Case No. 3 of the Calendar of the Sessions Court of

(Here enter F. Vol. No. 477 of 1848)

Mr. E. P. Thompson.

The Court of Sudder Adawlut, upon a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the prisoner Chatla Venkatasubbiah of Bayanapalle which is sufficient to convict him of the

F. Vol.
29th February 1848

offence of Wounding, for which according to the Mahommedan Law, as declared in the Futwas of their Law Officers, discretionary from Punishment is awardable, do convict him thereof; and under the provisions of Section XXXIV. Act. VII of 1843, and Clause third, Section VII Regulation XV of 1803, sentence him to be imprisoned and kept to hard labor in irons, on the public roads or other public works, for and during the period of (7) seven years.

Upon a consideration of all the circumstances of this case, the Court of Sudder Adawlut are of opinion that the sentence of seven years' Imprisonment which they have passed upon the prisoner, will be sufficient punishment.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Cuddapah for his information.

(Sent following letter No. 280)

Read Calendar of Case No. 65 of the Sessions Court of Bangalore of 1848.

(Here enter F. Vol. No. 465 of 1848)

The

29th February 1848.

1. The Prisoner in this case Gowdasamy, was charged with and convicted of the crime of "Perjury" and sentenced under Clause first Section III Regulation VI of 1811, but according to the fact "that he is a villager and has evidently "been instigated to act as he has done "by some other person," the Sessions Judge recommends that the prisoners sentence be reduced to one year's imprisonment with hard labor in irons.

2. The Court of Singalese Value but approves of the mitigation of punishment proposed in this case, and do they accordingly, with reference to whether V Regulation I of 1825, authorizes the Session Judge to issue his warrant for the imprisonment of the Prisoner for the period specified.

3. With reference to the abstract of examinations now submitted by the Subordinate Judge, the Court resolve to inform that Officer that in future he must be careful to record at length, the confessions made by Prisoners

29th February 1848.

Prisoners before himself.

Ordered that Extracts from these Proceedings be sent to the Sessions Judge of Hangalane for his information and guidance and for communication to the Subordinate Judge.

(Sentence No 281)

Read again Calendar of Case No 1 of 1848 of the Session Court of Cuddapah.

(Here enter No 283 of 1848.)

Read also Return made by the Acting Sessions Judge of Cuddapah under date 11th February, to the Precept of the Singalese Value dated 19th Idem, requiring information as to whether the 3rd Prisoner in Case No 1 of 1848 made his Statement in a separate and distinct deposition, or if he was merely required to depose to the truth or falsehood of his previous confessions before the Police Authorities.

(Here enter No 284 of 1848)

1. It appears by the above Return that the 3rd Prisoner in the foregoing

foregoing Case, was not required to make a fresh statement before the Subordinate Judge, but was merely called on to depose to the correctness of the Police Statements.

2 The Court of Sanjdarree Adaulut resolve to direct the Sessions Judge to inform the Subordinate Judge that for the future he will be incumbent on him in all occasions of Prisoners confessing before him, to annex their depositions to be recorded as nearly as possible in their own words &c.

Ordered that the Extract from these Proceedings be sent to the Acting Sessions Judge of Cuttack for communication to the Subordinate Judge for his future guidance.

(Sent in A.C. 282)

Read the Calendar of Case No 10 of 1848 of the Sessions Court of Chittagong.

(Here enter F.C. No 402 of 1848)

1 In this case four prisoners were charged with House breaking by night, and the Theft of Property valued at

ab Rupees 207-13-8.

2. The Mahommedan Law Officer convicted the Prisoners on strong Presumptive Proof, and awarded Retribution and the Acting Sessions Judge concurring in the finding, sentenced them to Imprisonment with hard labour in Irons for the 1st and 2nd for seven, and the 3rd and 4th for five years" under Section V and Clause seventh, Section II Regulation XV of 1803.

3. The Court of Sanjdarree Adaulut observe that the Provisions cited are inapplicable.

4 Under Clause third Section II Regulation XV of 1803, the Acting Sessions Judge should have required the Law Officer to declare, by a second Futwa, to what specific punishment the Prisoner would have been liable under the Mahommedan Law, if he had been convicted by full legal evidence

5. This must now be done, and Retribution being declared, the Acting Sessions Judge must pass a sentence

7

9th February 1848

of seven years Imprisonment upon the
1st and 2nd Prisoners, under Section XXI
Regulation VII of 1802 and must apply
to the Sanjdars. Dakaiti under Section
IV Regulation I of 1825, for such amplifi-
cation in behalf of the 3rd and 4th Prisoners
as he may deem fit.

6. The Sessions Judge must
amend his warrants accordingly.

Ordered that Customs
from these Proceedings be sent to
the Acting Sessions Judge of Chittagong
by Dawk Parcels immediately without stay
from and after its receipt.

(Sent following Dawk Parcels No 283)

24 Feb

CHB

F 76.

Friday
3rd March 1848

At a Court of the Foujdaree Udalut

Present.

G. S. Hooper Esqre 1st Puisne Judge
E. P. Thompson Esqre 2nd Puisne Judge
W. A. Morehead Esqre 3rd Puisne Judge

Read the following Letter dated the 21st ultimo from the Agent of the Governor in Kurnool, submitting (in conformity with Clause fifth of Rule I of the Agency Rules in the Department of Criminal Justice, a Report of Case No 10 of his Calendar of 1848.

(Here enter F 76 A 502 of 1848)

1. In this Case, the Prisoner,

Kāsiēgadoo

was charged with Highway Robbery.

2. The Agent convicts him and recommends that he be sentenced to fourteen (14) years Imprisonment with hard labor in Irons.

3 The Court of Foujdaree Uda

sanctio

3rd March 1848

sanction the proposed Sentence which will, accordingly, be carried into effect.

Ordered that Extract from these Proceedings be sent to the Agent to the Governor en Kurnool for his information.

(Sentence No 285)

Read Letter dated the 15th ultimo from the Agent of the Governor in Vizagapatam

(Here enter F/Co No 481 of 1848)

1. The Agent, in accordance with Clause fifth of the 1st of the Rules for the guidance of the Government Agents in the Department of Criminal Justice, submits a Report of the facts established on the Trial of two Prisoners, named "Boodagah Boodayah" and "Boodaty Venayatreedoo" charged with Robbery by open violence

2. The Agent considers the charge established, and recommends, that they be sentenced to Imprisonment with hard labour in Irons for three (3) years

3. The Court of Foujdaree Udalut,

under

3rd March 1848

under the Provisions of Clause third, Section VII, Regulation I of 1825, sanction the mitigated sentence recommended by the Agent, and authorize him to issue his warrant accordingly.

Ordered that Extract from these Proceedings be sent to the Agent for the Governor in Vizagapatam for his information.

(Sentence No 286)

Read Criminal Reports of the Sessions Court of Rajahmundry for January 1848

(Here enter F/Co No 441 of 1848)

It is observed that the Pri-

Report B

Case No 112 of 1847

1. soner in this case arrived before the Criminal Court on the 10th December 1847 - but was not committed for trial before the Session Court until the 24th January 1848 - the Court of Foujdaree Udalut require an explanation of this apparent delay.

The Session Judge will at

2. the same time be pleased to explain the cause of 1 Peon having been employed in excess of the prescribed number in guarding the Convicts worked outside the Jail during the period under

under review.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Rajahmundry by Precept returnable within III days from and after its receipt.

(Sent following Precept No. 287)

Read letter dated 7th Ultimo from the Acting Sessions Judge of Cuddapah, submitting for the final judgment of the Sovereign Adalut the Record of Case No. 61 of 1847 of the Calendar.

(Here enter No. 349 of 1848)

Mr. G. S. Cooper and Mr. W. A. Morehead.

The Court of Sovereign Adalut on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the Prisoner,

"Poola Sobbadoo"

is not convicted on presumptive proof or on the evidence of credible witnesses or on his own confession of the crime charged, do acquit him thereof, and direct that he be set at liberty.

The Court of Sovereign Adalut are of opinion that no reliance can be placed upon the evidence of the 1st and 2nd witnesses in this

this case. It is opposed to all reasonable probability - inasmuch as no satisfactory cause whatever can be assigned for the Prisoner employing the 1st and 2nd witnesses to bring to him deceased, in order that the Prisoner might rob and murder him. But in addition to this, the statements made by the 1st and 2nd witnesses seem to the Court also opposed to all probability - In their depositions, they make it appear that no precautions whatever were taken by the Prisoner to prevent them, from at any moment, coming upon him whilst he was committing the Murder:- in fact they state that they did go to where he was and that he merely desired them to go away.

2. The said depositions are also full of important discrepancies and contradictions - not one of which should have occurred, had their story been a true one

3. The reason given by them for not telling the Prosecutor the father of the deceased that his son had been with them the day before that on which Prosecutor was questioning them on the subject, seems to the Court

3rd March 1848.

Court deserving of no credit - By their own showing they were desired by Prisoner not to tell that he had struck deceased - Why they were so cautioned is unaccountable because the Prisoner they say also told them, that deceased had himself gone away, now if he had gone away he could and would, if he had any thing to complain of against Prisoner, have himself made the complaint - why then should they be desired by Prisoner not to repeat, what he had of his own accord told them. It was not what they had seen but what they had been told that they were to keep secret.

4. Deeming the evidence wholly insufficient for conviction, the Court have acquitted the Prisoner, and ordered his unconditional release

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Cuddapah for his information

(Sent following Letter No 288)

Read Criminal Reports

3rd March 1848.

of the Sessions Court of Trichinopoly for January 1848

(Vide enclosure No 640 of 1848)

The Court of Foujdaree

Report B Cases Nos 143, 144, 145 and 146.

1. Ordered that concur with the Acting Sessions Judge in deeming the sentence of one year's imprisonment recorded against the Prisoner, who was concerned in each of these cases, to be very inadequate punishment for the crime he committed.

Extract from this Proceedings dated 13th January 1848.

2. Adverting to the Orders of the Acting Sessions Judge that the Principal Sudr Ameen be directed to sentenced the Prisoner under Clause IV. Section IV. Regulation VI of 1822, the Court desire to be informed of the peculiar circumstances of the case which rendered the quotation of that enactment applicable to its punishment.

3. The Sessions Judge will at the same time be pleased to explain the cause of 11 Peons having been employed in excess of the prescribed number in guarding the convicts worked outside the Jail during the period under review.

Ordered

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Trichinopoly by Precept returnable within III days from and after its receipt.

(Sent following Precept No. 289)

Read Return dated the 4th November 1847 - and Supplemental Return dated the 22nd Ultimo, from the Acting Sessions Judge of Chingleput, to the Precept of the Court of Foujdaree Adalut under date the 29th October 1847 - calling for an english Translation of the Record of Case No. 11 of 1847 of the Calendar of the Sessions Court

(Herewith F. C. No. 2884 of 1847 and 168 of 1848)

1. The Court of Foujdaree Adalut cannot dispose of this case, without having before them a Statement showing the Description and value of each article of property found in each prisoner.

2. In this case the numbers of the Articles mentioned in the Futwa and

and Finding of the Sessions Court do not correspond with those prefixed to the Articles in the List of Property stolen from the Prosecutor and annexed to the Police and Criminal Courts Proceedings.

3. The Acting Sessions Judge will be pleased to prepare and send up the required Statement, with the least possible delay.

Ordered that Extract from these Proceedings be sent to the Acting Sessions Judge of Chingleput by Precept returnable within four days from and after its receipt.

(Sent following Precept No. 290).

Read again Criminal Reports submitted by the Sessions Judge of Combaconum for November 1847

(Herewith F. C. No. 3206 of 1847).

Read also Return made under date 17th February 1848 by the Sessions Judge of Combaconum to the Precept of the Foujdaree Adalut of the 12th Ulmo, calling for explanation of the Sentences recorded against the

3rd March 1848.

the Prisoner in Cases Nos 278 and 279 of 1847-
and requiring information as to whether he is
under Sentence for 6 or 12 months.

(Here enter F. Co. No 438 of 1848)

1. It appears by the foregoing
Return that the Prisoner in those Cases lies
now under Sentence of 12 months imprisonment.

2. The Court resolve, with reference
to Circular Order of the 28th October 1823, to
order the reduction of the Sentence to six months
imprisonment with hard labor in irons, and
direct the issue of a fresh warrant accordingly;
by the Subordinate Judge.

Ordered that Extract from
these Proceedings be sent to the Sessions Judge
of Combaconum for his information and
guidance, and communication to the Subor-
dinate Judge by Precept returnable within
III days from and after its receipt.

(Sent following Precept No 291 dy

End 7/48

F. U.

Monday,
5th March, 1849.

At a Court of the Foujdaree Udalut.

Present,

G. S. Hooper Esqre 1st Puisne Judge,
E. D. Thompson Esqre 2d Puisne Judge,
W. H. Morehead Esqre 3d Puisne Judge,

Read again Miscellaneous Petition presented on the 10th January 1849 by M. Narrayana Chetty Zellah Cuddalore.

(See Order in F. U. No. 12 of 1849)

Read also Return made under date 22d February by the Sessions Judge of Cuddalore to Precept of this Court of 8th Instant requiring the acting Sessions Judge to explain whether he refused to receive an appeal presented to him by the Petitioner foregoing &c against the order of the acting Head Assistant Magistrate of South Arcot.

(See Order F. U. No. 69 of 1848)

Read

Read also Miscellaneous

Petition presented by the same party on the 21st February to the same effect.

/Here Enter Fee. P. № 62 of 1848/

It appears by the above Return that on an application being made to the Sessions Court by an ordinance on the part of Sooba Shetty then in Jail, he was ordered to present the same on stamp paper but that subsequently he did not appear and no application was made regarding the property of the Deceased in question.-

2 The Court of Sungadarree Adalut considers that the merits rejected by the Sessions Court are in every respect correct, and under the explanation now given on the point regarding which the information was called for, they decline to interfere in the manner prayed for

for by the Petitioner who however is at liberty to file a summary appeal under act XIX of 1841 as recommended by the acting Head Assistant Magistrate.

Petition dismissed.

Ordered that Extract from these Proceedings be given to Petitioner on his application.

Read Miscellaneous Petition presented on the 24th January 1848 by the Vakeel Sattiah on behalf of Paramgaut Ouseph and 4 others Zillah Calicut

/Here Enter Fee. P. № 27 of 1848/

Read also Miscellaneous Petition presented on the same date by the same Vakeel in behalf of Hakil Storry Pamen and 7 others of Zillah Calicut.-

/Here Enter Fee P. № 28 of 1848/

Read also Miscellaneous petition presented on the same day

day by R Sreenivasa Vakeel on be-
half of C Ramoney and another of
Zillah Calicut.

(Here Cates Fls No 30 of 1848)

Read also Miscellaneous
Petition presented on the same
day by the same Vakeel on behalf of
P Vootzil Ramooty Nair and another
same Zillah.

(Here Cates Fls No 31 of 1848)

Read also Miscellaneous Petition
presented on the same day by the same
Vakeel on behalf of D Kamoo menon same
Zillah.

Here Cates Fls P No 32 of 1848.

The four such Petitions
above recorded are addressed to this
Court by parties who are prisoners in Cates
No of 1848 of the Sessions Court of Calicut
and the last Petition No 32 is that of the
Elder Brother of the Calicut Petitioner
Komaskal implicated in the case-

2 The object of these Petitions

is to pray that the Court of Sudder Adalut
to interfere in the foregoing cases, and
after perusing the records of the trial
proceed to pass sentence themselves
in lieu of permitting the acting
Sessions Judge to do so, as the latter
officer from motives of personal
enmity is anxious to effect the
ruin and disgrace of the Rajah
of Malabar, and to their adherents
Petitioners in conclusion assert
their innocence of the crime
laid to their charge, and com-
plain of the treatment during
the investigation that has already
taken place.

3 The Petitioners are
informed that the Records
of this case has received the
careful consideration of this
Court and the Prisoners have
been convicted of the crimes laid
to their charge. There is nothing

to

2 Petitioner is referred to the Court's order of the 31st January 1848, which he is informed is final.-

3 Petition dismissed

Ordered that Extract from these Proceedings be given to Petitioner on his application.-

-Read Miscellaneous Petition presented on the 14th February 1848 by C. Coopanbah Zillah Nellore.

/Rent Order 4th P. No 58/1848/

1 Petitioner reiterates his request, contained in his former Petition No 296 of 1847 that the Court will be pleased to order the release of his Brother Rozario Prisoner in Case No 20 of 1847 of the Sessions Court of Nellore.

2 Petitioner is informed that the orders of this Court on the subject of his Petition, contained in Proceedings of 13th December last are

in the Petitions now presented which would induce the Court to doubt the correctness of the sentence already passed, and they resolve therefore to dismiss these applications.

Ordered that Extract from these Proceedings be given to Petitioners' Vakeels on their application.-

Read Miscellaneous Petition presented on the 14th February 1848 by Messrs. Pillay Zillah Contractors.

/Rent Order 4th P. No 55/1848/

1 Petitioners reiterate the prayer of his former petition No 254 of 1847, and request the Court will be pleased to set his brother in law Casparus Pillay at liberty as he was unjustly convicted and punished in Case No 58 of 1847 of the Sessions Court of Cuddapah

Petitioner

in the Petition now under remark which would induce the Court to doubt the correctness of the sentence already passed, and they resolve therefore to dismiss these applications.

Ordered that Extract from these Proceedings be given to Petitioners' Vakeels on their application.

Read Miscellaneous Petition presented on the 11th February 1848 by Messrs. Riley Gillah Contractors.

/Rec'd Entered 14th P. No. 55/1848/

Petitioners reiterates the prayer of his former petition No. 254 of 1847; and respectfully the Court will be pleased to set his brother in law Casparus Riley at liberty as he was unjustly convicted and punished in Case No. 53 of 1847 of the Supreme Court of Cochin

Petitioner

2 Petitioner is referred to the Court's order of the 31st January 1848, which he is informed is final.

3 Petition dismissed

Ordered that Extract from these Proceedings be given to Petitioner on his application.

Read Miscellaneous Petition presented on the 11th February 1848 by Cochin Jewish Gillah Natives.

/Rec'd Entered 14th P. No. 56/1848/

1 Petitioner reiterates his request contained in his former Petition No. 296 of 1847 that the Court will be pleased to order the release of his Brother Rozario Prisoner in Case No. 20 of 1847 of the Supreme Court of Cochin.

2 Petitioner is informed that the orders of this Court on the subject of his Petition, contained in Proceedings of 13th December last

are

are final, and they refuse accordingly to disturb them.

3. Petition dismissed.

Ordered that Extract from these Proceedings be given to Petitioner on his application.

Read Miscellaneous Petition presented on the 21st February 1868, by Seshamah and another Zillah Caddalore.

(Here Enter No P. No. 64 / 1868)

Petitioners pray in the prayer contained in Petition No. 256 of 1867 and pray the Court will pass orders directing their property to be restored, subsequently to a thorough investigation into the charges preferred by them against the defendants.

2 Petitioners are informed that the orders of the Court on this subject contained in the Proceedings of the 23rd November are

are final.

3. Petition dismissed.

Ordered that Extract from these Proceedings be given to Petitioners on their application.

Read Criminal Reports of the Sessions Court of Madura for January 1868.

(Here Enter No. No. 439 / 1868)

The Court of Sessions Adalut desire the Sessions Judge will explain the cause of one Peon having been employed in excess of the prescribed number in guarding convicts worked outside the Jail during the period under review.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Madura by Precept returnable within Three days from and after its receipt.

(Sent following precept No. 294)

Read

8th March 1848.

Read Statement of contingent charges incurred during Feby 1848 in the District of Kurnool

/Rec'd Entd Fin No. 1242/1847/

Under Head No 6, it is observed that the sum of Rupees 37-10-6 has been disbursed on account of "Handkerchiefs" for the use of the convicts.

2. This charge being unusual the Court of Foujdaree Adalut require an explanation of the circumstances under which it was incurred, and request that the same may be submitted without delay, the preparation of annual Statement for submission to Government being necessarily retarded pending its receipt

Ordered that Extract from these Proceedings be forwarded to the Agent at Kurnool for his information and guidance

/Sent in No 295/

Fdc.

8th March 1848.

Read Miscellaneous Petition of Sylamma forwarded by the Sessions Judge of Trichinopoly

/Rec'd Entd Fin. D. No 318/1847/

Petitioner complains against the sentence passed by the acting Sessions Judge of Trichinopoly in case No 27 of 1847 in which her husband the 1st Prisoner was convicted of the crimes of Highway Robbery, and ordered to be imprisoned for 14 years with hard labor in irons. Petitioner contends that this sentence is unjust and that the evidence on which he was convicted was false, no property belonging to the Prosecutor having ever been discovered in the prisoners house, as stated by the Witnesses for the Prosecution.

2 The Court resolve with reference to the foregoing statements, to forward the translation of this Petition to the Sessions Judge requiring

regarding him to examine and examine the Village Moorsey and the Pakkai-dear Moottoorama formerly mentioned by the Petitioner, with reference to her assertion that the Ls Prisoner's house was searched but no property was discovered.

3 The Sessions Judge will also be pleased to ascertain why the Ls Prisoner whom the Prosecutor says he saw at the time of Robbery, was not apprehended till the 10th September more than a fortnight subsequently to the capture of the 1st and 3d Prisoners. The Village Moorsey of Kistnapooram should be called on to state whether or not it was reported to him the morning after the Robbery was committed that the Ls Prisoner (who is the Village watcher) was a party implicated in the perpetration of the crime.

4 Should the witness not be called

called for appear to exonerate the Ls Prisoner in the opinion of the acting Sessions Judge, that officer will be pleased to transmit with his Report, a translation of the entire record of the case, for the consideration of the Court.

Ordered that Extract from these Proceedings be forwarded to the acting Sessions Judge of Trichinopoly by Precept returnable within Twelve days from and after its receipt.

(Sent following precept No 296)

Read letter dated 28th ultimo from the Sessions Judge of Salem submitting for the final judgment of the Pongaree Adalut the Records of case No 117 of 1847 of the Calendar of the Sessions Court.

(Rec'd Letter No 531 of 1848)

Mr. C. P. Thompson
Mr. W. Morehead

The Court of Pongaree Adalut a deliberate consideration of all the circumstances

of the case in evidence before them, being of opinion that the proof against the prisoner

"Odda Korroo"

is sufficient to convict him of the crime of Murder, do convict him thereof; and under the provisions of Section X Regulation VIII of 1802 sentence him to suffer death by being hanged at the usual time and place of execution.

Read following Letter No: 2971.

Read letter dated the 25th Ultimo from the Sessions Judge of Madura, submitting for the final judgment of the Foujdaree Adawlut the Records of Case Nos 4 of 1865 of the Calendar of the Sessions Court

(Real Index No: 520 of 1865)

Mr. E. S. Roope
Mr. E. P. Thompson.

The Court of Foujdaree Adawlut on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion

that the proof against the Prisoner

"Kovvoogy Mootoo Karoopa"

is sufficient to convict him of the crime of Wilful Murder, do convict him thereof; and under the provisions of Section X Regulation VIII of 1802, sentence him to suffer death, by being hanged at the usual time and place of execution.

The Court of Foujdaree Adawlut perusal that the statements recorded under the head of "Cross Examination", were answers to questions put to the Witnesses by the Sessions Judge: but if so, those questions should have been committed to writing and entered in the Examination of the Records in their Regular order, and the answers to each, in the same way. The plan now for the first time adopted by the Sessions Judge of Madura

6th March 1848.

of the Records of cases Nos XXXIII and XXXIV of 1847 of the Calendar of the Sessions Court.-

(Here enter the No 290/1848.)

The Court of Foujdaree Adawlut have carefully perused the records of the trials, now submitted, and do not see reason to disturb the sentences recorded against the Prisoners, the evidence against them being in the opinion of the Court, unexceptionable in both cases.-

Petition dismissed.

2

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Madura for his information.-

(Sent in No 299.)

Ordered also that Extract from these Proceedings be given to Petitioner on his application.-

Read Miscellaneous Petition presented on the 18th August 1847 by Dasa Narayanadawn

6th March 1848.

of Madura, of omitting all the Questions, and of making the different answers to appear as one connected statement is objectionable as well as irregular, and the Court desire that the usual course in that respect may be in future observed.-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Madura for his information and future guidance.

(Sent in No 298.)

Read again the Miscellaneous Petition presented on the 5th January 1848 by Ramatha Pillay Zillah Shirista.

(Here enter the Petition No 1/1848.)

Read also Petition of Foujdaree Adawlut dated 31st January 1848 calling for translation

12

Narrayanaswamy Setty Lillak Chinglepute

(Here Enter File P. No 208/1847)

Read also Counter Petitions presented on the 8th and 16th September 1847, by Sabapathy Chetty, and others Pillak Chinglepute.

(Here Enter File P No 227-236/1847)

The Appeal of Petitioner No 208 is to induce the Court of Foujdaree Adawlut to cancel the Injunction order of the Court Judge of Chinglepute dated 17th May and 9th June 1847 in which that Officer on direct of Procession to the Idol of the late Centre Provincial Court declares that one only of the four public streets of Tirumalai, is called the Rajahveethee, and that therefore that alone is to be considered as the one thro which, in time of the Pagoda before mentioned the left hand caste people are prohibited from passing during the progress of their ceremonies. Petitioner maintains that the whole of the 4 streets are prohibited

prohibited by the Decree and prays the Court will be pleased on a perusal of the Documentary evidence he submits, to pass orders confirming the bonâ fide intention of the Centre Provincial Court, in their decision thus reversing the interpretation of it given by the Court Judge.

The Petitioners in No 227 and 236 on the other hand maintain that their right to pass down the 4 streets during the performance of these ceremonies has been duly recognized not only by the Court Judge but previously by Mr J. Bird the Head Assistant Collector, in 1833, who on the occurrence of a disturbance took cognizance from certain persons of the right hand Caste, and referred them (Petitioners) to the Civil Courts redress and the establishment of their right to the freedom of the streets in dispute

6th March 1848

dispute.—

3 The Court of Tonjadaree Adalut previously to passing final orders on these Petitions resolve to call upon the acting Sessions Judge of Chingleput to forward for their information with the least practicable delay a copy of the original plaint and answer filed in Suit No 3 of 1847 of the Contra Provincial Court, together with a copy of the decree passed thereon.—

Ordered that extract from these Proceedings be forwarded to the acting Sessions Judge of Chingleput by precept returnable within 15 days from and after its receipt.

Sent following precept No 300/

Ordered also that extract from these Proceedings be given to the Petitioners respectively on their application.—

J. Appiah Vakeel on behalf of Ramakistnachetty of Pichumpoly moved the Court to return the Cowlenamas in Miscellaneous Petition No 18 of 1847.—

Ordered accordingly.—

537/48

60

F. 46.

Tuesday 7th March 1848.

At a Court of the Tonjadaree Adalut

Present.

G. S. Cooper Esqr — 1st Puisne Judge
C. P. Thompson Esqr — 3d Puisne Judge
W. A. Morehead Esqr 2d Puisne Judge

Read Letter dated 23d February 1848 from the Agent to the Governor in Vizagapatam referring for the final judgment of the Tonjadaree Adalut the Records of Case No 2 of 1846 on the Calendar of the Agent's Court.

Here enter Pro. No 537/1848.

Mr. G. S. Cooper
Mr. C. P. Thompson
and
Mr. W. A. Morehead.

The Court of Tonjadaree Adalut on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the Prisoner

"Bonkoola Bantaroo"

is sufficient to convict him of the crime

6th March 1848.

dispute.-

3 The Court of Tonjdaree Adalut previously to passing final orders on these Petitions resolve to call upon the acting Superintendent of Chingleput to forward for their inspection

The Court of Tonjdaree Adalut direct that their sentence in Trial No 3 from the Agent to the Governor of Fort Saint George of Vizagapatam, together with the whole of the Proceedings held in the case, be transmitted to the Secretary to Government in the Judicial Department, for the purpose of being laid before the Honorable the Governor in Council, to the intent that the Contempt in question may be punished in conformity with the provisions of Section 2 Regulation XII of 1802, Regulation 2 of 1828 and Section 2 Act V of 1841 passed

The

F. No.

Tuesday 7th March 1848.

At a Court of the Tonjdaree Adalut

Present.

G. L. Stoppes Esqre

dated the

from the Agent of the Governor in Vizagapatam

(Here Enter No 552 of 1848)

1 The Agent, in accordance with Clause fifth of the first of the rules for the guidance of the Government Agents in the Department of Criminal Justice, submits a report of the facts established on the trial of the Prisoner Tokah Ven Reah, charged with "assault and wounding".

2 The Agent considers the charge established, but in consideration of the general good conduct of the prisoner recommends a sentence of fifteen (15) months' imprisonment, with hard labor.

The

crimes of Treason and Rebellion,
do convict him thereof and do in
the provisions of Section III Regulation
I of 1836 sentence him to be imprison-
-ed and kept to hard labor in
irons, on the public roads or other
public works, for and during the
period of (5) five years

The Court of Judicature
Adawlut direct that these sentence
on Serial No 3 from the Agent
to the Governor of Fort Saint George
of Vizagapatam together with the
whole of the Proceedings held
in the case, be transmitted to
the Secretary to Government in
the Judicial Department, for the
purposes of being laid before
the Honorable the Governor in Council
the intent that the Court may be enforced with
the provisions of Section 2 Regulation XI
of 1802, Regulation 2 of 1835 and
Section 2 Act V of 1841 made

orders of Government before they direct
their sentence to be carried into
execution.-

(Sent in No 103)

Reads letter dated the
26th ultimo from the Agent of the Gover-
-nor in Vizagapatam
(Here Letter No 352 of 1848)

1 The Agent, in accordance
with Clause fifth of the first of
the rules for the guidance of the
Government Agents in the depart-
-ment of Criminal Justice, submits
a report of the facts established
on the trial of the Prisoner
Sokah Venkiah, charged with
"assault and wounding".

2 The Agent considers the
charge established, but in consider-
-ation of the general good conduct
of the prisoner recommends a
sentence of fifteen (15) months' imprison-
-ment, with hard labor.

The

7th March 1848.

3. The Court of Tanjore Adalut under the Provisions of Clause Third Section VII Regulation XI of 1803 and Section XXXV. act VI of 1843, sanction the sentence recommended by the agent, and authorize him to issue his warrant accordingly.—

Ordered that Extract from these Proceedings be sent to the agent to the Governor in Vizagapatam for his information.—

(Sent in 1st 1804/-

Read Letter dated the 15th Ultimo from the Sessions Judge of Mangalore, submitting for the final judgment of the Tanjore Adalut, the Records of case No 1 of the Calendar of the Sessions Court of 1848

(Vide Letter Nos 1803 of 1847)

Mr. G. S. Cooper
Mr. E. P. Thompson
and
Mr. W. A. Morehead

The Court of Tanjore Adalut on a deliberate consideration of all the circumstances of the case

to

740

7th March 1848

in evidence before them leaving of opinion that the proof against the prisoner

Jooran Appaya

is sufficient to convict him of the crime of possessing stolen property knowing it to have been stolen, do convict him thereof, and under the provisions of Clause Fourth Section IV Regulation XI of 1822 and Section XXIV Act XVI of 1843 sentence him to be imprisoned and kept to hard labor in irons on the public roads or other public works, for and during the period of Six (6) months.

The Subordinate Judge committed this case because the value of the property stolen exceeded one hundred Rupees. The Sessions Judge observes that similar cases have been tried by the Sessions Court and on the conviction

7th March 1848.

3. The Court of Tanjore Adalut under the Provisions of Clause Third Section VII Regulation XI of 1803 and Section XXXV. act VII of 1843, sanction the sentence recommended by the agent, and authorize him to issue his warrant accordingly.-

Ordered that Extract from these Proceedings be sent to the agent to the Governor in Vizagapatam for his information.-

(Sent. per Ship Sarah)

Read Letter dated the 13th Ultimo from the Sessions Judge of Mangalore, submitting for the final judgment of the Tanjore Adalut, the Records of case No 1 of the Calendar of the Sessions Court of 1848

(Vide Letter Register of 1848)

Mr. G. S. Cooper
Mr. E. P. Thompson and
Mr. W. A. Morehead

The Court of Tanjore Adalut on a deliberate consideration of all the circumstances of the case

to

7th March 1848

in evidence before them being of opinion that the proof against the prisoner

Jooda Appaya

is sufficient to convict him of the crime of possessing stolen property knowing it to have been stolen, do convict him thereof, and under the provisions of Clause Fourth Section IV Regulation XI of 1822 and Section XXXV Act VII of 1843 sentence him to be imprisoned and kept to hard labor in irons on the public roads or other public works, for and during the period of Six (6) months.

The Subordinate Judge committed this case because the value of the property stolen exceeded one hundred Rupees. The Sessions Judge observes that similar cases have been tried by the Sessions Court and on the conviction

conviction of the Prisoners by the Law officer = and the Sessions finding sentences have been passed on them by the latter under the provisions of Clause Second Section IX Regulation XI of 1822.

2 But a reconsideration of the matter has induced a doubt in the minds of the Sessions Judge as to whether the Prisoner can be punished under that provision: and he refers the point for the decision of the Sudder Court. He remarks, if the offence of merely "detaining" stolen property, knowing it to be stolen, cannot be punished under that Clause, it might, if the prisoner was convicted by the Futwah of the Law officer and declared liable to discretionary punishment, be punished under Clause seventh Section X Regulation XI of 1803. But

7th March 1828.

in the present case in which the Law officer has acquitted the Prisoner, I do not know that it can be punished under any other provision of the Regulations."

3. The Court of Sudder Adalut observe that cases of this nature ought not to be committed for trial before the Sessions Court, but disposed of by the Subordinate Court itself, under the Provisions of Clause fourth, Section IX. Regulation XI of 1822. The prisoner's offence is "keeping in his possession property obtained by Robbery, and Knowing, at a period of time subsequently to its first coming into his possession that such property had been so obtained" & the value of the property stolen has nothing to do with the question.

4 The Sessions Judge is

conviction of the Prisoners by the Law officer and the Sepoy sentences have been passed on them by the latter under the provisions of Clause Second Section II Regulation XI of 1822.

2 But a reconsideration of the matter has induced a doubt in the minds of the Sepoy Judge as to whether the Prisoner can be punished under that provision: and he refers for the decision of the Pergunnah Adalut. He remarks, if the offence of merely retaining stolen property, knowing it to be stolen, cannot be punished under that Clause, it might, if the prisoner was convicted by the Futwah of the Law officer and declared liable to discretionary punishment, be punished under Clause Seventh Section II Regulation XI of 1803. But

in the present case in which the Law officer has acquitted the Prisoner, I do not know that it can be punished under any other provision of the Regulations."

3 The Court of Pergunnah Adalut observe that cases of this nature ought not to be committed for trial before the Sepoy Court, but disposed of by the Subordinate Court itself, under the Provisions of Clause fourth, Section II. Regulation VI. of 1822. The prisoner's offence is keeping in his possession property obtained by Robbery, and Rioting, at a period of time subsequently to its first coming into his possession that such property had been so obtained &c. and the value of the property stolen has nothing to do with the question.

4 The Sepoy Judge is in error

7th March 1848

error in supposing that the offence could, under any circumstances, be punished under Clause Seventh, Section II of Regulation XI of 1818, because it is especially provided for by the Regulations, namely by Clause Fourth, Section II Regulation VII of 1822, as above shewn.

Ordered that Extract from these Proceedings be forwarded to the Judge of Chittagong for his information and for the information and future guidance of the Subordinate Criminal Judges.

(Sent following Letter No 1051)

Read Letter dated the 25th Feb. from the Superintendent of Police, submitting for the final judgment of the Sessions Court the Record of Case No 20 of the Calendar of the Superior Court of 1847

(Sent Extract No 535 of 1848)

P. Thompson and a Moorhead

The Court of Foujdaree a

F60

7th March 1848

on a deliberate consideration of all the circumstances of the case in evidence before them being of opinion that the proof against the prisoner

Ramnarayan Narain

is sufficient to convict him of Culpable Homicide for which the penalty of Death is awardable under the Mahomedan Law as declared in Futwas of their Law officers the provisions of Clause Second Section XI Regulation VII of 1802 sentence him to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of (2) two years.

The Court of Foujdaree

Sudder are of opinion that the offence proved against the Prisoner is Culpable Homicide, and not wilful murder

error in supposing that the
offence could, under any circum-
stances, be punished under
Clause Seventh, Section II Regu-
lation XI of 1818, because it
is especially provided for by the
Regulations, namely by Clause
Fourth, Section II Regulation VII
of 1822 as above shewn.

Ordered that Certified
Copies of the Proceedings be forwarded to
the Superior Court for the information and
guidance of the Subordinate
Criminal Courts.

Sent following Letter No 1054

Read Letter dated the 25th Feb.
from the Superior Court of Circuit submitting for
the final judgment of the Governor in Council
the Record of Case No 20 of the Calendar
of the Superior Court of 1847
(Thos Cabe Thompson No 535 of 1847)

The Court of Sessions decided
on

7th March 1848

on a deliberate consideration of all
the circumstances of the case in
evidence before them being of opinion
that the proof against the
prisoner,

1st Comma wabayana Naraida

is sufficient to convict him of Culp-
-able Homicide for which the penalty
of death is awardable under the
Mahommedan Law as declared
in Futwas of their Law officers
to convict him thereof, and under
the provisions of Clause Second
Section XI Regulation VII of 1802
sentence him to be imprisoned and
kept to hard labor in irons on the
public roads or other public works
for and during the period of (2) two
years.

The Court of Sessions
therefore are of opinion that the
offence proved against the Prisoner
is Culpable Homicide, and not wilful
murder

murder: and with reference to the
nature of the instrument used,
the parts of the body on which
the blows were struck, and the
absence of malice, and all the cir-
cumstances of the case, they have
considered that the ends of justice
will be attained by a sentence of
imprisonment for two years

Ordered that extract
from these Proceedings be forwarded
to the Sessions Judge of Chittoor for his
information.

(Sent by following letter No 1061

Read statement of batta
paid to Prosecutors and Witnesses for
the 2d half of 1867 submitted by the
Sessions Judge of Chittoor under date the
1st January 1868.

(Here enter Rec No 106 of 1868)

Read Calendar of cases
No III of 1868 submitted by the Sessions Judge of
Madras under date the 15th February 1868

(Here enter Rec No 457 of 1868)

Read

Read Calendar of cases
Nos 6 and 7 of 1868 submitted by the
Sessions Judge of Coimbatore under date
the 21st January 1868.

(Here enter Rec No 455 of 1868)

Read Calendar of Case
No 5 of 1868 submitted by the Acting
Sessions Judge of Roaree under date
the 14th February 1868.

(Here enter Rec No 463 of 1868)

Read Criminal Reports
submitted by the Sessions Judge of Cuddapah under
date the 15th February 1868 for the Month
of January last.

(Here enter Rec No 459 of 1868)

Read Calendars of cases
Nos 65, 66, and 73 of 1867 submitted by
the Sessions Judge of Mangalore under
date the 17th February 1868.

(Here enter Rec No 464 465 466 467 of 1868)

Read Criminal Reports submitted
by the Acting Sessions Judge of Roaree under
date the 15th February 1868 for the Month

of

of January 1848.

/Rec'd Cutcherry Fle No 471 of 1848/

Read Calendar of Case No
3 of 1848 submitted by the Sessions
Judge of Chittoor under date 16th February
1848.

/Rec'd Cutcherry Fle No 473 of 1848/

Read Calendar of Case No
5 of 1848 submitted by the Sessions Judge
of Nellore under date the 22nd February
1848.

/Rec'd Cutcherry Fle No 475 of 1848/

Read Return dated 21st
February 1848 from the Sessions Judge of
Coimbatore to the Precept of the
Foujdaree Adawlut under date the
15th Ultimo directing the sentence
the cause of the delay in the trans-
mission of the Case No 1 of 1848 from
the Subordinate to the Sessions Court.

/Rec'd Cutcherry Fle No 480 of 1848/

Read Criminal Reports
submitted by the Agent to the Governor of
Fort

Fle

7th March 1848.

Fort Saint George to Vizagapatam
for the month of January 1848 under date 15th Ultimo.

/Rec'd Cutcherry Fle No 482 of 1848/

Read Calendar of Case
No 6 of 1848 submitted by the
Acting Sessions Judge of Honore under date
the 16th February 1848.

/Rec'd Cutcherry Fle No 486 of 1848/

Read Calendar of Case
No 6 of 1848 submitted by the Acting
Sessions Judge of Calicut under
date the 19th February 1848.

/Rec'd Cutcherry Fle No 487 of 1848/

Read Return dated the
23d February 1848 from the Sessions Judge
of Chittoor to the precept of the Fouj-
daree Adawlut under date the 18th
idem directing that the sentence
of 4 years' imprisonment passed
on the prisoner Ramaswamy and
Goroomy in Case No 1 of 1848 should
be reduced to 6 months and that
a fresh warrant should be
issued

effect to that effect.

/Here Enter File No 495 of 1848/

Read Return dated the 25th February 1848 from the Sessions Judge of Salem to the precept of the Sirjeen Adalut under date the 23d February 1848 directing that the statement of the prisoner in case No 3 of 1848 has been omitted, and directing the Sessions Judge to furnish in the Calendar returned the information required.

/Here Enter File No 499 of 1848/

Read Calendar of case No 5 of 1848 submitted by the Sessions Judge of Bellary under date the 24th February 1848.

/Here Enter File No 506 of 1848/

Read Calendar of Case No 6 of 1848 submitted by the Sessions Judge of Salem under date the 23d February 1848.

/Here Enter File No 511 of 1848/

Read Return dated 22d February 1848 from the acting Sessions Judge of Calicut to the precept of the Sirjeen Adalut under date the 13th Idem reducing the sentence passed on the 1st Prisoner in Case No 6 on the Session Calendar for 1848 from 7 to 5 years' imprisonment.

/Here Enter File No 514 of 1848/

Read Return dated 25th February 1848 from the Sessions Judge of Combaconum to the precept of the Sirjeen Adalut under date the 22d Idem directing the immediate and unconditional release of the Prisoner in Case No 2 of 1848.

/Here Enter File No 515 of 1848/

Read Return dated the 26th February 1848 from the Sessions Judge of Combaconum to the precept of the Sirjeen Adalut under date the 23d Idem directing the release of the Prisoner in Case No 1 of 1848.

/Here Enter File No 516 of 1848/

Read

ejectment to which effect.

/Here Enter Fl. No 469 of 1847/

Read Return dated the 25th February 1848 from the Sessions Judge of Belgaum to the precept of the Sirdar Adalat under date the 25th February 1848 stating that the statement of the prisoner in case No 3 of 1848 has been obtained, and requesting the Sessions Judge to furnish in the Calendar the information required.

/Here Enter Fl. No 499 of 1847/

Read Calendar of case No 5 of 1848 submitted by the Sessions Judge of Belgaum under date the 26th February 1848.

/Here Enter Fl. No 556 of 1847/

Read Calendar of Case No 6 of 1848 submitted by the Sessions Judge of Salsette under date the 23d February 1848.

/Here Enter Fl. No 511 of 1847/

Read Return dated 24th February 1848

1848 from the acting Sessions Judge of Belgaum to the precept of the Sirdar Adalat under date the 15th Inst. reducing the sentence passed on the 1st Prisoner in Case No 2 of 1848 from 7 to 5 years' imprisonment.

/Here Enter Fl. No 514 of 1847/

Read Return dated 25th February 1848 from the Sessions Judge of Combaconum to the precept of the Sirdar Adalat under date the 22d Inst directing the immediate and unconditional release of the Prisoner in Case No 2 of 1848.

/Here Enter Fl. No 515 of 1847/

Read Return dated the 26th February 1848 from the Sessions Judge of Combaconum to the precept of the Sirdar Adalat under date the 23d Inst directing the release of the Prisoner in Case No 1 of 1848.

/Here Enter Fl. No 516 of 1847/

Read

Murder, do convict them thereof, and sentence them to be transported to such place or places beyond seas, as the Governor in Council shall appoint, there to be imprisoned and kept to hard labor in irons on the public roads or other public works, for and during the period of their natural lives.

And being of opinion that the proof against the Prisoner

3rd Cutterbad y Roya Nuwaregodo

is sufficient to convict him of the offence of being an accessary after the fact in the said Murder, the Court do convict him thereof, but being of opinion, with reference to his youth and all the circumstances of the case, that the imprisonment he has already undergone is sufficient punishment, the Court direct that he be set at liberty

1

Upon a consideration of all the circumstances elicited at the Trial, the Court of Songdarea Udahat are impressed with the conviction that the 1st and 2nd Prisoners, when they called the Deceased from his village, did not contemplate his murder

and

and under this impression, the Court have seen fit to spare their lives.

2.

The Court observe that the Rule laid down in parah: 6 of their Circular instructions of the 11th November 1847- to the effect that when the names of persons are given on the Record of a Criminal Trial, their designation and number- whether Witness or Prisoner- shall be written above the names, has not been conformed to in this case.

3.

The attention of the Acting Sessions Judge is likewise required to the Circular Order of the 4th September 1820- which directs that the paragraphs of all Letters and Reports to the Sudder and Songdarea Udahat, be numbered: and which has not been observed in the Acting Sessions Judge's Letter of Reference

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Cuddapah for his information and future guidance

(Sent following Letter p. 308)

Read

10th March 1848

Read Calendar of Cases Nos VIII IX and X of 1848 submitted by the Sessions Judge of Madura under date the 26th Ultimo

(Here enter F. Co. No 529 of 1848.)

Read Return dated 28th Ultimo from the Acting Sessions Judge of Combatore to the precept of the Foujdaree Adalut under date the 23d Ultimo observing that the Mahomedan Law Officer should be required to declare by a 2nd Futwa to what specific punishment the 2nd and 3d Prisoners in Sessions Cases No 77 of 1847 would have been liable if there had been no bar to the Suit and that in the event of Suit being declared the Acting Sessions Judge should pass sentence upon the Prisoners under Section XXI Regulation VII of 1802 requiring the Sessions Judge to frontent the Mahomedan Law Officer that he ought in this 1st Futwa, to have declared on what ground Suit is barred - and directing the unconditional release of the 6th Prisoner.

(Here enter F. Co. No 534 of 1848)

F. Co.
10th March 1848.

Read Calendar of Case No 10 of 1848 submitted by the Sessions Judge of Tinnevelly under date the 25th Ultimo.

(Here enter F. Co. No 538 of 1848.)

Read Calendar in Case No 3 of 1848 submitted by the Sessions Judge of Tellicherry under date the 23d Ultimo

(Here enter F. Co. No 542 of 1848.)

Read Return dated the 29th Ultimo from the Sessions Judge of Chittoor to the precept of the Foujdaree Adalut under date the 21st February 1848 directing that the 2nd Prisoner in Criminal Case No 241 of 1847, if still in confinement, should be released or if released on Security that his bail bonds should be cancelled and the prisoner in Criminal Cases Nos 2 and 3 of 1848 should be released from the Jail and the Moofty Sudder Ameen should also be directed to reduce the sentence of one years imprisonment awarded to the prisoners in Case No 1 to six months.

(Here enter F. Co. No 545 of 1848)

Read

Kalutara
11th March 1848. } At a Court of the Zuydaree Adalut

Present

G. S. Hooper Esqre — 1st Puisne Judge.
G. D. Thompson Esqre — 2nd Puisne Judge.
W. A. Morehead Esqre — 3rd Puisne Judge.

Read the Calendar of Cases No 7 of 1848 of the Session Court of Kellore.

(Here Enter F 110 No 510 of 1848)

1. In this Case twelve persons were charged with Gang Robbery by open violence.

2. The Case was not tried for the reasons set forth in the Calendar, which may be summed up in the remarks of the Sessions Judge in the 1st and 2nd Paragraphs of his Proceedings, namely that "the evidence against the Prisoners consists only in the assertions of the 1st 2nd and 3rd witnesses that they recognized the accused at the time of the Robbery among the large Gang concerned in the perpetration

of

Read Return dated the 1st Instant from the Acting Sessions Judge of Chingleput to the precept of the Foujdaree Udalut under date the 23d Ultimo conveying their observations and remarks on the Criminal Reports submitted this Court for the month of January 1848.

(Herewith F. Us. No. 549 of 1848)

Read Return dated the 28th Ultimo from the Sessions Judge of Masulipatam to the precept of the Foujdaree Udalut under date the 23d Ultimo, communicating their Orders on the Calendar of Causes of 1848 on the file of the Sessions Court at Masulipatam.

(Herewith F. Us. No. 553 of 1848)

Read Return dated the 29th Ultimo from the Sessions Judge of Coimbatore to the precept of the Foujdaree Udalut under date the 24th Ultimo directing the Sessions Judge to instruct the Principal Sudr Ameen of Coimbatore to issue a fresh Warrant in Case No. 29 in conformity with the resolution of the Court

of Foujdaree Udalut contained in para: 2 of the Extract received with the above Precept

(Herewith F. Us. No. 554 of 1848)

Read Report dated 1st Instant from the Sessions Judge of Nellore of Cases pending before the Sessions Court for February 1848.

(Herewith F. Us. No. 556 of 1848)

Read Report dated 1st Instant from the Acting Sessions Judge of Cuddalore of Cases pending trial before the Sessions Court exceeding 25 days calculated from the date of commitment during the last month.

(Herewith F. Us. No. 557 of 1848)

Read Report dated 1st Instant from the Sessions Judge of Salem of Cases pending on the 29th February 1848 before him for upwards of 25 days calculated from the date of commitment.

(Herewith F. Us. No. 558 of 1848)

Read Calendar of Cases No. 14 of 1848 submitted by the Acting Sessions Judge of Cuddalore under date the 1st Instant

(Herewith F. Us. No. 564 of 1848)

F. 110

Saturday
11th. March 1848. } At a Court of the Foujdaree Adalut.

Present.

G. A. Cooper Esqre. —— 1st. Puisne Judge.
G. P. Thompson Esqre. —— 2nd. Puisne Judge.
W. A. Morehead Esqre —— 3rd. Puisne Judge.

Read the Calendar of Cases No. 7 of 1848 of the Sessions Court of Tillore.

(Register F. 110. No. 310 of 1848)

1. In this case, twelve prisoners were charged with Gang Robbery by open violence.

2. The Case was not tried for the persons set forth in the Calendar, which may be summed up in the remarks of the Sessions Judge in the 1st. and 2nd. paragraphs of his Proceedings, namely, that "the evidence against the Prisoners consists only in the assertions of the 1st. 2nd. and 3rd. witnesses that they recognized the accused at the time of the Robbery among the large Gang concerned in the perpetration

of

of it" and "these assertions are not corroborated by any other testimony whatever." Further on, the Sessions Judge observes that corroboration was peculiarly requisite in this case, because the persons robbed are Females, whose testimony goes among the Natives for a proverb.

3 The Court of Zemindaree Adawlut observe that the case should not have been returned to the Principal Sudder Ameen, but should have been tried by the Sessions Judge who would have disposed of the charge on his own appreciation of the evidence and in the event of the acquittal of the Prisoners, have released them with or without security, as he thought fit.

4. The Court do not think that the Principal Sudder Ameen erred in committing the case Sub-judice, he acted in the manner sanctioned by Section XXIX. Act VII of 1843. which declares that "if upon an examination of the depositions given before the Magistrate or any competent Officer of Police, it shall appear to the Subordinate Judge or Principal Sudder Ameen, before whom a Prisoner is brought that there is evidence of the prisoner being concerned in the perpetration of the crime or mis-demeanor with which he is charged, and if the Prisoner confirms their depositions on Oath before him, he shall be competent to the Subordinate Judge or Principal Sudder Ameen, without further investigation, to commit the prisoner to take his trial before the Sessions Judge."

5. As three witnesses distinctly swore to their recognition of the prisoners during the Robbery, the Court do not see how the Principal Sudder Ameen could do otherwise than commit the case. The credibility of the witnesses was a question for the Sessions Court to decide, and that, with reference to the particular circumstances of the individual case, and not to the general reputation in which the Caste to which they belong, is held

11th March 1848. holds for want of veracity.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Tellicherry for his information and future guidance.

(Sentence No 311

Read Criminal Reports of the Sessions Courts of Chingleput for January 1848.

Fort St George No 483 of 1848.)

Vizagapatam Report B Case No 5

1. The Prisoner in this case was charged with "Theft" in having stolen a Silver ornament valued at Rupees 1 & which was on the wrist of the Prosecutor's son.

2. The Court of Sungdarees Udalut observe that the offence committed by the Prisoner should have been designated "Snatching" and with reference to the previous character of the Prisoner, the Court consider the case should have been committed for trial before the Sessions Court.

Malabar Report B Cases Nos 14 and 15 of 1847.

3. The 1st Prisoner in each of these cases was convicted of "Fraud" and sentenced to six months imprisonment with

F. G.

11th March 1848. with hard labor in irons, and to pay a fine of Rupees 200 to Government, and in default of payment, to be imprisoned for a further period of six months with hard labor in irons.

4. The Court of Sungdaree Udalut observe that the Acting Sudder Ameen was not authorized under the Regulations to adjudge the infliction of "irons" in commutation of fine: the portion of his sentence awarding them must be accordingly annulled.

Case No 1 of 1848. 5. The Prisoner in this case was charged with "Attempt to commit Burglary" and was sentenced by the Acting Sudder Ameen to find two securities in the sums of Rupees 50 each &c.

6. The Court of Sungdaree Udalut observe that the Acting Sudder Ameen had no jurisdiction in this case, and was, therefore incompetent to demand security from the Prisoner. The Court accordingly resolve to direct that the Prisoner, if still in confinement, be immediately set at liberty, if released on security

security, that the Bail Bonds be can-
celled.

Ordered, that Extracts from
these Proceedings be forwarded to the
Sessions Judge of Chicacole, for his in-
formation and for communication to
the Principal Sudder Ameen of Vizagapatam
and Acting Sudder Ameen of Ichapoor.

(Sent in No. 312)

Read Letter dated the 2d
Mongalore, referring for the final Judg-
ment of the Foujdaree Adawlut, the Rec-
of Case No. 72 of the Calendar of the
Sessions Court of 1847.

(Here enter F.P. No. 305 of 1848)

1. In this case the Prisoners

1st Narrappa

and

2nd Venkappa.

were charged with having, on the 20th
November 1847, severely assaulted the
Prosecutor's father Nunnoo Naick, by
binding his arms and striking him with
their hands from the effects of which
assault, he died on the night of the 11th
December 1847."

2. The Mahommedan Law
Officer, in a hadily worded Futwa, de-
clared that the crime of Killi-e-Shibah
was not established by the
evidence against the Prisoners; but that
the 1st Prisoner was not free from Zunn-
-i-Ghalib or strong presumptive proof
of the crime laid to his charge and
has acquitted the 2nd Prisoner.

3. The Sessions Judge concurred
in the acquittal of the 2nd Prisoner, whom
he released on security. He states likewise
that he convicts the 1st Prisoner of
Culpable Homicide, and recommends that
a sentence of five years Imprisonment
with hard labour in irons be passed
on him.

4. The Courts of Foujdaree
Adawlut observe that this case ought
not to have been referred. The finding
of Zunn-i-ghalib or Strong Presumptive
Proof is in fact a conviction as pointed
out

security, that the his Bail Bonds be can-
celled.

Ordered, that Extracts from
these Proceedings be forwarded to the
Sessions Judge of Chicacole, for his in-
formation and for communication to
the Principal Sudder Ameen of Vizagapatam
and Acting Sudder Ameen of Ichapoor.

(Sent in No 312)

Read Letter dated the 2d
Instant from the Sessions Judge of
Mangalore, referring for the final judg-
ment of the Tongdaree Moonsiff the Rec'd
of Case No 72 of the Calendar of the
Sessions Court of 1847.

(Here enter File No 385 of 1848)

1. In this case the Prisoners

1st Narrappa

and

2nd Veerappa.

were charged with having, on the 26th
November 1847, severely assaulted the
Prosecutor's father Ramoo Naik, by
binding his arms and striking him with

their hands from the effects of which
assault, he died on the night of the 11th
December 1847."

2. The Mochummudan Law
Officer, in a heedly worded Futwa, de-
clared that the crime of Kutl-i-Shibah
was not established by the
evidence against the Prisoners; but that
the 1st Prisoner was not free from Zunn-
-i-Ghalib or strong presumptive proof
of the crime laid to his charge: and
he acquitted the 2nd Prisoner.

3. The Sessions Judge concurred
in the acquittal of the 2nd Prisoner, whom
he released on Security. He states likewise
that he convicts the 1st Prisoner of
Culpable Homicide, and recommends that
a Sentence of five years Imprisonment
with hard labour in irons be passed
on him.

4. The Moonsiff of Tongdaree
Volaboo observes that this case ought
not to have been referred. The finding
of Zunn-i-ghalib or strong Presumptive
Proof is in fact a conviction as pointed
out

11th March 1848

out in Clause sixth, Section II Regulation XV of 1803 and the Sessions Judge concurring in that conviction, should have passed sentence on the Prisoner under the Provisions of Clause seventh, Section II Regulation XV of 1803. Thus the Sessions Judge will now do.-

5. The Court direct that the Record of the Trial be returned to the Sessions Judge.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Mangalore for his information and guidance.

(Sent in No. 313)

Ex. 44.

1848

F.U

Monday - 13th March 1848

At a Court of the Foujdaree Adalut

Present

G. S. Hooper Esqre ——— 1st Puisne Judge
E. P. Thompson Esqre ——— 2d Puisne Judge
W. A Morehead Esqre ——— 3d Puisne Judge -

Read Miscellaneous Petition presented on the 23d November 1847 by Appathoray Syengar Zillah Trichinopoly -

(Here enter F.U M.P. No. 301 of 1847)

1 Petitioner complains of the conduct of the Magistrate of Trichinopoly, who refused to entertain a charge brought by him against certain parties who forcibly dispossessed him of some of his Meerasies which petitioner states has been in the possession of himself and others agreeably to a Decree of the Zillah Court in Suit No. 130 of 1808 -

2- Petitioner is informed that in the event of his not obtaining redress from the Magistrate he should make his Appeal to the Sessions Judge, and that if dissatisfied still it will be open for him then, to prefer a final Appeal to this Court - but that in

the

the present state of the matter they cannot pass
any orders on the subject of his Petition -
Petition dismissed -
3 Ordered that Extract from these Proc:
ceedings be granted to the Petitioner on his ap:
plication -

Read Miscellaneous Petition presented
on the 23d November 1847 by Vadamally Pillay
Villah Combaconum -

(Here enter M. P. No. 303 of 1847)

1 Petitioner adverting to this Court's
Proceedings of the 26th January 1846, states
that he has been unable to procure Copies of
the orders called for, and prays that as the
enmity of Vasoovian lately a Tyconastah in
the Mohammedan Law Officer's Court of Combacc:
num is a bar to his obtaining the requisite
documents, the Court of Sydapet will
be pleased to interfere, call for the Documents
required, and proceed to pass orders on the
subject of his original Petition No. 192 of 1845.
2 The Court remark there being nothing
to shew that Petitioner has even attempted
to obtain copies of the orders which may

leave

have been passed by the Magistrate and
Sessions Judge on the subject of his grievances,
they decline to interfere in the manner prayed
for by Petitioner, and the latter is informed
that until he does comply with the Court's
suggestion contained in their Proceedings of the
26th January 1846, no further orders will
be passed on his Petition -
3 Petitions dismissed
Ordered that Extract from these Proc:
:ceedings be granted to the Petitioner on his ap:
:plication -

Read Miscellaneous Petition presented
on the 7th February 1848 by Lo. Iyasawmy
Naiken Villah Chingleput -

(Here enter M. P. No. 51 of 1848 -)

1 Petitioner prays the Court of Foujdaree
Adalut to call for the proceedings held by the
Joint Magistrate of Chingleput, on the occasion
of his fining him Rupees 5 for tampering with
certain witnesses, who proved petitioner was
at Sydapet at the very time he was stated
to have committed or attempted to commit a
rape at St. Thomas' Mount. Petitioner pray:

further

further that, the order of the Sessions Judge confirming the Sentence passed by the Magistracy, may be reversed and the fine remitted -

2- Petitioner is informed that he must file an authenticated copy of the orders of the Sessions Judge against which he complains, and that previously to his so doing this Court can pass no orders on his Petition -

Ordered that Extract from these Proceedings be granted to the Petitioner on his application -

Read Miscellaneous Petition presented on the 11th February 1848 by Valum Pillah Salem -

(Here enter F.C.M.P. No. 56 of 1848)

1. The object of this Petition is to induce the Court of Fouydaree Udalut to order the release of the prisoners, in Case No 42 of 1846 of the Sessions Court of Salem, who were sentenced on a charge of Gang Robbery, to 8 years imprisonment with hard labor in irons: as Petitioner urges they were falsely accused by the Prosecutor who owes them a grudge -

Pre.

2 The Prisoners in this Case were sentenced to the mitigated punishment of eight years under instructions from the Fouydaree Udalut, after a consideration of the Calendar and there appears to be no grounds for disturbing that Sentence -

3. Petition dismissed -

Ordered that Extract from these Proceedings be granted to the Petitioner on his application -

Read Miscellaneous Petition presented on the 23d February 1848 by C Moonesawmy Naiken and Six others of Pillah Chingleput -

(Here enter F.C.M.P. No. 75 of 1848)

1 The Petitioners are Jail Peons detached on duty at Velacherry, and pray that they may be relieved once in every six months, according to the custom formerly prevailing at Guindy

2 The Petitioners are informed that the Magistrate is the proper authority to whom they should apply on the subject of their grievance, when that Officer, in communication with the Sessions Judge will, doubtless, be enabled to obtain for them the

required

required redress -

Ordered that Extract from these Pro: ceedings be granted to the Petitioner on their application -

Read Miscellaneous Petition of Magunty Sooboroydoo forwarded by the Sessions Judge of Masulipatam -

(Here enter F. W. M. P. No 44 of 1848)

1 The object of this Petition is to induce the Court to reverse the order of the Principal Sudder Ameen of Masulipatam under date 10th November 1847, whereby the Petitioner was dismissed from his situation of Duffadar on the ground of wilful neglect of duty under Section XXIII Regulation VIII of 1802 - Petitioner contends he was taking due precautions as far as was in his power, to prevent the escape of the convicts and that the neglect in permitting them to effect it, was clearly the fault of the two Police Coonds within -

2 The Court of Foujdaree Adalut decline to order Petitioner's restoration to his Situation, as they consider that it was partly owing to his negligence and want of proper precaution

precaution that the Convicts in question effected their escape -

3 The Court resolve to intimate to the Sessions Judge that Petitions of this nature were not contemplated by the Circular Order No 188 which was intended to embrace only Petitions from parties deeming themselves aggrieved by Sentences of the Courts -

4 Petition dismissed -

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Masulipatam for communication to the Petitioner -

(Sent in No 314

Read Miscellaneous Petition presented on the 11th February 1848 by Allagappa Naiden Zillah Tinnevelly -

(Here enter F. W. M. P. No 57 of 1848)

1. Petitioner with reference to his former Petitions Nos 230 of 1847 and 17 of 1848, complains of the collection of Rupees 200, from his securities by order of the Sessions Judge of Tinnevelly

13th March 1848

Tinnevelly on a Report from the Magistrate to the effect that he (Petitioner) had absconded and also brings to the notice of the Court, the conduct of the Sessions Judge in refusing him copies of certain Record, which were called for by the Court of Sudder Adalut in their Proceedings of the 7th February 1848.

2. The Court resolve previously to disposing finally of this Petition, to forward the translation thereof, to the Sessions Judge directing him to submit without delay, an Explanation relative to the Petitioner's statements above referred to.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Tinnevelly by Precept returnable within VI days from and after its receipt.

(Sent following Rcpt No 315

Ordered also that Extract from these Proceedings be granted to the Petitioner on his application.

Read Calendar of Case No 4 of 1848 of the Sessions Court of Chittoor.

(Here enter F.C. No 308 of 1848)

F.21.

13th March 1848.

1 The Prisoners

Madar and

Secunder

were charged with "House-breaking" and "Theft", and being convicted of the crime were sentenced to 7 years imprisonment under Section XXI Regulation XII of 1802. The Sessions Judge however recommends in consideration of the trifling value of the property stolen, that the prescribed punishment be reduced to 3 years imprisonment with hard labor in irons.

2 The Court of Foujdaree Adalut consider that the ends of justice will be answered, by a mitigation of the punishment recorded to two years imprisonment with hard labor in irons and they direct the Sessions Judge to issue his warrant accordingly.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Chittoor for his information and guidance.

(Sent in No 316

Read again Calendar of Case No 1 of 1848 of the Sessions Court of Chingleput.

(Here enter F.C. No 462 of 1848)

Read

Read also Return dated 1st Instant made by the Acting Sessions Judge of Chingleput to the Precept of the Foujdaree Adalut dated 29th Ultimo directing the Acting Sessions Judge to obtain a 2d Futwa, and to pass Sentence upon the Prisoners in accordance with Section XXI Regulation VII of 1802.

(Here enter Fl. No. 550 of 1848)

1 The Acting Sessions Judge having reported his compliance with the requisition of the Foujdaree Adalut the Court resolve to sanction the mitigation recommended and under the provisions of Section IV Regulation I of 1825 authorize the Acting Sessions Judge to issue his warrant for the imprisonment of the 3d and 4th Prisoners for the period of (5) five years.

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Chingleput for his information.

(Sent in Fo. 317

Read Form A of Criminal Cases No. 9 of 1848 disposed of by the Sessions Judge of

of Guntoor in February 1848

(Here enter Fl. No. 560 of 1848)

1 The Prisoner in this Case, a female, was charged with "assault and resistance to the Circar Peons"-

2 The Sessions Judge was of opinion that the Case should have been disposed of by the Police, and accordingly "ordered that the records and the Prisoner be sent back to the "Head of Police of Condaveed"- "and that "Extract from (this) Proceedings be forwarded "to the Magistrate for his information"-

3 The Court of Foujdaree Adalut observe that the Sessions Judge erred in thus doing: his Proceedings were irregular and opposed to Circular Order of the Foujdaree Adalut dated 31st December 1828 A- It was incumbent upon the Sessions Judge either to have tried the Case in his capacity of Criminal Judge, or to have referred it for disposal to the Sudder Ameen-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Guntoor for his information and future guidance

guidance -

(Sent in No. 318

Read Letter dated 1st March 1848 from the Session Judge of Bellary forwarding copies of explanations received from the Magistrate in regard to the detention of the Prisoners in Criminal Case No. 14 of 1848 entered in the Criminal Reports for January last, and of the observations recorded thereon by the Session Judge -

(Here enter F. P. No. 356 of 1848)

1. The Court of Foujdaree Adaulut are constrained to concur with the Session Judge in deeming the explanations afforded by the Head of Police of Anantapoor in regard to his delay in the transmission of the Prisoners, to be far from satisfactory, and the Court would recommend to the particular notice of the Magistrate the observations recorded by the Session Judge, in order that the Police Officers on their part may be cautioned against committing similar acts of irregularity -

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Bellary for his information, and for communication to the Magistrate -

(Sent in No. 319

Read Calendar of Case No. 2 of 1848 of the Session Court of Chittoor -

(Here enter F. P. No. 507 of 1848)

1. The prisoners four in number were charged with Gang Robbery and Murder - The charge was not fully proved but the prisoners being considered "liable to suspicion" the Session Judge directed them to find two securities in Rupees 100 each for 3 years, or in failure thereof to be imprisoned for that period under Clause 6th Section II Regulation XX of 1803 -

2. Before passing final orders on this Calendar, the Court direct the Session Judge to forward a Translation of the first report of the 4th witness to the Thasildar, for their consideration -

Ordered that Extract from these Proceedings be sent to the Session Judge of Chittoor by Precept returnable within III days from and after its receipt -

(Sent following Precept No. 320 Read

guidance -

(Sent in No. 318

Read Letter dated 1st March 1848 from the Sessions Judge of Bellary forwarding copies of explanations received from the Magistrate in regard to the detention of the Prisoners in Criminal Case No. 11 of 1848 entered in the Criminal Reports for January last, and of the observations recorded thereon by the Sessions Judge -

(Here enter F. C. No. 506 of 1848)

1. The Court do not consider that they are constrained to concur with the Sessions Judge in deeming the explanations afforded by the Head of Police of a Mountaineer in regard to his delay in the transmission of the Prisoners to be far from satisfactory, and the Court would recommend to the particular notice of the Magistrate the observations recorded by the Sessions Judge on over that the Police Officers to them that precautions may be contained against committing similar acts of irregularity -

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Bellary for his information, and for communication to the Magistrate -

(Sent in No. 319

Read Calendar of Cases No. 2 of 1848 of the Sessions Court of Chittoor -

(Here enter F. C. No. 507 of 1848)

1. The prisoners four in number were charged with Gang Robbery and Murder - The charge was not fully proved but the prisoners being considered "liable to suspicion" the Sessions Judge directed them to find two securities in Rupees 100 each for 3 years, or in failure thereof to be imprisoned for that period under Clause 6th Section II Regulation XV of 1803 -

2. Before passing final orders on this Calendar, the Court direct the Sessions Judge to forward a Translation of the first report of the 4th witness to the Thasildar, for their consideration -

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Chittoor by Precept returnable within 111 days from and after its receipt -

(Sent following Precept No. 320

Read

Read Return dated 21st Ultimo
from the Sessions Judge of Chittoor to the
Precept of the Foujdaree Adalut under date the
24th January last directing that further
measures may be adopted for the Collection of
the fine of five Rupees imposed by them on the
Petitioner Woracha Moottappah of Cutastry -

(Here enter F.U. No. 479 of 1848)

Read Return dated the 23d Ultimo from
the Sessions Judge of Cuddapah to the precept of the
Foujdaree Adalut under date the 18th idem, di-
recting "that the usual abstract of the Fut-
wa and the precise grounds of the reference"
should be entered in the Calendar of Cases
No. III of 1848. -

(Here enter No. 530 of 1848)

Read Calendar of Case No. 4 of 1848
submitted by the Sessions Judge of Trichinopoly
under date the 1st Instant. -

(Here enter No. 567 of 1848)

Read Calendar of Case No. 6 of 1848
submitted by the Sessions Judge of Masulipatam
under date the 28th Ultimo

(Here enter No. 570 of 1848)

Read Calendar of Case No. 11 of
1848 submitted by the Sessions Judge of
Tinnevelly under date the 28th Ultimo

(Here enter F.U. No. 571 of 1848)

Read Calendar of Case No. 7 of
1848 submitted by the Sessions Judge of
Salem under date the 28th Ultimo -

(Here enter F.U. No. 572 of 1848)

Read Return dated the 29th Ultimo
from the Sessions Judge of Tinnevelly to the
precept of the Foujdaree Adalut under date
the 22d Idem sanctioning the mitigation of
punishment suggested by the Sessions Court
in Case No. 7 of 1848 and observing that the
Sessions Judge should have entered at length
in the Sentence the penalty to which the
prisoners had rendered themselves liable,
together with the Provisions of the law
under which it was passed. -

(Here enter No. 576 of 1848)

Read Return dated the 2d Instant
from the Acting Sessions Judge of Trichinopoly
to the precept of the Foujdaree Adalut under
date the 28th Ultimo directing him with
reference

reference to his return of the 15th to their Precept of the 12th Ultimo, conveying their observations and orders on review of the Calendar of Case N° 3 of 1848 of the Sessions Court of Trichinopoly to lose no time in conforming to their instructions and to forward a translation of the Futwah for their consideration.

(Here enter F.C. N° 577 of 1848)

Read Statement submitted by the Acting Sessions Judge of Madura under date the 25th Ultimo of Battas given to Prosecutor and Witnesses attending before the Sessions Court for the half year ending the 31st December 47.

(Here enter F.C. N° 580 of 1848)

Read Return dated the 6th Instant from the Acting Sessions Judge of Trichinopoly to the precept of the Foujdaree Adalut under date the 3d Instt calling for explanation, on review of the Criminal Reports for the Month of January 1848, of the peculiar circumstance of the Case which rendered the quotation of that enactment applicable to its punishment, and the employment of 11 Peons in excess of the prescribed number in guarding the Convicts worked outside the Jail during the period under review.

(Here enter F.C. N° 604 of 1848)

F. C.

At a Court of the Foujdaree Adalut.

Present

Tuesday 14th March 1848.

G. S. Hooper Esqre ——— 1st Puisne Judge

E. P. Thompson Esqre ——— 2d Puisne Judge

W. A. Morehead Esqre ——— 3d Puisne Judge

Read letter dated the 18th Ultimo, from the Sessions Judge of Masulipatam, submitting the record of the trial in Case N° 2 on the Calendar of the Sessions Court for 1848.

(Here enter F.C. N° 523 of 1848).

M. G. S. Hooper.

The Court of Foujdaree Adalut, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the Prisoner,

"Dootoolapanty Gopaulcroostnumah."

is sufficient to convict him of the crime of Perjury, do convict him thereof; and under the provisions of Clause First Section III Regulation XI of 1811, and Section XXXIV Act VII of 1843, sentence him to be imprisoned and kept to hard labor in irons on the Public roads, or other public works for and during the period of (2) Two years.—

(Sent following letter N° 322)

Read letter dated the 18th Ultimo fr the

the Sessions Judge of Masulipatam submitting the record of the trial in Case No. 3 on the Calendar of Sessions Court for 1848.

(Here enter F. R. No. 524 of 1848)

Mr. G. S. Hooper

The Court of Foujdaree Adalut on deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the prisoner

Ramoolooghad Nagojee

is sufficient to convict him of the crime of Burglary do convict him thereof; and under the provisions of Clause First, Section III, Regulation VI of 1811 and Section XXXIV, Act VII of 1843, sentence him to be imprisoned and kept to hard labor in irons on the Public roads or other public works for and during the period of (2) Two years.—

(Sent following letter No. 323)

From Report of cases pending before the Sessions Judge of Combatoor on the 31st January 1848.—

(Here enter R. R. No. 583 of 1848)

1 With reference to the Remarks entered in the abstract statement in Cases No. 96 of 1847 97 of 1847 4 and 8 of 1848 of the Sessions Court of Combatoor the Court of Foujdaree Adalut desire to be informed with the least practicable delay of the causes which have

have prevented the arrival of the witnesses in each case, three months having elapsed in some cases, without their appearance.—

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Coimbatore by Precept returnable within III days from and after its receipt.—

(Sent following Precept No. 324).

Read Calendar of Case No. 7 of 1848.

of the Sessions Court of Madura.—

(Here enter F. R. No. 561 of 1848).

The Prisoners four in number were

1.

charged with House breaking - Theft, and "Possessing stolen property", and convicted of the crimes brought to their charge with the exception of the 3rd Prisoner who was acquitted.—

The 1st, 2nd, 4th Prisoners were

2.

sentenced by the Sessions Judge of Madura to be imprisoned for 7 years with hard labor in Irons under Section XXI Regulation VII of 1802, but in consideration of certain palliative circumstances the Sessions Judge recommends that the punishment in this case should be mitigated as regards the 4th Prisoner to 4 years imprisonment with hard labor in irons.—

The Court of Foujdaree Adalut

3.

approve of the recommendation of the Sessions Judge and

and accordingly under Section IV. Regulation I of 1825. authorize that officer to issue his warrant for the imprisonment of the 4th. Prisoner for 4 years with hard labor in irons.-

4 The Provision cited by the Sessions Judge, in support of the proposed mitigation, is inapplicable.-

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Madura for his information.-

(Sent in No. 325)

Read again Criminal Reports of the Sessions Court of Nellore for January 1848.-

(Here enter F. St: No. 425 of 1848).

Read also Return dated 6th. March 1848. made by the Sessions Judge of Nellore to the Receipt of the Foujdaree Adalut dated 28th. February - calling for Report A of Case No. 7 in the above Reports.-

(Here enter F. St: No. 595 of 1848).

1. In the absence of any aggravating circumstances in the Commission of the Theft by the Prisoners in this case, the Court of Foujdaree Adalut are of opinion that the ends of justice may be sufficiently attained by a reduction in the term of imprisonments to which they were originally sentenced.-

The

2. The Court accordingly resolve to mitigate their sentences, and under the provisions of Section XXXIII Act VII of 1843 to direct that the 1st. Prisoner be kept in confinement with labor suitable to her sex for the period of 3 months, and that the 2d. Prisoner be imprisoned with hard labor in irons for the period of one year.-

3 The Sessions Judge will be pleased to instruct the Sudr Ameen to issue fresh Warrants in accordance with the foregoing resolution.-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Nellore for his information and guidance by Receipt returnable within III days from and after its receipt.

(Sent following Receipt No. 326)

Read Calendar in Case No. 9 of 1848, submitted by the Sessions Judge of Coimbatore under date the 27th. January 1848.-

(Here enter F. St: No. 607 of 1848).

Read letter dated the 29th. Ultimo from the Agent to the Governor of Fort St. George in Ganjam, submitting Criminal Reports No. 1 of the Agents Court, together with the Report B from his Principal Assistant for last Month.-

(Here enter F. St: No. 609 of 1848).

Read further return dated the 7th. Instant

and accordingly under Section IV. Regulation I of 1825. authorize that officer to issue his warrant for the imprisonment of the 4th. Prisoner for 4 years with hard labor in irons.-

4 The Provision cited by the Session Judge, in support of the proposed mitigation, is inapplicable.-

Ordered that Extract from these Proceedings be sent to the Session Judge of Madura for his information.-

(Sent in No. 325)

Read again Criminal Reports of the Session Court of Nellore for January 1848.-

(Here enter F. R. No. 425 of 1848).

Read also Return dated 6th. March 1848. made by the Session Judge of Nellore to the Rescript of the Foujdaree Adawlut dated 28th. February - calling for Report A of Case No. 7 in the above Reports.-

(Here enter F. R. No. 595 of 1848).

1. In the absence of any aggravating circumstances in the commission of the Theft by the Prisoners in this case, the Court of Foujdaree Adawlut are of opinion that the ends of justice may be sufficiently attained by a reduction on the term of imprisonments to which they were originally sentenced.-

The

2. The Court accordingly resolve to mitigate their sentences, and under the provisions of Section XXXIII Act VII of 1843 to direct that the 1st. Prisoner be kept in confinement with labor suitable to her sex for the period of 3 months, and that the 2nd. Prisoner be imprisoned with hard labor in irons for the period of one year.-

3 The Session Judge will be pleased to instruct the Sudr Ameen to issue fresh Warrants in accordance with the foregoing resolution.-

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Nellore for his information and guidance by Receipt returnable within III days from and after its receipt.

(Sent following Receipt No. 326).

Read Calendar in Case No. 9 of 1848. submitted by the Session Judge of Coimbatore under date the 27th. January 1848.-

(Here enter F. R. No. 607 of 1848).

Read letter dated the 29th. Ultimo from the Agent to the Governor of Fort St. George in Ganjam, submitting Criminal Reports No. 1 of the Agents' Court, together with the Report B from his Principal Assistant for last month.-

(Here enter F. R. No. 609 of 1848).

Read further return dated the 7th.

Instant

Instant from the Sessions Judge of Chittoor to the Precept of the Court of Foujdaree Adawlut under date the 24th January 1848, directing that further measures may be adopted for the Collection of the fine of 5 Rupees imposed by them on the Petitioner Veerabadra Mootthapah of Calastry.—

(Here enter F. R. No. 614 of 1848).

Read letter dated the 8th Instant from the Sessions Judge of Salem, submitting the return to the death warrant in Case No. 118 of the Calendar of the Sessions Court for 1847, and the letter required by the Circular Order of the Foujdaree Adawlut of the 21st September 1830.—

(Here enter F. R. No. 617 of 1848)

Read Calendar in Case No. 8 of 1848 submitted by the Sessions Judge of Salem under date the 3d Instant.—

(Here enter F. R. No. 618 of 1848).

Read Calendar in Case No. 9 of 1848 submitted by the Sessions Judge of Vellore under date the 9th Instant.—

(Here enter F. R. No. 619 of 1848).

Read Calendar in Case No. 7 of 1848 submitted by the Acting Sessions Judge of Bellary under date the 2d Instant.—

(Here enter F. R. No. 620 of 1848)

Read.

Read Calendar in Case No. 6 of 1848, submitted by the Acting Sessions Judge of Cuddapah under date the 8th Instant.—

(Here enter F. R. No. 625 of 1848).

Read Calendars in Cases Nos. 2, 3 and 4 of 1848, submitted by the Acting Sessions Judge of Chingleput under date the 9th Instant.—

(Here enter F. R. Nos. 626, 627 and 637 of 1848).

Read Calendars in Cases Nos. 4 and 5 of 1848, submitted by the Sessions Judge of Guntoor under date the 10th Instant.—

(Here enter F. R. Nos. 638 and 639 of 1848).

Read Calendar in Case No. 3 of 1848, submitted by the Sessions Judge of Coimbatore under date the 17th January 1848.—

(Here enter F. R. No. 643 of 1848)

Read letter dated the 7th Instant, from the Sessions Judge of Calicut, retransmitting the Calendar in Case No. III of 1848, duly amended as per the Foujdaree Court's Precept of the 18th ultimo.—

(Here enter F. R. No. 648 of 1848).

Read Calendar in Case No. 3 of 1848, submitted by the Sessions Judge of Rajahmundry under date the 9th Instant.—

(Here enter F. R. No. 649 of 1848).

Read Calendar in Case No. 7 of 1848 submitted

14th Inst.

14th Inst.

14th March 1848

Submitted by the Session Judge of Coimbatoor under date the 11th Instant.—

(Here enter S. C. No. 650 of 1848).—

Friday.
17th March 1848. At a Court of the Foujdaree Adalut

Present.

J. S. Hooper Esqre. ——— 1st Puisne Judge
E. P. Thompson Esqre. ——— 2d Puisne Judge
M. J. Morehead Esqre. ——— 3d Puisne Judge

Read letter dated the 28th ultimo from the Session Judge of Salem, submitting for the final judgment of the Foujdaree Adalut, the Record of Case No 117 of 1847, of the Calendar of the Session Court.—

(Here Enter S. C. No 531 of 1848)

1. This trial, in which the Prisoner has been sentenced to suffer death, was closed on the 31st December 1847; but the Record, though a short one, was not dispatched from Salem until the 28th February following, or being a delay of fifty nine days or more than Eight weeks.—

2. The reason assigned is that the Records of Cases Nos 96- 107 and 118 were, intermediately, under preparation.—

3. This excuse is admissible as

to

to regard Nos 96 and 118, in which the Prisoners were liable to suffer death, but it is not so in respect of No 107, in which the Prisoners were charged with Gang Robbery by open violence. To No 118 therefore, in which the Prisoner was liable to suffer Capital punishment, the preference should have been given, as enacted in Section XXXVI of Regulation VII of 1802.

4. Section XXVII of the same Regulation directs the Session Courts to transmit to the Foujdaree Adawlut the Records of all Trials in which the Prisoners are liable to suffer death "within ten days after the trial is completed, or as much earlier as may be practicable:" while the latter part of Section XXXV authorizes them, whenever the translates of referrible Trials cannot be prepared "with the requisite expedition," "to employ any person or persons, possessing an adequate knowledge of the language to make the translation."

5. As it is in the last degree objectionable that Prisoners liable to suffer death should be kept for many weeks in anxious suspence as to their ultimate fate, the Court of Foujdaree Adawlut

Adawlut resolve to direct the Session Judge of Salem, whenever the number of Capital cases set down for reference for their final judgment may be such as to prevent the preparation of the Translates within the time prescribed by Section XXVII, to adopt the course indicated in Section XXXVI of Regulation VII of 1802, as above quoted, and to submit through this Court for the Special Sanction of Government, a Contingent Bill of the expence incurred in consequence.

6. It will be the duty of the Session Judge, in every instance of his availing himself of the assistance of extra Translators, to take special care that the full measure of work is performed not only by them, but also by the Regular establishment of the Session Court.

Ordered that Extract from these proceedings be sent to the Session Judge of Salem for his information and guidance.

Sent in a Ltr No 328

Read the following letter dated the 28th Ultimo from the Agent for the Governor in Ganjam.

(Here Enter Ltr No 608 of 1848)

The Agent, in conformity with Clause

17th March 1848.

Clause fifth of the first of the Rules for the guidance of the Agents under stat Regn XXIV of 1839, in the Department of Criminal Justice, submits a Report on case No 5 of 1848, in which the Prisoner

Mumda Seetaramdoo

was charged with Theft.

2 The Agent considers the Prisoner convicted, and recommends that he be imprisoned and kept to hard labour in Irons for four years, 'under the Provisions of Section II Regulation VII 1827.'

3 The Court of Foujdaree Udalut approved the proposed sentence, and authorized the Agent to issue his warrant accordingly, with reference to the Provisions of Section XXI Regulation VII of 1802 and Section IV Regulation I of 1825, which are those applicable to the case, and not Section II Regulation VII of 1827 - cited by the Agent.-

Ordered that Extract from these proceedings be sent to the Agent for the Govern=nor in Ganjam for his information.-

(Sent in No 329

Read the Calendar of Cases Nos 5 of 1848 of the Session Court of Ichchapoly.-

(Here Enter F.R. No 601 of 1848)

In

F.R.

17th March 1848.

1. In this case, the Prisoner

Loobboo Iyen

was charged with Fraud in having from the 5th March 1847, upto the 31st January 1848 knowingly and fraudulently, at different times, over charged at the rate of 1 ana on 2124 3/4 Cullums of Paddy, provided by Government for the use of the Prisoners in the Ichchapoly Gaol, as shown in the accounts prepared and given in to the Zillah Court every month, by the said Prisoner: the Sum so over charged amounting to Rupees 137-14-4.

2 The Moohummudan Law Officer declared the Prisoner convicted and liable to Do Kooluk, and the Sessions Judge con=curring in the Finding, sentenced him to three years Imprisonment with hard labor in Irons.

3. The Court of Foujaree Udalut do not clearly understand what the offence is with which the prisoner was charged - whether it was taking the grain - or money -

4. An advance of money having been made, it was to be repaid in grain, and that, the Court presume, at a contract rate - The Court take it for granted that it was not left to the

the Prisoner to adjust with the Bazar man or Contractor the rate at which the grain was to be sold to the Gaol; and if not so left, the Court do not comprehend how he could charge more. It appears to them that he could only enter in his accounts what was sanctioned, unless as he says he did, he made a wrong charge by mistake.

5. Moreover it requires to be explained how the Serishtadar failed to detect the overcharge, the first month it occurred.

6 On all these points, the Sessions Judge will be pleased to furnish the Court with information, and will add thereto any remarks which may tend to elucidate the case, of the real merits of which, the Court are unable to form a clear idea from what is recorded in the Calendar.

7. The Acting Sessions Judge will also likewise report the nature of the contract for the supply of grain to the Gaol, and whether the whole stock is furnished at once at one time or at different intervals.

8. In the meantime, the sentence will be suspended and the Prisoner detained in

in confinement without Irons and Labour.

9. The Court observed that the charge should not have been headed "Extension Fraud" but simply "Fraud."

Ordered that Extract from these proceedings be sent to the Acting Sessions Judge of Trichinopoly by precept for the Sessions Judge's return within three days from and after date of receipt.

(And following Precept No. 380

Read Report B of case No 159 from the Magistrate of South Arcot submitted by the Acting Sessions Judge of Cuddalore under date the 28th Ultimo.

(Here Enter Fil No 536 of 1848)

Read letter dated the 1st Instant from the Acting Sessions Judge of Chingleput forwarding the list of Transportation Prisoners transferred to this Goal by the Sessions and Subordinate Judges of other Zillahs up to the 29th February 1848.

(Here Enter Fil No 548 of 1848)

Read return dated the 1st Instant from the Sessions Judge of Mangalore to the preceipt

17th March 1848.

Precept of the Foujdaree Adaulut under date the 23d February 1848 returning the Calendar of Case No 1 of 1848 with directions to enter therein the grounds for letting down the case for reference to the Court of Foujdaree Adaulut with an abstract of the Futwa, as required by Circular Order of the 14th October 1822.-

(Here Enter F. A. No 586 of 1848)

Read return dated the 2d Instant from the Sessions Judge of Dhangabore to the precept of the Foujdaree Adaulut under date the 26th February 1848 returning the Calendar of Case No 72 of 1847 with directions to enter therein the grounds for letting down the case for reference to the Foujdaree Adaulut with an abstract of the Futwa, as required by Circular Order 14th October 1822.-

(Here Enter F. A. No 587 of 1848)

Read Calendar of Case No 12 of 1848 submitted by the Sessions Judge of Madura under date the 4th Instant.-

(Here Enter F. A. No 595 of 1848)

Read return dated the 6th Instant from the Sessions Judge of Combaconum to the precept of the Foujdaree Adaulut under date the 3d March 1848 directing the reduction of the sentence recorded against the Prisoner in Case No 78 of 1847 to Six Months and directing the issue of a fresh warrant by the Subordinate Judge.-

(Here Enter F. A. No 596 of 1848)

F. A.

Saturday 18th March 1848.

At a Court of the Foujdaree Adaulut.

Present.

G. S. Hooper Esqr. ——— 1st Puisne Judge
E. P. Thompson Esqr. ——— 2nd Puisne Judge
W. A. Morehead Esqr. ——— 3rd Puisne Judge.

Read Letter dated the 10th instant from the Sessions Judge of Combaconum, referring for the finish Judgment of the Foujdaree Adaulut, the Record of Case No 4 of 1848, of the Calendar of the Session Court.-

(Here enter F. A. No 635 of 1848)

Mr. E. P. Thompson and Mr. W. A. Morehead. The Court of Foujdaree Adaulut on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the Prisoner.

Arrapillay

is not convicted on presumptive proof, or on the evidence of credible witnesses, or on his own confession of the Crime charged, do acquit him, thereof, and direct that he be set at liberty.-

1. The Court of Foujdaree Adaulut observe that the alleged confessions of the Prisoners before the Talook authorities, which are denied before the Courts, cannot be accepted as good for a conviction.-

The

2. The child's death occurred on the morning of the 6th and the Prisoner's Talook Statements are dated the 8th and 11th.

3. The death of the child appears to the Court to have been satisfactorily accounted for on the supposition of the Mother namely that it fell out of the cloth in which she had swung it: the height, from which it fell, was sufficient to cause death.

4. It is to be regretted that no questions were put to the medical officer with the view of eliciting an opinion as to the probable manner in which the child met with its death: with reference to the contradictory statements on that point given by the Prisoner and the Mother of the deceased.

5. In the opinion of the Court very little, if any credit, can be given to the evidence of the 1st witness "an old grudge" the Sessions Judge observes appears to exist between the prisoner and the 1st witness; and she not only made no mention of "the prisoner being on the Verandah where the child was swinging" on his questioning on that point but at first denied that she had seen the Prisoner sitting there."

6. The Court observe that the Prisoner should have been called upon by the Sessions Judge to

afford some explanation of the statement recorded as his Defence, which is almost unintelligible.—

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Combaconum for his information.—

(Sent following letter No. 332)

F. C.

Monday,
20th March 1848.

At a Court of the Tonjdaree Udalut.

Present,

W.R. G. S. Cooper Esqr. 1st Puisne Judge,
E.P. E. P. Thompson Esqr. 2d Puisne Judge,
W.H. H. Morehead Esqr. 3d Puisne Judge,

Read again Criminal Report
of the Session Court of Combaconum for
January 1848.

(Here enter F. C. No. 121 of 1848.)

Read also Return of the 2d
March and further Return of the 6th idem
to the Precept of the Tonjdaree Udalut dated
the 26th February 1848. directing that the term
of imprisonment awarded on the Prisoner
in Criminal file No. 7 of 1848 be reduced to
one year - and that the fine imposed on the
Prisoner in No. 12 be if paid immediately
refunded.

(Here enter F. C. Nos. 574 and 597 of 1848)

It appears by the Supplemental
Return now made to the foregoing Precept,
that the Bribe referred to in Criminal Case
No.

No 12 was actually paid to the Party therein
mentioned, and that the Subordinate Judge
has erroneously described the offence as
"offering a Bribe," while in reality it should
have been set down as "Bribery"

2 Under the explanation now
submitted the Court of Foujdaree Udalut resolve
to cancel so much of their order of the 26th
February last as relates to the case in question,
and direct that the sentence as originally recorded
be carried out

Ordered that Extract from these
Proceedings be forwarded to the Session Judge
of Combacconum for his information and guidance

(Sent in No 336

Read again Criminal Report
of the Session Court of Rajahmundry for
January 1848.

(Here enter F C No 641 of 1848)

Read also Return made under
date 9th instant by the Session Judge of
Rajahmundry to the Precept of the Foujdaree
Udalut of the 3d March 1848, requiring an
explanation of the apparent delay which

occurred

occurred in the committal for trial before the
Session Court of the Prisoner in Case No 112
of 1847 of the Criminal File and also explanation
of the cause of 1 Peon being employed in excess
of the prescribed number in guarding Convicts.

(Here enter F C No 646 of 1848)

1 It appears by the foregoing return
that the Prisoner referred to above was under the
Civil Surgeons observation for supposed insanity
from the 15th December 1847 to the 18th January
1848, and that the delay in disposing of the case
arose from this cause alone

The Court of Foujdaree Udalut
2 observe that this explanation should have
appeared on the Calendar of the case for the
information of the Court

Ordered that Extract from these
Proceedings be forwarded to the Session Judge
of Rajahmundry for his information and future
guidance.

(Sent in No 337

Read Calendar of Case No 96 of
1847 of the Session Court of Combatoor.

(Here enter F C No 606 of 1848)

The

20th March 1848.

1 The Prisoners in this case (two in number) were charged with the crime of "Homicide" but were acquitted by the Session Judge on the grounds of the inconsistency of the evidence for the prosecution, and the general want of that uniformity so essential in cases involving such serious consequences to the accused as the present.

2. With reference to the time occupied in this trial as well as to the interval which occurred between its close and the date of sentence the Court of Foujdary Udalut required to be informed why in the latter instance, a delay of eight days took place, whilst in the former an interval of 18 days elapsed between the commencement and close of the trial.

3 The Court, do not consider from the abstract of evidence now before them that the Prisoners were indubitably guiltless of the crime laid to their charge and they see no reason generally to question the propriety of the sentence recorded in this case by the Session Judge.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Cuttack and by Precept returnable within

20th March 1848

7 days from and after its receipt.

(Sent following) Precept No. 338

Read Calendar of Case No. 40 of 1848 of the Session Court of Balasore

(Here inter F. C. No. 640 of 1848.)

1. The Prisoners two in number were charged with the crime of "clandestinely marrying a girl;" and on convictions were sentenced by the Session Judge under Clause seven Section III Regulation XV of 1803. the 1st Prisoner to 7 years imprisonment with hard labour in Irons, and 30 Stripes with the Cat o'nine tails, and the 2d Prisoner to 3 years imprisonment with hard labor in Irons

2. The Court of Foujdaree Udalut consider that the Crimes of which the Prisoners were convicted do not merit so severe a punishment as that recorded against them by the Session Judge.

3. They are of opinion that a reduction of the term of imprisonment in the instance of the 1st Prisoner to 3 years, and of the 2d to one year with hard labor in Irons, will satisfy the ends of justice and they resolve under Section

xxxx Act xx of 1843 to mitigate the sentence accordingly and to direct the Sessions Judge to issue a fresh warrant in conformity with this resolution

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Tellore for his information and guidance by Precept returnable within * days from and after its receipt.

(Sent following Precept No 339

Read Miscellaneous Petition presented on the 24th January 1848 by Telcha Ammoy of Tillah Combaconum

(Heremter F W. M. I. No 34 of 1848)

1. The object of this Petition is to induce the Court of Foujdaree Adawlut to call for the record of Case No 55 of 1847 of the Sessions Court of Combaconum, and on a consideration thereof to remit the sentence recorded against Meetun the Prisoner, who Petitioner states is her son, and has been unjustly accused of the crimes for which he has been punished by the Sessions Judge.

2. On a further perusal of the Calendar of this Case the Court can see no reason whatever

whatever for doubting the correctness of the sentence recorded against the Prisoner and as there does not appear to be any thing in the Petitioners allegations calculated to alter this opinion, the Petitioner is informed that her prayer cannot be complied with, and this Petition is accordingly dismissed.

Ordered that Extract from these Proceedings be granted to the Petitioner on her application.

Read Miscellaneous Petition presented on the 21st February 1848 by Chinna Naiken of Tillah Chinglepet

(Heremter F W. M. I. No 68 of 1848)

1. Petitioner with reference to his former Petition No 295 of 1847, states that he has repeatedly presented petitions to the Sessions Judge of Chinglepet requesting him to execute the orders passed by him on the 3d September 1847 in his (Petitioners) favor, but that no measures have yet been adopted to carry the same into effect

2. Petitioner is informed that he should present authenticated copies of the Sessions Judges orders on his several Petitions when

when the Court of Foujdaree Udalut will take the same into their consideration and pass such Orders as may seem to be called for on the subject of Petitioner's application.

Petition dismissed.

Ordered that Extract from these Proceedings be granted to the Petitioner on his application.

Read Miscellaneous Petition presented on the 28th February 1848 by Aswadya Pillay of Tillah Trichinopoly

(Here enter F. Ca. No. 671 of 1848)

With reference to a former Petition No. 21 of 1848 and the orders passed thereon by this Court on the 21st February 1848, the Petitioner states that he has presented six Petitions to the Sessions Court of Trichinopoly on six different cases, but that no orders whatever have been passed on them by the Session Judge. He therefore prays that the Court of Foujdaree Udalut will be pleased to interfere and accord him justice.

2. Before passing final orders on this Petition, the Court resolve to transmit the Translation of it to the Acting Session Judge who

who will submit with the least practicable delay a detailed Report on the matters complained in para 2 of the same.

Ordered that Extract from these Proceedings be forwarded to the Acting Session Judge of Trichinopoly by Precept returnable within VII days from and after its receipt.

(Sent following Precept No. 340

Ordered also that Extract from these Proceedings be granted to the Petitioner on his application.

Read Calendar of Case No. 16 of 1848 submitted by the Session Judge of Madura under date the 11th instant.

(Here enter F. Ca. No. 672 of 1848)

Read Calendar of Case No. 5 of 1848 submitted by the Acting Session Judge of Chingleput under date the 15th instant.

(Here enter F. Ca. No. 676 of 1848)

Read Calendar of Case No. 104 of 1848 submitted by the Session Judge of Salem under date the 10th instant.

(Here enter F. Ca. No. 679 of 1848)

Read

th March 1848.

Read the Criminal Report dated the 15th instant submitted by the Acting Session Judge of Chingleput for the Month of February last.

(Hereunder F. No. No 684 of 1848)

Read Calendar of Case No 11 of 1848. submitted by the Session Judge of Madura under date the 13th instant.

(Hereunder F. No. No 692 of 1848.)

Ent 7H

E WB

20th March 1848.

Read the Criminal Report dated the 15th instant submitted by the Acting Session Judge of Chingleput for the Month of February last.

(Here enter F. Co. No. 686 of 1848)

Read Calendar of Case No. 11 of 1848. submitted by the Session Judge of Madura under date the 13th instant.

(Here enter F. Co. No. 692 of 1848)

End 7th

E. 112

J. V.

Thursday
21st. March 1848 } At a Court of the Sessions Vakeels

Present

W.K. G. S. Cooper Esqre —— 1st Puisne Judge.
C.P.S. C. P. Thompson Esqre —— 2nd Puisne Judge.
W. A. Morehead Esqre —— 3rd Puisne Judge.

Wells Read Calendar of Cases

No. 5 of 1848 of this Sessions Court of

Cumbacconum.

(Here enter J. V. No. 624 of 1848.)

The Prisoner

1. Chittumberanatelly

was charged with the crime of "Theft"

and sentenced on conviction to 7 Years'

imprisonment with hard labor in irons

under Section XXI Regulation VII of 1802,

by the Sessions Judge who however

recommends in the absence of aggravat-

ing circumstances that the sentence

be mitigated by this Court to 4 Years'

imprisonment with hard labor in

Irons.

The Court of Sessions

2.

Vakeels approve of the mitigation of

punishment

punishment proposed in their case and
under Section IV Regulation I of 1825 authorizing the Sessions Judge to issue his
warrant for the imprisonment of the
Prisoners for the period specified.

3. With reference to the
Abstract of Charges 2nd in this case wherein
the Prisoners is stated to have stolen
a bag containing 7 Rupees Cash 8as the
Court remarks that the actual amount
of Coin cannot away with should have
been stated.

Ordered, that Extract from
these Proceedings be sent to the Sessions
Judge of Cuddapah for his information
and guidance.

(Sentence to be Confirmed)

Read Calendar of Cases
to be tried at the Sessions Court of
Mangalore.

(Home Letter dated 7th October 1846)

1. The Prisoners in this case
having been convicted of Highway Robbery attended with the
crimes of Murder, Housebreaking, Theft by night
and

and obtaining stolen property knowing
it to have been stolen.

2. The 4th, 5th and 6th Prisoners
were unconditionally released but the
1st 2nd and 3rd Prisoners, on conviction
were sentenced by the Sessions Judge
to be imprisoned for 7 years with hard
labor in Irons under Section XXI Regu-
lation VII of 1802, but in consideration of
the 2nd and 3rd Prisoners never having
been convicted of any offence previous
to the present occasion he recommends
that the prescribed punishment should
in their case be mitigated to 4 years
imprisonment with hard labor in
irons.

3. The Court of Sunderance
Disapprove of the mitigation of
punishment proposed in this case,
and they accordingly resolve under Section IV
Regulation I of 1825 to authorize the
Sessions Judge to issue his warrant
for the imprisonment of the 2nd and
3rd Prisoners for the period specified.

4. The Court require to be
informed

informed, why an interval of 17 days was allowed to elapse between the closing of this trial and the final sentence of the Sessions Judge.

Ordered that Extracts from these Proceedings, be sent to the Sessions Judge of Mangalore, by Precept returnable within III days, from and after its receipt.

(Sent following precept at 1/2 past 5)

Read Calendar of Cases at 1/2 of 1848 of the Sessions Court of Coimbatore.

(Here enter 2 Pp at 1/2 past 6 of 1848)

The Prisoners in the case of four in number were charged with the crime of "Gang Robbery" and on conviction a sentence was passed by the Sessions Judge under Clause 3rd Section IV Regulation XV of 1803, of 14 Years imprisonment with hard labor in Irons in the case of the 1st and 2nd Prisoners, and the 3rd and 4th Prisoners were unconditionally released, the evidence against them being

 being defective.

2. The Sessions Judge considers that the ends of justice will be sufficiently met by a mitigation of the sentence recorded against the 1st and 2nd Prisoners to 7 Years imprisonment each with hard labor in Irons under Clause 5th Section IV Regulation XV of 1803.

3. Before disposing of this case the Court of Tanjore Adalut resolve to call upon the Sessions Judge to state whether or not the 1st and 2nd Prisoners were said to have been disguised at the time the crime was committed and also to submit with the least practicable delay a Translations of the 7 Witness's depositions with a translated copy of the 1st Report made to the Police Authorities regarding the crime.

Ordered, that Extract from these Proceedings, be sent to the Sessions Judge of Coimbatore, by Precept returnable within VII days, from and after its receipt.

(Sent following precept at 1/2 past 3 P.M.)

End 1/4

20th March 1848

Wednesday.

F. B.

22d. March 1848. At a Court of the Fiscal's Court.

Present.

G. S. Hooper Esqre. ——— 1st Puisne Judge

E. P. Thompson Esqre ——— 2d Puisne Judge

W. A. Morehead Esqre ——— 3d Puisne Judge

Read letter dated 18th January 1848 and received on the 6th Instant from the Sessions Judge of Caudalore submitting for the final Judgment of the Fiscal's Court the Record of Case No 67 of 1847 of the Calendar of the Sessions Court.

(Here Enter F. R. No 565 of 1848)

Mr G. S. Hooper and Mr E. P. Thompson

The Court of Fiscal's Court, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the Prisoners

1st Thatha Coopun

2d Pumbakara Purshramen alias Arnachalum

3d Narrainsamy

4th Noollagun

5th Loobraya Gownden

6th Thoodikara Narainun

7th Nullanandun

8th Poligar (and) Ramaswamy

are

are not convicted on presumptive proof or on the evidences of credible witnesses or on their own confessions of the crime charged, do acquit them thereof and direct that they be set at liberty.—

1. The Court of Foujdaree Adawlut cannot concur in the conviction of the prisoners for the following reasons.

2. The robbery and Murder took place in January 1845 and the witnesses who were then examined, declared that they recognized none of the robbers, many of whom were disfigured and their heads covered. But in December 1847 or nearly 3 years after, the same witnesses come forward and depose that they recognize some of the Prisoners before the Court, as among those who committed the outrage in the 2d Prosecutor's house in 1845.—

para 4 3. The Sessions Judge says himself, "it does not appear "that the accused or his wife "or any of the inmates of the house recognized "among the robbers any persons whom they had "seen before," and in speaking of the evidence against the 3d prisoner he remarks, "with regard "to his alleged identification by two of the witnesses, "this was a kind of evidence to which, in general,

not the slightest weight is to be attached."—

4. The Sessions Judge being under the impression that the robbery and Murder were committed by individuals connected with two gangs, the heads of which were a Sirdar in Sawmy, the 3d Prisoner in this case and one Sondy transported in No 52 of 1845, has considered it chiefly of importance to establish that the prisoners now charged were connected with one or other of the gangs in question.

× para 15 & 34

5. But, as before observed, there is no proof or evidence whatever forthcoming to show by whom or by what class of persons the crime was committed, and, therefore, it matters not, as far as the present charge is concerned, whether the accused belongs to a gang of thieves or not.—

6. The evidence of the 8th 12th and 13th witnesses is not satisfactory. If they speak the truth, they are clearly accomplices and ought to have been tried as such. The Sessions Judge says, "both these witnesses (8th and 12th) are liable "to be tried as accessories. But their evidence was

para 7 "so material to the conviction of the Prisoners "that I think the head of Police did right in sending

them

"them in as witnesses."

7. The Court observe that the Police Officer having done so without previous sanction was irregular and they direct that the circumstance be brought to the notice of the Magistrate, in view to the Police Officer being warned against the occurrence of similar irregularity.

8. The alleged partition of the stolen property in the 12th witness's house - the subsequent discovery of a few articles of trifling value, in some of the prisoner's houses and their identification as belonging to the Prosecutors family are circumstances which, considering the character of those who depose to them, as well as the acknowledged fact that the Prisoners are notorious house breakers and robbers and may have obtained the articles in question in other cases of plunder than that now under consideration, ought to be received with much caution. It is also to be borne in mind that the articles in question were not included in the 2d Prosecutors List of stolen property.-

9. The release of these prisoners will be notified by the Session Judge to the Magistrate who

who will be able, if he sees fit, to exercise the power vested in him by Law, of demanding security from them.-

10. The Acting Session Judge will be pleased to furnish a copy of Parah 19 of his Letter to the Magistrate, and call upon that Officer for further information regarding the employment of the 3d Prisoner as a Talook peon, and for the explanation of the Head of Police on the subject: and the Acting Session Judge will submit copies of the same for the consideration of the Sudder Adalut.-

11. The Court being of opinion that the evidence is not sufficient to justify the requisition of security from the 9th and 10th Prisoners resolve to direct that those prisoners, if still in confinement, be immediately set at liberty, and, if they have furnished the required security, that the Bail Bonds be cancelled.-

Ordered that Extract from these proceedings be sent to the Acting Session Judge of Cuddalore by Precept returnable within XII days from and after its receipt.-

Sent following Precept No. 349

Read

22d March 1848.

184

Read Letter dated the 28th ult. from the Agent of the Governor in Ganjam, referring for the final judgment of the Sanjaree Adalut, the Record of Case No 4 of 1848, of the Calendar.

(Here Enter J.L. No 62 of 1848)

Mr. G.S. Hooper and Mr. W.A. Maclean

The Court of Sanjaree Adalut on deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the prisoner,

"Seeva Kuttah"

is sufficient to convict her of the crime of Murder, do convict her thereof, and sentence her to be imprisoned and kept to hard labor in irons on the public roads or other public works, for and during the period of her natural life.

1.

The Court of Sanjaree Adalut think that they cannot discover such circumstances of palliation in this case as would justify them in passing the lenient Sentence recommended by the Agent.

2.

In consideration of all the circumstances of the case, and of the strong recommendation of the Agent, the Court have thought fit to exempt the Prisoner from the extreme penalty of the Law, and to sentence her to Imprisonment for Life, with reference to the Provisions of Act XIV of 1844.-

Ordered that Extract from these proceedings be sent to the Agent of the Governor in Ganjam for his information.-

(Sent following letter No. 350

22d March 1848.

Read letter dated the 8th instant from the Sessions Judge of Madura, referring for the final Judgment of the Sanjaree Adalut, the Record of Case No 13 of the Calendar of the Sessions Court of 1848.-

(Here Enter J.L. No 636 of 1848)

Mr. G.S. Hooper and Mr. E.P. Thompson

The Court of Sanjaree Adalut on deliberate consideration of all the circumstances of the case in evidence before them, and being of opinion that the proof against the prisoner,

"Muroomooga Sundaram"

is sufficient to convict him of the crime of murder, do convict him thereof and sentence him to be imprisoned and kept to hard labor in irons on the public roads or other public works, for and during the period of his natural life.-

The

-March 1848.

1 The Court of Foujdaree Adaulut, with reference to the Provisions of Act XIV of 1846, observe that they have sentenced the prisoner in this case to Imprisonment for Life, in consideration of his supreme ignorance and the degraded state of his mental faculties as explained in the Sessions Judge's letter of Reference.

2 The Court further observe that although the Head of Police in his report to the Criminal Court, states that he held an Inquest on the body of the deceased, no Inquest Paper is to be found with the Records of the Trial.

3 The Court direct that it be brought to the notice of the Magistrate that the Village Moonsif in contravention of the positive prohibition contained in Clause second Section V Regulation XI of 1816, took down in writing a confession from the Prisoner in this case. The village officer must be warned against any future infraction of that rule.

Ordered that Extract from these proceedings be sent to the Sessions Judge of Madura for his information and guidance.

Sent in Ltr. No. 351

F.R.

22d. March 1848.

Read letter dated the 11th Instant from the Acting Sessions Judge of Cuddapah, referring for the final Judgment of the Foujdaree Adaulut, the record of Case No 4 of the Calendar of the Sessions Court for 1848.

(Here Enter F.R. No 665 of 1848)

Mr. E.P. Thompson and Mr. R.A. Morehead.

The Court of Foujdaree Adaulut, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the prisoner

"Poreddy Siddappah"

is sufficient to convict him of the crime of wilful Murder, do convict him thereof; and under the provisions of Section X Regulation VIII of 1802, sentence him to suffer death by being hanged at the usual time and place of Execution.

(Sent following letter No. 352

Read return dated the 8th Instant from the Sessions Judge of Calicut to the precept of the Foujdaree Adaulut under date the 28th February 1848, directing that the usual

abstract

2d. March 1848.

The Court of Foujdaree Adaulut, with reference to the Provisions of Act XIV of 1844, observe that they have sentenced the prisoner in this case to Imprisonment for Life, in consideration of his supreme ignorance and the degraded state of his mental faculties as explained in the Sessions Judge's letter of Reference.

2 The Court further observe that although the Head of Police in his report to the Criminal Court, states that he held an Inquest on the body of the deceased, no Inquest Paper is to be found with the Records of the Trial.

3 The Court direct that it be brought to the notice of the Magistrate that the Village Moonsif, in contravention of the positive prohibition contained in Clause second, Section V Regulation XI of 1816, took down in writing a confession from the Prisoner in this case. The Village Officer must be warned against any future infraction of that rule.

Ordered that Extract from these proceedings be sent to the Sessions Judge of Madura for his information and guidance.

(Sent in Ltr. No. 351

Read

22d. March 1848.

Read letter dated the 11th Instant from the Acting Session Judge of Cuddapah, referring for the final Judgment of the Foujdaree Adaulut, the record of Case No 4 of the Calendar of the Session Court for 1848.

(Here Enter Sl. No 665 of 1848)

Mr. E. P. Thompson and Mr. R. A. Morehead

The Court of Foujdaree Adaulut, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the prisoner

"Poreddy Soobuppah"

is sufficient to convict him of the crime of wilful Murder, do convict him thereof; and under the provisions of Section X Regulation VIII of 1802, sentence him to suffer death by being hanged at the usual time and place of execution.

(Sent following letter No. 352

Read return dated the 8th Instant from the Session Judge of Calicut to the precept of the Foujdaree Adaulut under date the 28th February 1848, directing that the usual

abstract

22d March 1848

abstract of the Fatwa and the grounds of reference
&c. should be entered in the Calendar of Case No1
of 1848.—

(Here Enter Fth No 65 of 1848)

Read Criminal Reports submitted
by the Sessions Judge of Guntoor for the Month
of February 1848 under date the 11th Instant—

(Here Enter Fth No 653 of 1848)

Read Calendar of Case No7 sub-
=mitted by the Sessions Judge of Bellary under
date the 10th Instant—

(Here Enter Fth No 654 of 1848)

Read Criminal Reports submitted
by the Sessions Judge of Tellicherry for the Month
of February 1848 under date the 8th Instant.

(Here Enter Fth No 655 of 1848)

Read Return dated the 13th Instant
from the Sessions Judge of Salem to the Precept
of the Foujdaree Adawlut under date the 28th February
1848 on review of the Criminal Reports submitted
for the Month of January and requiring explan-
=ation of the grounds under which certain sen-
tences passed by the Joint Magistrate from the
Presidency Jail were confirmed—

(Here Enter Fth No 656 of 1848)

22d March 1848

Read Calendar of Case No 15 of 1848
submitted by the Sessions Judge of Madura
under date the 11th Instant—

(Here Enter Fth No 710 of 1848)—

Entd Fth

EWS

Friday
21st March 1848.

J. No.

Ala Court of the Foujdaree Adawlut

Present

J.K.R. G. S. Hooper Esqre. 1st Puisne Judge

C.P.S. E. P. Thompson Esqre. 2d Puisne Judge

W.A. W. A. Morehead Esqre. 3d Puisne Judge

Read Criminal Reports submitted by the Sessions Judge of Chittoor for February 1848.

(Vide inter Jud. No. 652 of 1848)

B

The Court of Foujdaree

Case No 237. Would require an explanation of the circumstances, which have prevented the attendance of the witnesses for the defence in this case, who do not appear to have arrived up to the date of this Report, altho' the case was ready for trial on the 10th December last.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chittoor by Precept returnable within III days from and after its receipt.

Ditto following Precepts No 356

24th March 1848.

Read Criminal Reports
submitted by the Sessions Judge of
Jimmerally for February 1848.

(Acting Sessions No. 163 of 1848)

A
Cases Nos. 1 to 8

The Court of Foujdaree Adalut
do not consider the submission of Reports
A in Cases, where the remarks elicited
thereon are of the unimportant nature
of those now under reference, to be ne-
cessary; provided a brief note explana-
tory of the circumstances which attend-
ed the notice of the Sessions Judge,
be appended to the face of the case.

Ordered that Extract from
these Proceedings be forwarded to
the Sessions Judge of Jimmerally for
his information.

(Sent on No. 357)

Read Calendar of Cases
No 10 of the Session Court of Cuddapah
for 1848.

(Acting Sessions No 678 of 1848)

The Prisoner in this case
was committed for trial before the Ses-
sion Court on a charge of Perjury; but
the Acting Sessions Judge

24th March 1848.

opinion that the offence committed
by the Prisoner amounted merely to
gross exaggeration, and that the ends
of justice would have been fully an-
swered by imposing a fine upon
him, ordered the case back to the
Criminal Court.

2. The Court of Foujdaree
Adalut observe that the Acting
Session Judge erred in these proceedings.
The charge of Perjury not being sustain-
able, the Prisoner was entitled to his
unconditional release.

3. The Court accordingly re-
solve to direct that the Prisoner, if
still in confinement, be immediately
set at liberty, or if any fine has been
collected from him, that it be refunded.

Ordered that Extract from
these Proceedings be forwarded to
the Session Judge of Cuddapah for
his information and guidance.

(Sent on No. 358)

Read letter dated 18th
Instant from the Session Judge
of Salem submitting for the
final judgment of the Foujdaree
Adalut

24th March 1848.

Read Criminal Reports
submitted by the Session Judge of
Tinnevelly for February 1848.

A
Cases Nos. 1 to 38

(Received Fort St. George No. 663 of 1848)

The Court of Foujdaree Adawlut
do not consider the submission of Reports
in Cases, where the remarks elicited
thereon are of the unimportant nature
of those now under reference, to be ne-
cessary: provided a brief but explana-
tory statement of the circumstances which attend-
ed the notice of the Session Judge
be appended to the face of the case.

Ordered that Extract from
these Proceedings be forwarded to
the Session Judge of Tinnevelly for
his information.

(Sent on No. 357)

Read Calendar of Cases
No. 10 of the Session Court of Cuddapah
for 1848.

(Received Fort St. George 678 of 1848)

The Prisoner in this case
was committed for trial before the Ses-
sion Court on a charge of Perjury: but
the Acting Session Judge

24th March 1848.

opinion that the offence committed
by the Prisoner amounted merely to
gross exaggeration, and that the ends
of justice would have been fully an-
swered by imposing a fine upon
him, ordered the case back to the
Criminal Court.

2. The Court of Foujdaree
Adawlut observe that the Acting
Session Judge erred in these proceedings.
The charge of Perjury not being sustain-
able, the Prisoner was entitled to his
unconditional release.

3. The Court accordingly re-
solve to direct that the Prisoner, if
still in confinement, be immediately
set at liberty, or if any fine has been
collected from him, that it be refunded.

Ordered that Extract from
these Proceedings be forwarded to
the Session Judge of Cuddapah for
his information and guidance.

(Sent on No. 358)

Read letter dated 18th
Instant from the Session Judge
of Salem submitting for the
final judgment of the Foujdaree
Adawlut

24th March 1848.

Udalut the record of Case No. 5 of 1848 of the Calendar of the Sessions Court.

(Here enter No. 19 of 1848)

Mr. G. Hooper
and
Mr. W. A. Maxhead

The Court of Foujdaree Udalut on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the Prisoner "Conner-gan" is sufficient to convict him of Culpable Homicide, for which the penalty of Diyut is awardable under the Mahomedan Law, as declared in Futwa of their Law Officer, to convict him thereof, and under the provisions of Clause second Section XI Regulation VII of 1802 and Section XXXIV Act VII of 1843 Sentence him to be imprisoned and kept to labor suitable to his age and strength, within or about the Jail and without Irons for and during the period of (3) three Months, the term of his imprisonment being calculated from the date

24th March 1848. date of the Second Futwa.

The Court of Foujdaree Udalut are of opinion that the act of the Prisoner was the result of Culpable thoughtlessness and not of deliberate malice, and that the ends of Public Justice will be attained by a Sentence of three months' Imprisonment.

2. The Court wish the Sessions Judge, in his Letters of Reference, to limit himself to a simple statement of the nature of the offence (as "Murder," "Culpable Homicide," "Nuggi") without entering into the details of time, place and circumstances, all of which are given at length in the Indictment in the Calendar and the arraignment in the Record, and are therefore unnecessary to be repeated by the Judge.

3. And as the original Futwa of the Mahomedan Law Officer and a full translation of it, accompany the Records of Referred Trials, it is desirable that the Sessions Judge, in his Letter, should merely state that what

24th March 1868

what the result of that Tribunal is re
whether the accused be convicted or
and if convicted, what is the punishm
a repetition of the grounds of the Tri
and of the Tribunal and other objec
to evidence is obviously unexpressed

Ordered that Extract
these Proceedings be sent to the Ses
sions Judge of Salem for his inform
and future guidance.

(Sent in No. 359)

Read Criminal Reports
of the Sessions Court of Salem for
February of 1868.

(Here enter Rec. No 6/0 - of 1868)

B
Case No 16.

The Court of Sessions Cud
observe that the proceedings held by
the Sessions Judge in this case, should
have been submitted at the first instance
and not furnished in a separate
form of Report.

Case No 22 2.

The 1st Prisoner in this
case, who was convicted of Theft
was sentenced to six months im
prisonment without labour.

3 1

The Court of Sessions

24th March 1868.

Case No 23

Udalut desire to be informed of
the extenuating features of the case,
which led to the remission of labour.

The Prisoner in this case
A.
a Cumin, was charged with the
"unauthorized release of a Prisoner"

5. The information supplied
in the present Report being insuf-
ficient to enable the Court to
Foujdaree Udalut to judge of the
propriety of the sentence awarded,
the Court resolve to call upon the
Sessions Judge to explain under
what circumstances the Prisoner
came to be in the Custody of the
Cumin, and in what manner
his release was effected.

6. The Sessions Judge will
at the same time be pleased to for-
ward copy of the case as it stood
in Report A.

Ordered that Extract
from these Proceedings be forwarded
to the Sessions Judge of Salem
by Receipt returnable within x days
from and after its receipt.

(Sent following Rec'pt No. 360)

End 24

F. C.

Monday 27th March 1848.

At a Court of the Foujdaree Adalut.

Present

W. S. Hooper Esqr. ——— 1st Puisne Judge

E. P. Thompson Esqr. ——— 2nd Puisne Judge

W. A. Morehead Esqr. ——— 3rd Puisne Judge.

Read again Miscellaneous Petition presented on the 20th September 1847 by Soobramier Mookhtar Vakeel on behalf of Anandappah Nagalinga Chetty Zillah Combaconum.—

(Here enter F. C. Dr. P. No. 243 of 1847).

Read also Miscellaneous Petition presented on the 20th December 1847 by the same party.—

(Here enter F. C. Dr. P. No. 331 of 1847).

1. Petitioner with reference to this Courts Order of the 20th October last now presents Copies of certain orders therein called for and prays that the Sessions Judge's Order of the 13th March 1847 may be cancelled, and that of the Sub Collector of Tanjore confirmed.—

2. The Court of Foujdaree Adalut see no reason to doubt the justice or propriety of the Order passed by the Sessions Judge in the matter complained of by the Petitioner and therefore refuse to

to disturb it.-

3

Petition dismissed.

Ordered that Extract from these Proceedings be furnished to the Petitioner on his application.-

Read Miscellaneous Petition presented on the 21st February 1848 by Chellayee zillah Madura.

(Here enter F. St. Pet. R. No 60 of 1848).

1

Petitioner reiterates the prayer of her former petition No 24 of 1848, and urges the Court to reconsider the case No 3 of 1847 of the Session Court of Madura and punish the offenders according to their deserts.-

2.

Petitioner is referred to this Court's Order of the 14th February last which is final.-

3

Petition dismissed.-

Ordered that Extract from these Proceedings be furnished to the Petitioner on her application.-

Read Miscellaneous Petition presented on the 28th ultimo by B. Govindoo Naick of the zillah of Chittoor.-

(Here enter F. St. P. No 79 of 1848)

1.

The Petitioner formerly a Goomastah in the late zillah Court of Chittoor was tried in Case No 1. of the 12th Supplemental Calendar of the Chittoor

Chittoor 3rd Quarter Sessions of 1840, on the charge of having abstracted a certain Document from the Records of the Chittoor Zillah Court, and being convicted, was sentenced to five years Imprisonment.-

2.

The Petitioner states that he cannot obtain employment, as the Heads of offices decline to confer any situation upon him without orders from the Foujdaree Adalut and he prays that measures may be taken to enable him to obtain a situation in the Public service.-

The Court of Foujdaree Adalut observe that as the Government has not declared the Petitioner unfit for the public service, there is nothing to prevent his re-employment whenever any Head of office may see fit to grant him a situation.-

The Court observe that this Petition should have been written on stamped Paper and any further application to the same effect must be upon such Paper.-

Ordered that Extract from these Proceedings be furnished to the Petitioner on his application.-

Read Criminal Reports submitted by the Agent to the Governor in Ganjam for February

February 1848.-

(Here enter F: C: No. 726 of 1848).

Report B.
Case No. 3.

1

In this Case the Prisoners were released for want of proof, and a sentence of six months imprisonment recorded against the Prosecutor for having preferred a vexatious and groundless complaint.-

2.

The Court of Foujdaree Adalut observe that the sentence passed by the Principal Assistant in this Case was illegal and must be immediately cancelled. The Prosecutor if deemed deserving of punishment, should have been indicted on a charge of Perjury and sentenced in conformity with the Regulations.-

3.

The agent will be pleased to direct the immediate release of the Prisoner.-

Ordered that Extract from these Proceedings be forwarded to the Agent to the Governor of Fort St. George in Guzzam for his information and guidance by Precept returnable within VII days from and after its receipt.

(Sent following Precept No. 363)

Read again Calendar in Case No. 2 of the Sessions Court of Chittoor for 1848.

(Here enter F: C: No. 507 of 1848)

Read also Return dated 15th instant made

made by the Subordinate Judge in charge of the Sessions Court of Chittoor to the Precept of the Foujdaree Adalut dated 13th instant requiring the translation of the first Report of the 4th Witness in the above Case to the Tahsildar, to be submitted for the consideration of the Court.-

(Here enter F: C: No. 686 of 1848).

1.

The Court of Foujdaree Adalut are of opinion that no sufficient grounds existed for the demand for security from the Prisoners in this Case, and they are accordingly resolve to cancel the requisition of the Sessions Judge to that effect.-

2.

The Prisoners, if still in confinement, must be immediately set at liberty - if released on security, their Bail Bonds must be cancelled.-

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Chittoor for his information and guidance.-

(Sent in No. 364).

Read again Miscellaneous Petition presented on the 16th August 1847 by Dasaya Narayanaswamy Setty of Zillah Chingleput.-

(Here enter F: C: M. P. No. 208 of 1847).

Read also again Miscellaneous Petitions presented on the 6th and 14th September 1847 by

by Sabapaty chetty of zillah Chingleput.-

(Here enter F: G: No: P: Nos 227 & 236 of 1847).

Read also Return dated 11th instant made by the Acting Sessions Judge of Chingleput to the Precept of the Foujdaree Adalut dated 6th instant calling upon the Acting Sessions Judge to forward a Copy of the original plaint and answer filed in Suit No 3 of 1817 together with a Copy of the Decree passed thereon.-

(Here enter F: G: No 666 of 1848).

1.

The Court of Foujdaree Adalut observe that the Decree now transmitted by the Acting Sessions Judge is not that which was required and called for by the Court in their Proceedings under date the 6th instant.-

2.

The Court therefore request the Sessions Judge will be pleased to rectify the error by forwarding a Copy of the Decree passed by the Register of the Zillah Court of Chingleput in Original Suit No 3 of 1817.-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chingleput for his information and guidance.-

(Sent in No 365)

Read again letter dated 23d Ultimo from the Agent to the Governor of Fort St George

27th March 1848.

at Vizagapatam submitting the record of the trial in Case No 3 on the Calendar of the Agents Court for 1848.-

(Here enter F: G: No 527 of 1848).

Read also Extract from the Minutes of Consultation under date the 21st instant from the Officiating Secretary to Government in the Judicial Department confirming the sentence passed by the Foujdaree Adalut on a prisoner convicted of Rebellion in Trial No 3 of the Vizagapatam file.

(Here enter F: G: No 741 of 1848).

Under authority of the Honorable the Governor in Council the Court do accordingly direct that the Prisoner

"Bonkoola Balasoo"

be imprisoned and kept to hard labor in irons, on the public roads or other public works, for and during the period of (3) three years.-

(Sent following letter No 366)

Read letter dated the 13th instant from the Sessions Judge of Calicut transmitting the Criminal Reports B and other Statements received from the Subordinate Judge of Calicut and Principal Sudr Ameen of Cochin for February last and stating that the Magistrate has had no case to include in those reports during the above month.-

(Here enter F: G: No 712 of 1848.)

Read-

27th. March 1848.

Read Calendar in Case No. XVII of 1848. submitted by the Sessions Judge of Madura under date the 14th. instant.-

(Here enter F. C. No. 716 of 1848).

Read letter dated the 17th. instant from the Sessions Judge of Madura submitting warrant issued to Subordinate Judge for the execution of Prisoner Coonoogymootoo Caroopen in Case No. IV on the Calendar for 1848 with the return made thereto and a separate letter.-

(Here enter F. C. No. 721 of 1848).

Read Criminal Reports dated the 15th. instant submitted by the Sessions Judge of Bellary for the month of February 1848.-

(Here enter F. C. No. 722 of 1848).

Read Criminal Report &c. dated the 15th. instant, submitted by the Agent to the Governor of Fort St. George at Kurnool for the month of February 1848.-

(Here enter F. C. No. 725 of 1848).

Read Calendar in Case No. 9 of 1848. submitted by the Sessions Judge of Salem under date the 14th. instant.-

(Here enter F. C. No. 728 of 1848).

Read Calendar in Case No. 8 of 1848. submitted by the Acting Sessions Judge of Cuddapah

under date the 18th. instant.-

(Here enter F. C. No. 729 of 1848).

Read letter dated the 16th. instant from the Sessions Judge of Mangalore forwarding Copy of the Sentence passed upon the 1st. Prisoner Narnappa in Case No. 72 on the Calendar for 1847.-

(Here enter F. C. No. 732 of 1848).

Read Calendar in Case No. 8 of 1848. submitted by the Sessions Judge of Rajahmundry under date the 17th. instant.-

(Here enter F. C. No. 736 of 1848)

Read Calendar in Case No. 8 of 1848 submitted by the Acting Sessions Judge of Honore under date the 13th. instant.-

(Here enter F. C. No. 737 of 1848).

Read Calendar in Case No. 8 of 1848. submitted by the Sessions Judge of Mangalore. under date the 16th. instant.-

(Here enter F. C. No. 740 of 1848).

Read return dated the 13th. instant from the Sessions Judge of Chicacole to the Precept of the Foujdaree Adalut under date the 28th. February 1848. passed upon the Calendars of Cases No. 2 and 3 of 1848. disposed of by the Sessions Court of Chicacole directing him to examine the Witnesses of the Prisoner's declaration

27th March 1848.

declaration given before the Subordinate Court,
and the transmission of fresh Calendars.—
(Hereunto F: 86: No: 703 of 1848)—

Ent 78.

27th March 1848.

declaration given before the Subordinate Court,
and the transmission of fresh Calendars—

(Reverts to F: 66: No: 703 of 1848)—

Ent'd 66

F. U.

Wednesday 29th. March 1848. At a Court of the Foujdaree Udalut.

Present.

G. S. Hooper Esqre 1st. Puisne Judge.

C. P. Thompson Esqre 2d. Puisne Judge.

W. D. Morehead Esqre 3d. Puisne Judge.

Read Calendar of Case No. 10 of the Session Court of Calicut for 1848.

(Here enter F. U. No. 662 of 1848)

The Prisoner Jandan Poolikul Nagan was committed by the Subordinate Judge of Calicut to take his trial before the Sessions Court on a charge of Highway Robbery and wounding.

2. The case was returned for reinvestigation by the Sessions Court, when the Prisoner was pleased, the charge was pronounced "unworthy of the least credit

3 The Court of Foujdaree Uda
but observe that this case should not
in the first instance have been commit
by

by the Subordinate Judge, Section XXIX Act VIII of 1843 requiring the latter Officer previous to the committal of a case to be satisfied "that there is evidence of the "Prisoner being concerned in the perpetration of the crime or misdemeanor with "which he is charged".

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Galle for his information and for communication to the Subordinate Judge.

(Sent in No. 373

Read Calendar of Cases No. 46 of the Sessions Court of Mangalore for 1848.

(Here enter J.R. No. 738 of 1848)

1 The Prisoners four in number were charged with the crime of Housebreaking and theft by night.

2 The 1st 2d and 3d Prisoners were convicted of the crimes charged against them and sentenced under Section XXI Regulation VII of 1822 to be imprisoned and kept to hard labour as slaves for 7 years.

The

The 4th Prisoner was released on security.

In consequence of the evidence of certain palliative circumstances the Sessions Judge recommended that the sentence recorded against the 1st 2d and 3d Prisoners be mitigated to 5 years imprisonment each with hard labor in Irons.

3 The Court of Fouydaree Adawlut approve of the recommendation for a mitigated sentence in this case, and under the provisions of Section IV Regulation I of 1825 authorise the Sessions Judge to issue his warrant for the imprisonment of the 1st 2d and 3d Prisoners for the period specified.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Mangalore for his information and guidance.

(Sent in No. 374)

Read Criminal Reports of the Sessions Court of Honore for February 1848.

(Here enter J.R. No. 690 of 1848)

The

29th March 1848.

1.

Sudder Ameen's Court Suray. Report B. Case No 11.

The Prisoner in this case was charged with "wounding" and sentenced to "four months imprisonment with labor in irons"

2. The Court of Foujdaree Ada. but are of opinion that the infliction of "irons" may in this case be with propriety dispensed with, and, under the provisions of Section XXXV. Act VII of 1843, the Court accordingly resolve to direct their remission.

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Honore for his information and for communication to the Sudder Ameen of Suray for the guidance of that Officer.

(Sent in No 375)

Read Criminal Reports of the Sessions Court of Combaconum for February 1848.

(Here enter F. D. No 704 of 1848)

1

Report B. Case No 16.

The Court of Foujdaree Ada. but observe that the submission of Report B was in this case unnecessary: the information

F. D.

29th March 1848.

=mation afforded in the Note appended to the foot of the case in Report B, being all that is required by the Court of Foujdaree Adalut when the remarks elicited from the Session Court are of the trivial nature of the one now under reference.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Combaconum for his information and future guidance.

(Sent in No 376)

Read Criminal Reports of the Sessions Court of Tinchinopoly for February 1848.

(Here enter F. D. No 713 of 1848)

1

Report B. Case No 9.

The Prisoner in this case was charged with "Fraud", and sentenced by the Mahomedan Sudder Ameen to one years imprisonment with hard labor in irons under Clause fourth, Section III. Regulation VI of 1822.

2. The Court of Foujdaree Ada. but observe that the Mahomedan Sudder Ameen was not legally competent to

to pass the sentence adjudged by him.
The Prisoner having been convicted of Perj
could be only punished, by the Sudder
Ameen under Section XII Regulation X of 18
or, if deemed deserving a severer punish
ment than that authorized by this en
ment, the case should have been com
=mitted for trial before the Sessions Court

3.

The Acting Sessions Judge
will be pleased to direct that the
sentence now awarded be amended in
conformity with the provisions of the
Regulation above cited.

Ordered that Extract from
these proceedings be forwarded to the
Acting Sessions Judge of Tinnevelly
for his information and guidance.-

(Sent in No 877)

Read Criminal Reports
of the Sessions Court of Madura for
February 1848.

(Here enter F.H. No 1107 of 1848)

Report B.
Cases Nos 1920 & 321.

1.

The Court of Foujdaree Ada
-lut observes that the Heading of the Charge

been designated "Perjury."

2.

The Court of Foujdaree Ada-
-lut approve of the observations recorded
by the Sessions Judge in his Proceedings
under date the 1st March 1848, and desire
that the Sudder Ameen may be inform-
-ed that the Court expect him to pay
due attention to the caution therein
conveyed.-

Ordered that Extract from
these Proceedings be forwarded to the
Sessions Judge of Madura for his in-
-formation and for communication to
the Sudder Ameen.-

(Sent in No 878)

Read Criminal Reports
submitted by the Acting Sessions Judge
of Cuddalore for February 1848.

(Here enter F.H. No 708 of 1848)

Report B.
Case No 10.

1.

The charge in this case
being wholly unintelligible in its pre-
-sent form, the Court of Foujdaree Ada-
-lut resolve to return the same for amend-
-ment to the Acting Sessions Judge, who
will, at the same time, be pleased to

draw

29th March 1848.

draw the attention of the Principal Sudder Ameen to the very imperfect manner in which this charge, as well as those in the two following Cases in this Report, have been drawn out.

2. The Court direct that the statement may be returned duly amended with the least practicable delay.-

Ordered that Extract from these Proceedings be forwarded to the Acting Session Judge of Combatore for his information and guidance by Precept returnable within five days from and after it's receipt.

(Sent following precept No 379)

Read Calendar in Case No 10 of the Session Court of Coimbatore for 1848.

(Here enter F.U. No 691 of 1848)

1. The Prisoners, four in number, were charged with "Gang Robbery" and the Session Judge concurring in the Opinion of the Law Officer, which convicted them on strong presumptive proof, sentenced them to 14 Years imprisonment with hard labor in irons.

In

F.U.

29th March 1848.

2. In the case of the 3rd and 4th Prisoners the Session Judge recommends that the term of their imprisonment be reduced to 10 Years.-

3. Previous to passing final orders in this case, the Court of Foujdaree Adawlut require to be informed whether it appeared on evidence that the Prisoners were disguised, and further whether they were denounced by name to the Police authorities immediately after the commission of the Crime.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Coimbatore by Precept returnable within III days from and after its' receipt.

(Sent following precept No 380 -

End 1st

EMB

F. W.

Thursday, 30th March, 1848.

At a Court of the Tanjore Adalat.

Present:

W. W. G. S. Stoker Esqr. — 1st Puisne Judge,

E. P. Thompson Esqr. — 2d Puisne Judge,

W. W. A. Morehead Esqr. — 3d Puisne Judge.

Read criminal Reports submitted by the Sessions Judge of Mangalore for February 1848.

(Here Calendar No. 688/1848)

The Court of Tanjore Adalat

B case No 15

being of opinion that the sentence recorded against the Prisoner in this case is unnecessarily severe, and that the imprisonment, which he has already undergone, will amply satisfy the ends of justice, resolve, under the provisions of Section XXXV Act VI of 1843, to direct his immediate, and unconditional release.

Case No 16

2 The Court of Tanjore Adalat observe that in cases similar to

to the one now under consideration, when the Proceedings held by the Sessions Judge were merely to keep safely on the part of the Police authorities the retainsion of Reports & an accompanying a brief note explanatory of the circumstances, which elicited them from the Sessions Court, leaving it open to him thereof to the front of the case in Report B.

Cases Nos 20 & 22

5 The Prisoners in case No. 22 were charged with "Robbery without aggravating circumstances" but the offence committed by the Prisoners in this instance appears to be of the same description as that perpetrated by the Prisoners in Case No 20, where the designated "House breaking and Theft by night" The Court of Sessions desire to be informed why the Prisoners in each of these cases were not indicted on a charge of Highway Robbery.

Cases Nos 23 & 24

4 The Court desire to be informed why the Prisoners in each of these cases were not indicted on a charge of Highway Robbery.

Case No 30

5 The 1st Prisoner in this case is designated as a "Batta Ameen of the Peperaag dry's Moonsiffs Cutcherry". The Court of Sessions desiderate an explanation of the term "Batta Ameen".

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Mangalore by Precept returnable within two days from and after its receipt.

(sent following precept No 382)

Read Calendar of Cases No 4 of the Sessions Court of Chicacole for 1848.

(Here take file No 715/1848.)

The Prisoner

Kotty Vencatachandry

was

29th March 1848.

30th March 1848

Cases Nos 23 & 24

4 The Court desire to be informed by the Prisoners in each of these cases were not indicted on a charge of Highway Robbery.-

Case No 31

5 . The 1st Prisoner in this case is designated as a "Batta Ameen of the Peperaag adys Moonsiffs Cutcheery". The Court of Tonjdaree would not require an explanation of the term "Batta Ameen".-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Mangalore by Precept returnable within Two days from and after its receipt.-

(sent following precept No 382)

Read Calendar of Cases No 4 of the Sessions Court of Chicacole for 1848.

(Vide Cases File No 715/1848.)

The Prisoner

Kotty Vincatasawmy

was

Cases Nos 20 & 22

3 The Prisoners in these cases stand charged with "Robbery without aggravating circumstances" but the offence committed by the Prisoners in the present cases appears to be of the same nature as that perpetrated by the Prisoners in Case No 20, where it is designated "House breaking and Theft by night". The Court of Tonjdaree would not require an explanation of the description given in the present cases.

30th March 1848

was convicted of the crimes of Forgery and de hands and sentenced by the Sessions Judge under Clause first Section III Regulation III of 1811, to Fetters with 150 Lashes of the Cat o'nine tails and 7 years' imprisonment with hards labour in irons.

2 The Sessions Judge recommends for Special reasons, that the Prisoner should undergo his imprisonment at Chingleput

3 The Court of Foujdaree Adawlut approve of the recommendation of the Sessions Judge in this case, and authorize him under the provisions of Clause third Section XII Regulation XV of 1813 to spare the corporal punishment with hard labour in irons for 7 years at the Jail at Chingleput.

4 The Court observe that the Chief in this case is badly drawn up, and they expect that more care in this particular will be exhibited in future Calendars

Fda
30th March 1848

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chicacole for his information and guidance

(Sent pr No 383)

Ordered also that Extract from these Proceedings (paras 1, 2 and 3) be sent to the Sessions Judge of Chingleput for his information.

(Sent pr No 384)

Read Calendar of Cases No 20 of 1848 submitted by the Acting Sessions Judge of Cuddalore under date 20th March 1848.

(Here Cases Fda No 745/1848)

Read Calendar of Cases No 8 of 1848 submitted by the Sessions Judge of Calicut under date 17th March

(Here Cases Fda No 746/1848)

Read Return dated 20th Instant from the Sessions Judge of Coimbatore to the Precept of the Foujdaree Adawlut under date the 14th idem

desiring

Read Calendar of Cases
No 8 of 1848 submitted by the Sessions
Judge of Chicacole under date the
17th instant

(Here Enter 7Ro No 753/1848)

Read Calendar of Cases
No 8 of 1848 submitted by the Sessions
Judge of Combaconam under date
the 23d instant—

(Here Enter 7Ro No 752/1848)

Read Return dated 23d instant from
the Sessions Judge of Nellore to the precept of the
Zoujdaree Adalat under date the 14th Instant con-
taining observations on the Nellore Crimi-
nal Returns for January 1848

(Here Enter 7Ro No 705/1848)

Read Return dated 24th instant
from the Sessions Judge of Coimbatore to the
precept of the Zoujdaree Adalat under
date the 20th idem requiring to be in-
formed of the great delay in the dis-
posal of the case No 90 of 1847 on
the Calendar of the Sessions Court—

(Here Enter 7Ro No 711/1848)

desiring to be informed of the Causes
which have prevented the arrear
at the Sessions Court of the Subordinate
Criminal Cases No 94 and 97 of 1847 and
No 8 of 1848

(Here Enter 7Ro No 754/1848)

Read Letter dated 20th
March 1848 from the Sessions Judge
of Coimbatore forwarding copies of
explanations furnished by the Magis-
trate of Coimbatore with respect to
the remarks contained in an Extract from the Pro-
ceedings of the Sessions Court during the Circuit
last from the Court of Zoujdaree Adalat on the
Report of the Sessions Court for 1847

(Here Enter 7Ro No 758 of 1847)

Read Report dated 31st
Instant submitted by the Agent to the
Governor of Fort St George in 1st
Division of Persons admitted
in the Separate Wards of the Hos-
pital and discharged in the
Month of February 1848.

(Here Enter 7Ro No 754

31st March

F. C.

Friday
31st March 1848.

At a Court of the Foujdaree Adalut.

Present;

G. S. Dooper Esqre ——— 1st Puisne Judge,
E. P. Thompson Esqre ——— 2nd Puisne Judge,
W. A. Morehead Esqre ——— 3rd Puisne Judge,

Read Criminal Reports of the Sessions Court of Chingleput for February 1848.
(Here enter F. C. No. 685 of 1848).

Magistrates Report B. 1
Case No. 8 of 1848.

The Court of Foujdaree Adalut observe that the offence committed by the Prisoner in this Case was beyond the jurisdiction of the Magistrate, whose sentence must accordingly be annulled, and the Prisoner committed for trial before the Criminal Court.—

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chingleput for his information and for communication to the Magistrate for his guidance.—
(Sent in No. 392)

Read Criminal Reports of the Sessions Court of Rajahmundry for February 1848.
(Here enter F. C. No. 735 of 1848).

Report B 1
Case No. 13 of 1848.

The Prisoner in this Case was charged "with having concealed the birth of a child born

"to her in a Midnight by throwing it immediately
"and secretly into a well," but on or about what date
the offence was supposed to have been committed
has not been specified in the charge. This informati
is essentially necessary for the consideration of the
Court of Foujdaree Adalut and they direct that in
future care may be taken that it is duly supplied.

2. The Court also take this opportunity
of directing that in future the name of the Police
officer, by whom each case was committed, be
entered in the Reports.

Ordered that Extract from these
Proceedings be forwarded to the Sessions Judge of
Rajahmundry for his information and guidance.

(Sent in No. 393)

Read Criminal Reports B dated the
15th March 1848 submitted by the Sessions Judge
of Nellore for the Month of February 1848.

(Here enter F. 86. No. 689 of 1848).

Read Calendar dated the 1st January
1848 submitted by the Sessions Judge of Tinnevelly
of Trials held before him from 1st July to 31st December
1847.

(Here enter F. 86: No. 693 of 1848).

Read return dated the 15th March 1848
from the Sessions Judge of Tinnevelly to the precept

of

of the Foujdaree Adalut under date the 24th February
1848. requiring him to procure and to submit an
explanation of the causes which rendered the
heavy punishment adjudged against the Prisoner
in Case No. 4 of 1848 of the Head Assistant Magis-
trates file, requisite.

(Here enter F. 86: No. 695 of 1848).

Read return dated the 15th March 1848.
from the Sessions Judge of Madura to the precept
of the Foujdaree Adalut under date the 6th March 1848.
on the Criminal Reports for January last; requiring
explanation of the cause of one Peon having been
employed in excess of the prescribed number in
guarding convicts worked outside the Jail in that
month.

(Here enter F. 86: No. 696 of 1848).

Read letter dated the 17th March 1848.
from the Sessions Judge of Salem submitting
the return to the death warrant in Case No. 117.
of the Calendar of the Session Court of Salem for
1847. and the letter required by the Circular Order
of the Foujdaree Adalut of the 20th September 1830.

(Here enter F. 86: No. 702 of 1848).

Read report Form A dated the 14th
March 1848. submitted by the Sessions Judge of
Guntoor of Persons apprehended and delivered to he
in

the

31st March 1848.

the Month of March 1848.-

(Here enter F: C: No. 705 of 1848)

Read Criminal Reports dated the 29th February 1848. submitted by the Sessions Judge of Coimbatore for the Month of February 1848.

(Here enter F: C: No. 706 of 1848)

Read Criminal Report B dated the 15th March 1848. submitted by the Acting Sessions Judge of Cuddapah for the Month of February 1848.-

(Here enter F: C: No. 709 of 1848).

Read Criminal Report B dated the 9th March 1848 submitted by the Sessions Judge of Masulipatam for the Month of February 1848.-

(Here enter F: C: No. 711 of 1848).

Ent'd H.

E W Boss

J: C:

Saturday 1st April, 1848.

At a Court of the Foujdaree Adalut.

Present,

G: S: Hooper Esqre ——— 1st Puisne Judge,
E: P: Thompson Esqre ——— 2nd Puisne Judge,
W: A: Morehead Esqre ——— 3rd Puisne Judge,

Read letter dated the 20th Ultimo, from the Sessions Judge of Madura submitting the record of the trial in Case No. 1 of 1848. on the Calendar of the Sessions Court.-

(Here enter F: C: No. 761 of 1848).

Mr. E: P. Thompson

The Court of Foujdaree Adalut, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the Prisoners,

1st Soobbanarrainia Ayen,
2nd Venkatasawmy Naicken,
3rd Ramabadera Naicken,
4th Ramakristna Naickn,
and
5th Arounachellom Pillay,

is sufficient to convict them of the Crime charged, do convict them thereof; and under the provisions of Clause third Section III Regulation XI of 1811, Regulation VIII of 1828. and Section XXXIV Act VII of 1843 sentence the Prisoners,

these

Prisoners,

1st. Seobbanaradhia Iyen
and
3d. Ramabadra Kaiken

to be exposed in the usual manner commonly denominated Tasheer, to receive each (50) lashes with a Cat o'nine tails, and to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of (5) five years, the Prisoner,

4th. Ramakristna Kaiken,
and
5th. Arunachellum Pillay

to be imprisoned and kept to hard labor in irons on the public roads or other public works, for and during the period of (2) Two Years, and the Prisoner,

2d. Venkatasawmy Kaiken,

to be imprisoned and kept to hard labor in irons on the public roads or other public works, for and during the period of (6) six months.

(Sent following letter No. 395)

Read the Calendar of Case No. 7 of 1848. of the Sessions Court of Rajahmundry

(Here enter F. G. No. 727 of 1848).

1. In this Case, four Prisoners were charged with "Murder" on "Saturday, at about 5 O'clock P. M. of the 11th February 1848, struck the Deceased's husband with sticks, on the road between Cotamapully

1st. April 1848.

and Tandeemulla he having died of the effects of the blows, at about 7 O'clock in the morning of the 13th idem".-

2. The Mooluumeedan Law officer in his Futwa, after minutely summing up the evidence, states that "it is to be concluded that the deceased came to his death from the blow he had received from the 1st. Prisoner and warrants it Zunn-i-ghalib": but adds "however as the act in which the deceased was found by the Prisoners, caused him to deserve to be killed, and the Prisoners having done accordingly, they are not liable to punishment by Law".-

3. The Sessions Judge concurred in the finding of the Futwa, and ordered the Prisoners to be discharged.-

4 The Court of Foujdaree Udalut observe that the Prisoners in this Case were charged with Murder and that the Futwa declares them to be convicted of that crime on strong Presumptive Proof: and therefore the Sessions Judge who concurred in the finding, was not competent to dispose of the Case in the way he has done.

5. The Court now direct that immediate measures be adopted for the re-apprehension of the accused, and that the Record of the Case

Ordered

case be translated with as little delay as possible, and referred for their final Judgment.—

6. The Session Judge will be pleased to take care that a copy of the Futwa (Persian) accompanies the Record, as the Translation given in the Calendar, is by no means clear.—

7. The Court observe that even had the Prisoners been legally released, they must still have called for an English Translation of the Record as they are by no means satisfied that the case has been properly disposed of.—

Ordered that Extract from these Proceedings be sent to the Session Judge of Rajahmundry by Precept returnable within one Month from and after its receipt.—

(Sent following Precept No. 396)

End 4th

F U.

Monday 3d April 1848. At a Court of the Foujdaree Udalut

Present.

G S Hooper Esqr 1st Puisne Judge.

E. P. Thompson Esqr 2d Puisne Judge.

W A. Morehead Esqr 3d Puisne Judge.

Read Miscellaneous Petition presented on the 15th November 1847 by Vellamma of Tillah Cuddalore

(Here enter F. U. M. P. No 292 of 1847)

1 Petitioner is a relation of the 4th Prisoner in Case No 11 of 1847 of the Chingleput Session Court, she asserts his innocence, and prays his release.

2. The Petitioner is informed that the Court of Foujdaree Udalut have, on a consideration of the Calendar resolved to direct that the Prisoner, to whom she refers, should be released on his furnishing good and competent Security for his good behaviour and appearance when required for the period of one year.

Ordered that Extract from these

F. C.

3d April 1848

on a charge which was preferred by the Petitioners against Goolam Montoza Saib and others, of combining with certain other parties, all of whom possessed an interest in the property of one Bahur Beg deceased, and fabricating in his house at Triplicane a deed of sale, purporting to be the voluntary deed of conveyance executed by Petitioners in common with the other co sharers in the enam, in favor of the said Goolam Montoza Saib

2

The Acting Magistrate declined to investigate the charge of Forgery, the locality in which the crime was said to be committed being beyond his jurisdiction but confining himself to the question "of the right of enjoyment," dismissed the Petitioners complaint on the grounds that the sale was evidently a bona fide one, and executed with the full concurrence of the Petitioners whose subsequent objections, were raised at the instigation of one Rookmooddeen Saib the former agent of the shareholders, whose opportunity for plundering the parties naturally ceased to exist with the sale of the land to another person able and willing to undertake the management

of

can see nothing in this Petition to induce their interference necessary in the matter most complained of, and as they can discover no good grounds for

decision they request as not to be disturbed

Petition dismissed

Ordered that Extract from these Proceedings be given to the Petitioners on their application.

Read Miscellaneous Petition presented on the 6th March 1848 by the Mookhtear Vakeel of Patima Beebee and another of Tillak Chinglepet.

(Here enter F. C. M. P. No 87 of 1848.)

Read also Counter Petition presented on the 15th March 1848 by Goolam Montoza

(Here enter F. C. M. P. No 90 of 1848)

The object of the former Petition is to induce the Court of Foujdara Udalut to order the reversal of a decision passed by the Acting Magistrate of Chinglepet on the 28th July 1847,

on

3d April 1848

these Proceedings be given to the Petitioner
on her application

Read again Calendar of Case
No 50 of the Session Court of Salem for 1847
(Here enter F 16. No 150 of 1847)

Read also Miscellaneous
Petition presented on the 21st February 1848 by
Veeatarayden of Tillah Salem
(Here enter F 16. M. P. No 66 of 1848)

Petitioner prays the Court of Tongdaree
Udalut will be pleased to order the sentence of
7 years imprisonment recorded against his son
Coopooden, the 1st Prisoner in Case No 50 of the
Session Court of Salem for 1847, to be suspended
until the Court shall have called for the
Record of the Case and satisfied themselves of
the truth of the charge brought against his son
who Petitioner states is wholly innocent of the
crime, as the evidence of the witnesses called on the trial
will clearly show

2. The Court of Tongdaree Udalut
have carefully considered the evidence furnished in
the Calendar of the above case and are satisfied
of the correctness of the conviction of, and the
consequent

3d April 1848

consequent sentence recorded against the Petitioners
Petitioner's son, and they can discover nothing of
in what Petitioner now advances to induce of
them to disturb it. of

Petition dismissed. this

Ordered that Extract from these orders
Proceedings be given to the Petitioner on his ted
application. co

Read Miscellaneous Petition 6
presented in the 21st February 1848 by Vedachella
Tumberan and 9 others of Tillah Timmelly tined
Hereenter F 16. M. P. No 66 of 1848) lity
The object of this Petition is to ted
1 induce the Court of Tongdaree Udalut to remit ing
a fine of Rupees 5 imposed, on the 3d Petitioner
Seobramanyatumberan, and Rupees 10 on each of laint
the 9 other individuals who are parties to this lond
application, by the Joint Magistrate of nce
Timmelly on a charge of assault brought coere
against them by an inhabitant of the Village said
of Seliahairy

This fine they state was unjustly ly,
2 confirmed by the Session Judge on appeal and al r
the whole charge is false and got up from private
hostile

hostile motives the Petitioners pray that this Court will be pleased to grant them redress.

3 The Court of Foujdarry Udalut can see nothing in this Petition to render their interference necessary in the matter now complained of and as they can discover no good grounds for doubting the correctness of the Lesson Judge's decision they resolve not to disturb it.

Petition dismissed.

Ordered that Extract from these Proceedings be given to the Petitioners on their application.

Read Miscellaneous Petition presented on the 6th March 1848 by the Mookhtar Vakeel of Patima Bukee and another of Tillah Chinglepute.

(Here enter F. Ud. M. P. No 87 of 1848.)

Read also Counter Petition presented on the 15th March 1848 by Goolam Moortoza.

(Here enter F. Ud. M. P. No 90 of 1848.)

1 The object of the former Petition is to induce the Court of Foujdarry Udalut to order the reversal of a decision passed by the Acting Magistrate of Chinglepute on the 26th July 1847.

on

on a charge which was preferred by the Petitioners against Goolam Moortoza Saib and others, of combining with certain other parties, all of whom possessed an interest in the property of one Bakur Beg deceased, and fabricating in his house at Triplicane a deed of sale, purporting to be the voluntary deed of conveyance executed by Petitioners in common with the other co sharers in the enam, in favor of the said Goolam Moortoza Saib

2 The Acting Magistrate declined to investigate the charge of Forgery, the locality in which the crime was said to be committed being beyond his jurisdiction but confining himself to the question "of the right of enjoyment," dismissed the Petitioners complaint on the grounds that the sale was evidently a bonâ fide one, and executed with the full concurrence of the Petitioners whose subsequent objections, were raised at the instigation of one Rookmooddan Saib the former agent of the shareholders, whose opportunity for plundering the parties naturally ceased to exist with the sale of the land to another person able and willing to undertake the management

of

of A himself

3.

Gorham Montezyn in his Counter Petition deprecates any interference with Mr Maltby's order which he maintains is perfectly in accordance with justice and right and begs the whole blame of this appeal on the aforesaid Rookmoodeen Saib, the Agent, prays that the charge of forgery preferred against him may be dismissed as manifestly false and the parties adequately punished for their misconduct

4.

The Court of Foujdaree Udalut observe that the point at issue in this case is entirely of a civil nature

5.

The proper course for the Petitioner to pursue under the circumstances detailed in his Petition No 87 of 1848, will be to institute a Civil action against the parties by whom their rights have been as they allege unjustly contested to Gorham Montezyn &c.

Ordered that a Extract from these Proceedings be given to Petitioner the Agent in Petition No 87 of 1848 on his application.

Ordered also that a Extract from these Proceedings be given to the Petitioner in No 90 of 1848 on his application.

Read Calendar in Case No 1149 of 1848 of the Session Court of Madura.

(Here enter F. C. No 757 of 1848)

1.

In this Case the Prisoners, three in number, were charged with Robbery by open violence and the Session Judge concurring in the Futwa, which convicted them of the crime charged sentenced them to 14 years imprisonment with hard labor in irons.

2.

The Court of Foujdaree Udalut find the information supplied in the Calendar insufficient to enable them to judge of the propriety of the conviction of the Prisoners and of the sentence awarded. The Court accordingly direct that a translation of the deposition given by the 1st witness, who identified the articles found upon the Prisoners as the property of the Prosecutor be submitted for their consideration.

3.

The Session Judge will also be pleased to forward copy of the List of stolen property given in by the Prosecutor, when he first reported the Robbery to the Police authorities. The value of the articles found upon the Prisoners must be also correctly stated.

The

3d April 1848.

4 The Court further direct that the sentence passed by the Session Judge be suspended pending this reference: the Prisoner being detained in custody without labor and without irons.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Madura by Receipt returnable within 10 days from and after its receipt.

Sent following Receipt No. 398

Read Miscellaneous Petition presented on the 28th February 1848 by C. Moonuppa Moodelly of Tillah Chittoor.

(Here enter F.U. M.P. No. 73 of 1848)

1 The Petitioner prays the Court of Zemindary Adalut to cancel the order of the Session Judge of Chittoor of the 29th October 1847 dismissing Petitioner's prayer for the institution of an inquiry into a charge of Robbery preferred by him in the first instance, before the Head Police of Maravanmangalam accusing one Nursappa Naick and others of breaking open the padlock of his Judge godown and stealing therefrom 2500 Rupees worth of property.

F U
3d April 1848.

2 The Session Judge after calling for the Record of the case from the Acting Magistrate pronounced the charge as malicious and vexatious attempt on the part of the Petitioner to harass and perhaps defraud his creditors (the Respondents) and accordingly dismissed his Petition.

3 The Court of Zemindary Adalut cannot see reason to interfere in the matter of this Petition, which has been properly and correctly disposed of by the Lower Court.

Petition dismissed.

Ordered that Extract from these Proceedings be given to the Petitioner on his application.

Read Miscellaneous Petition presented on the 28th February 1848 by Tarruppah of Tillah Chittoor.

(Here enter F.U. M.P. No. 74 of 1848)

1 Petitioner states that his brother one Boodegutta Muttupah has been falsely charged by Kistnadas a Banker with having committed a theft in his house, and the prosecution being supported by false evidence the Case (No. 82 of 1847) was tried by the Session

3d April 1848.

4 The Court further direct that the sentence passed by the Session Judge be suspended pending this reference: the Prisoner being detained in custody without labor and without irons.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Madura by Receipt returnable within 10 days from and after its receipt.

(Sent following Receipt No. 398

Read Miscellaneous Petition presented on the 28th February 1848 by C. Muruppa Moodelly of Tillah Chittoo.

(Recorded F.U. M.P. No. 73 of 1848)

1 The Petitioner prays the Court of Fouzdaree Udalut to cancel the order of the Session Judge of Chittoo of the 29th October 1847 dismissing Petitioner's prayer for the institution of an inquiry into a charge of Robbery preferred by him in the first instance, before the Head Police of Maravanmaccoming one Muruppa Thevar and others of breaking open the padlock of his Judge godown and stealing therefrom 2400 Rupees worth of property.

F U
3d April 1848.

2 The Session Judge after calling for the Record of the case from the Acting Magistrate pronounced the charge as malicious and vexatious attempt on the part of the Petitioner to harass and perhaps defraud his creditors (the Defendants) and accordingly dismissed his Petition.

3 The Court of Fouzdaree Udalut cannot see no reason to interfere in the matter of this Petition, which has been properly and correctly disposed of by the Lower Court.

Petition dismissed.

Ordered that Extract from these Proceedings be given to the Petitioner on his application.

Read Miscellaneous Petition presented on the 28th February 1848 by Tarruppah of Tillah Chittoo.

(Recorded F.U. M.P. No. 74 of 1848)

1 Petitioner states that his brother one Poodegutter Muttapah, has been falsely charged by Krishnadoss a Banker with having committed a theft in his house, and the prosecution being supported by false evidence the Case (No. 32 of 1847) was tried by the Session

3rd April 1848.

4 The Court further direct that the sentence passed by the Session Judge be suspended pending this reference: the Prisoner being detained in custody without labor and without irons.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Madura by Receipt returnable within 10 days from and after its receipt.

Sent following Receipt No. 398

Read Miscellaneous Petition presented on the 28th February 1848 by C. Mooneppa Moodelly of Tillak Chittoor.

(Here enter F U. M. J. No. 73 of 1848)

1 The Petitioner prays the Court of Foujdaree Adalut to cancel the order of the Session Judge of Chittoor of the 29th October 1847 dismissing Petitioner's prayer for the institution of an inquiry into a charge of Robbery preferred by him in the first instance, before the Head Police of Station (Varanasi), accusing one Narasappa Naick and others of breaking open the padlock of his Godown and stealing therefrom 2400 Rupees worth of property.

F U
3rd April 1848.

2 The Session Judge after calling for the Record of the case from the Acting Magistrate pronounced the charge as malicious and an attempt on the part of the Petitioner to harass and perhaps defraud his Creditors (the Defendants) and accordingly dismissed his Petition.

3 The Court of Foujdaree Adalut see no reason to interfere in the matter of this Petition, which has been properly and correctly disposed of by the Lower Court.

Petition dismissed.

Ordered that Extract from these Proceedings be given to the Petitioner on his application.

Read Miscellaneous Petition presented on the 28th February 1848 by Varnappah of Tillak Chittoor.

(Here enter F U. M. J. No. 73 of 1848)

1 Petitioner states that his brother one Boodegotta Nellapah has been falsely charged by Kistnadsa Naidu with having committed a theft in his house, and the prosecution being supported by false evidence the Case (No. 32 of 1847) was tried by the Session Judge

of Chittoor be passed a sentence of 7 years im-
prisonment with hard labor in irons against
the said Nullapah.

2. The Prosecutor having a desire
to miss his brother, he prays that the Court
of Sudder Adalut will on a consideration
of the case call for the Records of the trial
and issue an order for the liberation of the Prisoner

3. The Court of Sudder Adalut
having duly considered the abstract of the sentence
contained in the Calendar of the Case alluded to
are of opinion that the conviction of the Prisoner
was correct, and the sentence passed upon him, a just
one.

4. The Petitioners prayer cannot therefore be granted.

Ordered that Extract from these
Proceedings be given to the Petitioner on his application.

Read Miscellaneous Petition of
Sooltaun Cutty Talookdar of Punchamal Tillah
Immediately forwarded by the Session Judge of Chittoor
(Recorded T. U. M. P. No 30 of 1848)

Petitioner entreates the prayer of
his former Petition No 7 of 1847, and further

to throw suspicion upon the testimony of certain
witnesses who were examined for the Prosecution
in case No 59 of the Session Court of Timmelly
for 1846.

2. The Court of Sudder Adalut
can discern nothing in this Petition which would
induce them to alter the opinion recorded in
their order of the 11th October last, to which
Petitioner is referred.

Petition dismissed

Ordered that Extract from
these Proceedings be given to the Petitioner
on his application.

Read Miscellaneous Petition
presented on the 6th March 1848 by Soonata Lutch-
mee of Tillah Chittoor.

(Recorded T. U. M. P. No 85 of 1848)

Petitioner states that she is sister
to one Ramasawmy Prisoner in Case No 7
of the Chittoor Session Court for 1848, and
prays that the error sentence recorded against
her brother may be annulled, as the crime
with which he was charged, was not wilfully
committed by him.

3d April 1848

1

2

The Petitioner further urges that the 2d Prisoner having been drawn to seek the protection of another person by the ill usage she experienced from her own husband, his brother (the 1st Prisoner) cannot be charged with having seduced her, and therefore should not have been deemed liable to so severe a sentence as that recorded against him by the Assizes Judge.

3

The Court of Inspector Walcot observed that the sentence complained against, has been reduced by their orders, to one of six months and they see no reason now, to instruct the same

Ordered that Extract from these proceedings be given to the Petitioner on her application.

Read Miss Manning's Petition presented on the 21st February 1848 by Jeremiah Burke of Tullach Station.

(Herewith I (6 Ass. Ks. 65 of 1848)

The Memorialist praying the Court of Inspectors Walcot to cancel a Diary order of the Assizes Judge of Clonmel directing an Information to be prosecuted to the effect that Petitioner was thereafter prohibited from

I 6.

3d April 1848.

presenting Petitions to the Court, and that parties desirous of getting them prepared by him would render themselves liable to fine. This order Petitioner contends is an unjust one, arising mainly from the hostility of one Thos Ryan, the Inspector Record Keeper of the Assizes Court, who is desirous of ruining him (Petitioner) in consequence of his having undertaken to prepare a Petition to the Assizes Judge, regarding one Kane Jr, a Dancing Girl, 1st Prisoner in a Murder Case which was examined and dismissed as not proved by the Magistracy.

2 Before passing final Orders on this Petition, the Court resolve to forward the Translation of it to the Assizes Judge, directing him to enquire into the least possible delay an explanation regarding the several circumstances therein set forth.

Ordered that Extract from these Proceedings be forwarded to the Assizes Judge of Clonmel by Receipt returnable Monthly Days from and after the present (Assizes following) Receipt No 399

Ordered also that Extract from these

3d April 1848

Proceedings be given to the Petitioner on his application

Read Miscellaneous Petition presented on the 13th March 1848 by Issur Chunnah Moodaly of Tellah Chittoor

(Recorded T Ur M P No 103 of 1848)

The Petitioner states that he was the 2d Prisoner in Case No 42 of the Sessions Court of Chittoor for 1847 and that the imprisonment of security to the amount of Rupees 600, made by the Sessions Judge, was an unjust and harsh punishment of the charge brought against him and the evidence being deemed defective

2 He prays therefore that the Security Bond may be annulled, and himself declared unconditionally released

3 The Court of Enquiry and Adalut, unto whom the Record of the case was forthwith sent for consideration of the Court, and they are requested to declare the imprisonment for security made by the Sessions Judge

Petition dismissed

3d April 1848

Ordered that Extract from the Proceedings be given to the Petitioner on his application

Read Miscellaneous Petition presented on the 13th March 1848 on behalf of Seshaiengar of Tellah Combaconum, by his Mookhtier Pakeel

(Recorded T Ur M P No 106 of 1848)

The Object of this Petition is to induce the Court of Enquiry Adalut to interfere in a complaint brought by the Petitioner against one Peroola Iyengar and 10 others of having assaulted him and violently carried off from his dwelling house property to the value of Rupees 12,000

2 The Magistrate of Enquiry found the Defendants for a breach of the peace but in consequence of a relationship which existed between the parties referred the Petitioner to the Civil Court for the recovery of his property under Act XX of 1841

3 The Sessions Judge of Combaconum to whom Petitioner appealed refused to interfere with the order and rejected Petitioners application

for the interference on the grounds that he did
not appear before the Magistrate against the
alleged partiality and defamed arguing of the
Petitioner of bordering, with regard to the supposed
Robbery

4

Petitioner states that it appeared
first that the Defendants came by night and
violently carried off the family property to which
they were in no way entitled, he being entitled to
and that as this cannot be regarded as the ordinary
of a Criminal case, I cannot rightly be considered
as one of those for the determination of which
of Rel was framed.

5

The Court of England should on
an attentive perusal of the Petition together
with the orders passed by the Magistrate and
Sessions Judge on the subject are of opinion that
those orders are correct and that the interference of
this Court is in no way called for in the matter

6

Petitioner's present statements are
inconsistent with his former ones before the Lower
authorities and these last also are contradictory
and contain many discrepancies.

7

On these grounds the Court considers

to reject the prayer of this Petition and to inform the
Petitioner that he is at liberty if he has valid
grounds for preferring a claim to the property in
dispute, to prosecute the same in the Civil Courts

Ordered that Extract from these
Proceedings be given to the Petitioner if he desires
application

Read again the Criminal Reports
transmitted by the Sessions Judge of Rajahmundry
for December 1847

(Hereunto P. 46 No. 120 of 1848)

Read again also Miscellaneous
Petition presented by M. Sobhanadry of Tallapa-
Rajahmundry on the 10th January 1848

(Hereunto P. 46 No. 2 No. 11 of 1848)

Read also return made by the Session
Judge of Rajahmundry under date 8th instant to Receipt
of this Tribunal's Order of the 4th February 1848 directing the
Sessions Court to readmit the Appeal from the decision
of the Subordinate Court presented by M. Sobhanadry and
after perusal of the whole Record to pass Proceedings thereon

(Hereunto P. 46 No. 258 of 1848)

1 It appears by the foregoing Return
that the Session Judge on a careful consideration of
the whole Record saw no reason to doubt the correct-

3d April 1848

of the finding of the Salem Officers and the Subordinate Judges in this Case

2 Both the informations now before them the Court resolves to hand undisturbed the sentence recorded against the Petitioner's brother in Land Maddoolagunga Chitty and accordingly rejects the prayer of this application

Ordered that Extract from these Proceedings be given to the Petitioner on his application

Ordered also that Extract from these Proceedings be forwarded to the Session Judge of Rayakotta for his information

(Sentence No 400)

Read again Attiri Vannan Petition presented on the 20th December 1847 by Annamunga of Tillak Salem

(Here enter T. Co. No. 2 No 336 of 1847)

Read a Letter dated under date 1st ultimo by the Session Judge of Salem to Acting of the Tongdars Cutcherry of the 25th February 1848 requesting the Session Judge to obtain from the Magistrate of Chittoor the deposition of one Venkatarayer the Chetty

(Here enter T. Co. No 720 of 1848)

1 The Court of Tongdars Cutcherry

5th April 1848

of the sentence of Venkatarayer the Chetty favorable to the general character of Petitioner's brother (Prisoner in Case No 93 of 1847 of the Session Court of Salem) yet that it brings to light no corroboration of his defence on the particular point on which his testimony was required, namely the fact of his having remitted the sum of Rupees 70 to the Prisoner to enable him to perform his marriage

2 The deposition now obtained being therefore of no avail in refutation of the sentence for the prevention the Court refuse to disturb the sentence recorded against Petitioner's brother, and resolve to reject this Petition accordingly

Ordered that Extract from these Proceedings be given to the Petitioner on his application

Read the following Letter dated the 8th ultimo from the Session Judge of Rayakotta

(Here enter T. Co. No 659 of 1848)

1 The Session Judge submits for the consideration of the Tongdars Cutcherry,

of the finding of the Salem Officers and the Subordinate Judge in this Case.

2 With the information now before them the Court resolve to leave undisturbed the sentence recorded against the Petitioner's brother in Case

Maddoolagoungoo Chetty and accordingly reject the prayer of this application.

Ordered that Extract from these Proceedings be given to the Petitioner on his application.

Read a Letter from Rajahmundry

(Sentence No 400)

Read again Miscellaneous Petition presented on the 20th December 1847 by Announgy of Tellah Salem

(Here enter T. Ca. M. J. No 326 of 1847)

Read a Letter from Rajahmundry dated 17th ultimo by the Session Judge of Salem to Extract of the Tongdara Wadaht of the 21st February 1848 requiring the Session Judge to obtain from the Magistrate of Chittoor the deposition of one Venkatarayer the Convict

(Here enter T. Ca. No 720 of 1848)

1 The Court of Tongdara Wadaht

also the sentence of Venkatarayer the Convict favorable to the general character of Petitioner's brother (Prisoner in Case No 93 of 1847 of the Session Court of Salem) yet that it brings to light no corroboration of his defence on the particular point on which his testimony was required, namely the fact of his having remitted the sum of Rupees 78 to the Prisoner to enable him to perform his marriage.

2 The deposition now obtained being therefore of no avail in refutation of the sentence for the Prosecution the Court refuse to disturb the sentence recorded against Petitioner's brother and resolve to reject this Petition accordingly.

Ordered that Extract from these Proceedings be given to the Petitioner on his application.

Read the following Letter dated the 8th ultimo from the Session Judge of Rajahmundry

(Here enter T. Ca. No 659 of 1848)

1 The Session Judge submits for the consideration of the Tongdara Wadaht,

3d April 1848

copies of certain Papers having reference to Cases
Nos 33 and 34 of 1847 of the Calendar of the Session Court

2 These Papers consist of Copies of the
Proceedings of the Court of Session on the Appeal of
the Records of the Cases above mentioned, and of
Letters from the Joint Magistrate late in charge
of the District of Rajahmundry, the Magistrate
and the Head Assistant Magistrate, with further
Proceedings of the Session Judge.

3 The Joint Magistrate late in
charge remonstrates against the charges brought
against the Native Officers of the District by the
Session Judge who he computes to Corpus Row,
the Head Police Officer of Inclination faithlessness
and partiality; has declared that this process in
authority will probably frustrate all attempts
to arrive at truth - that he the Head Muddiliar
and the Sannigar have given help to the offender
in a case of brutal outrage, and that they are all engaged
in one conspiracy; and has further charged the Head
Muddiliar with falsehood, corruption and shared
conspiracy.

4 The Court of Foujdaree Adalut have
perused these papers with the greatest attention and

6 F 16
3d April 1848

are of opinion that the Letter of the Joint Magistrate
of the 5th February 1848, affords a full and satisfactory
explanation of all which had appeared to the Session
Judge to be of questionable propriety, and ought
to have commanded the Session Judge that the views
he had formed of the Prisoners statements and
of the conduct of the Police and Village Authorities
in the cases above mentioned, were erroneous.
The Court are further of opinion that the Session
Judge, as in his Proceedings of the 8th February 1848
he did not attempt to refute the Joint Magistrate's
statements, ought, in common fairness to have
relieved the Native Officers of the District from the
grave charges which on first view of the matter and
before he had received the explanations of the Joint
Magistrate, he had seen fit to record against them.
But if he did not think himself justified in
so exonerating them the Court hold that it was
his bounden duty, having already submitted
his Proceedings of the 1st January 1848 which conveyed
the censures, to forward to them along with the Calendar
of Cases Nos 33 of 1848, the Joint Magistrate's Letter, in
order that the Court might have an opportunity
of judging of the fairness or otherwise of those censures

5.

The Court read the Proceedings of the Session Judge in the matter with annexed disapprobation; and they do not propose to annex their entire concurrence in the opinion expressed by the Magistrate and the Joint Magistrate that the Police have in no respect conducted themselves in regard to these cases, in a manner deserving the slightest reprehension. The Court cannot discern the smallest foundation for the imputations levelled at them by the Session Judge.

6.

The Court are also of opinion that the conduct of the Session Judge in so long retaining the Letter of the Joint Magistrate addressed to the Register of the Zillah instead of forwarding it immediately is deserving of grave censure.

7.

The Court likewise remark that the Session Judge's order for the apprehension of the Petitioner Mannuk by warrant and his detention in strict custody when there was no charge or complaint against him was altogether irregular and unjustifiable.

8.

The Court observe that para 2 of the Head Assistant Magistrate's Letter of the 8th January 1848 owing apparently to the unintelligibleness of the

end of the copy not having been examined and corrected as from beginning to end, completely unintelligible.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Rajahmundry for his information.

Sent in No 401

Ordered also that Extract from these Proceedings be forwarded to the Magistrate of Rajahmundry for his information.

Sent in No 402

Gopalrow Moreshwar Pundit moves the Court to return the enclosures in his Miscellaneous Petition No 90 of 1848.

Ordered accordingly.

Read a Miscellaneous Petition presented by Moreshwar Pundit on the 13th March 1848 of Tillak Combaconum

Reg[ister] Tillak No I. No 100 of 1848.

1. Petitioner reiterates the prayer of his former Petitions. Nos 254/1847 and 55/1848 and requests that as an act of grace his brother in law may be released out of custody.

2. Petitioner in regard to the C[ourt]

3d April 1848

order of the 31st January 1848 which is final

Petition dismissed

Ordered that Extract from the
Proceedings be given to the Petitioner on his
application.

Ed W.

F. C.

Tuesday
4th April 1848. At a Court of the Foujdaree Udalut

Present

E. L. Hooper Esq re ——— 1st Puisne Judge.

E. L. Thompson Esq re ——— 2d Puisne Judge

W. A. Morehead Esq re ——— 3d Puisne Judge

Read Criminal Reports —

Submitted by the Sessions Judge of
Chicacole for February 1848.

/Here enter F.C. No. 752 of 1848/

Vizagapore
Report B.
Case No 2 of 1848

1. The Court of Foujdaree Udalut
observe that the offence with which the
Prisoner in this case was charged, is
beyond the jurisdiction of the Sudder Bunder
the case should therefore have been forwarded
for trial to the Sessions Court.—

2. The Court direct that the attention
of the Magistrate may be drawn to
this point, with a view to his issuing the
necessary instructions to the Several Police
Officers in the District under his control
for their future guidance.—

4th April 1848.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Chicacole for his information and for communication to the Magistrate

/ Sent in Nº 406 /

Read the Calendar of Cases for 1848 of the Sessions Court of Mangalore

/ Here enter F. Ca Nº 739 of 1848 /

1. In this Case the Prisoner "Ranga" was charged with the Robbery, in having on the night of Thursday the 7th Cooshta Bhol of Shivunga corresponding with the 27th January 1848, intercepted the Prosecutrix's daughter, the 1st witness Seethy, while going along the road, forcibly taken her to his house, and by threatening to stab her to death with a knife, robbed her of her personal ornaments valued at Rupees 17 6 "

2. The Mohummudan Law Officer in his Futwa, acquitted the prisoner of the crime charged; but convicted him of "Fraud"

4th April 1848 -

and declared him liable to Tazeer and the Sessions Judge concurring in the finding, sentenced the Prisoner to Imprisonment with hard labour in Irons for two years, under Clause Seventh, Section III Regulation XV of 1803 -

3. The Court of Foujdaree Adalut observe that the conviction of Fraud cannot be maintained. The account given by the Prisoner of the transaction is, in all probability the true one. For the misdemeanour committed by the Prisoner in carrying, with a certain degree of violence, the first witness to his house, the imprisonment he has already undergone, is more than sufficient -

4 Under the Provisions of Section XXIV Act VII of 1843, the Court of Foujdaree Adalut direct the Prisoner immediate and unconditional release -

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Mangalore by Precept returnable within III days from and after its receipt

(Sent following precept Nº 407)

4th April 1848.

Read Letter dated the 4th ultimo from the Sessions Judge of Salem forwarding for the consideration of the Foujdaree Adalut, various Papers received from the Magistrate of Salem, relative to the conduct of Timmanpah, the Head of Police of the Kistnaghery Talook

(Also entered F.R. No. 802 of 1848)

1 The Court of Foujdaree Adalut observing that the Cases specially brought forward by the Magistrate as affording instances of Timmanpah's misconduct, occurred in the year 1844-45 and 46, before recording any opinion on the merits of this matter, to call for a Report from the Magistrate, of the manner in which that person had generally performed his Police duties during the latter part of 1847. If during that period, there were any specific cases of misconduct, or neglect of duty on his part the Magistrate will be pleased to communicate them, and to furnish any papers which may have passed between himself and the Head of Police on the subject

F.R.

4th April 1848.

which may be deemed necessary for the proper understanding of the matter.

2. The Magistrate will also be pleased to report whether he has yet received any answer from the Board of Revenue to the last reference he made to that authority on the subject of Timmanpah's conduct.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Salem by Precept returnable within ten days from and after its receipt.

(Sent following precept No. 408)

Read Calendar of Case No. 30 of 1848 of the Sessions Court of Salem

(Also entered F.R. No. 764 of 1848)

1 The Prisoner in this case was charged with having "beaten the Prosecutrix "with his two hands on her cheeks so severely "that two of her upper teeth fell down, and "blood issued therefrom"

2 The Sessions Judge, concurring in the Futwa which convicted the Prisoner of the

4th April 1848

the crime charged, sentenced him to pay a fine of Rupees 20, or to be imprisoned for one month with labor without irons.—

3. The Court of Foujdaree Udalut are of opinion that the sentence recorded by the Sessions Judge in this Case, may be with propriety mitigated, and under the provisions of Section XXXV Act VIII of 1843, the Court resolve to direct that the Prisoner, if still in confinement, be immediately released, or if the fine has been paid, that it be returned to the Prisoner and the Balance refunded to the Prisoner.—

4. The Court further direct that the Principal Sudder Ameen may be cautioned against imposing unwarrantable fines on the Sessions Court by the committal of Cases of the trifling nature of the one now under reference.—

Ordered that by Extract from these proceedings be forwarded to the Sessions Judge of Salem for his information and guidance and for communication to the Principal Sudder Ameen.—

(Sentence No. 1097)

4th April 1848.

Read Calendar No. Case No. 11 of 1848 of the Sessions Court of Coimbatore

(See entries File No. 755 of 1848)

1. The six Prisoners in this Case were charged with "Daug Robbery", and, on conviction, the 4th Prisoner was sentenced to 14 years imprisonment with hard labor in irons.—

2. The 1st and 2d Prisoners were deemed liable to suspicion, and required by the Sessions Judge to find Security in two Sureties in Rupees 50 each for one year. The 3d. 5th and 6th Prisoners were acquitted and unconditionally released.—

3. The Court of Foujdaree Udalut, seeing reason to question the propriety of the disposal of this case, resolve to call for the entire Record, which the Sessions Judge will be pleased to cause to be translated, and submitted for their consideration with the least practicable delay.—

Ordered that by Extract from

three

4th April 1848.

these proceedings be forwarded to the Sessions Judge of Coimbatore by Precept returnable within twenty four days from and after its receipt.

(Sent following precept No 410)

Read again Calendar in Case No 11 of 1847 of the Sessions Court of Chingleput

(Here enter F.H. No 2713 of 1847)

Read also again Return dated 4th November 1847 and Supplemental Return dated 22d February 1848 from the Acting Sessions Judge of Chingleput to the Precept of the Foujdaree Adalut dated 29th October 1847 calling for an English Translation of the Record in the above Case

(Here enter F.H. Nos 2984 of 1847 and 468 of 1848)

Read also Return dated 8th March made by the Acting Sessions Judge of Chingleput to the Precept of the Foujdaree Adalut dated 3d idem calling for a Statement shewing the description, and value of each article of property found on each Prisoner in the above Case

(Here enter F.H. No 704 of 1848)

F.H.

4th April 1848.

having reason to question the propriety of the conviction of certain Prisoners in this Case, called for the Record, and after a careful and deliberate consideration thereof, the Court find themselves constrained to dissent from the view taken of the case by the late Sessions Judge.

2. The evidence against the 1st 2d and 3d Prisoners, the Court of Foujdaree Adalut consider to be wholly insufficient for conviction, and accordingly resolve to direct their immediate, and unconditional release.

3 In respect to the 4th 10th and 12th Prisoners the Court likewise consider the evidence too defective to warrant a conviction, tho' in their case sufficiently strong to render them liable to suspicion, and consequently, amenable to a requisition for security, which the Court accordingly resolve to demand, and direct that they be respectively required to furnish each two good and competent Securities in the Sum of Pagodas each Surety, for their good behaviour, and

4th April 1848.

these proceedings be forwarded to the Sudder Judge of Coimbatore by Precept returnable within — twenty five days from and after its receipt.

/Sent following precept No 410/

Read again Calendar in Case No 11 of 1847 of the Sudder Court of Chingleput

/Here enter F.H. No 2713 of 1847/

Read also again Return dated 4th November 1847 and Supplemental Return dated 22d February 1848 from the Acting Sudder Judge of Chingleput to the Precept of the Foujdaree Adalut dated 29th October 1847 calling for an English Translation of the Record in the above Case

/Here enter F.H. Nos 2024 of 1847 and 188 of 1848/

Read also Return dated 8th March made by the Acting Sessions Judge of Chingleput to the Precept of the Foujdaree Adalut dated 3d idem calling for a Statement shewing the description, and value of each article of property found on each Prisoner in the above Case

/Here enter F.H. No 97 of 1848/

1 The Court of Foujdaree Adalut

F.H.

4th April 1848.

seeing reason to question the propriety of the conviction of certain Prisoners in this Case, called for the Record, and after a careful and deliberate consideration thereof, the Court find themselves constrained to dissent from the view taken of the case by the late Sudder Judge.

2. The evidence against the 1st 2d and 3d Prisoners, the Court of Foujdaree Adalut consider to be wholly insufficient for conviction, and accordingly resolve to direct their immediate, and unconditional release.

3. In respect to the 4th 10th and 12th Prisoners the Court likewise consider the evidence too defective to warrant a conviction, tho' in their case sufficiently strong to render them liable to suspicion, and consequently, amenable to a requisition for security, which the Court accordingly resolve to demand, and direct that they be respectively required to furnish each two good and competent Securities in the Sum of Rupees 50 each Surety, for their good behaviour, and

4th April 1848.

these proceedings be forwarded to the Sessions Judge of Coimbatore by Precept returnable within twenty five days from and after its receipt.

(Sent following precept No 410)

Read again Calendar in Case No 11 of 1847 of the Sessions Court of Chingleput

(Here enter F.H. No 2713 of 1847)

Read also again Return dated 6th November 1847 and Supplemental Return dated 22d February 1848 from the Acting Sessions Judge of Chingleput to the Foujdaree Adalut dated 29th October 1847 calling for an English Translation of the Record in the above case.

(Here enter F.H. Nos 2884 of 1847 and 68 of 1848)

Read also Return dated 6th March made by the Acting Sessions Judge of Chingleput to the Precept of the Foujdaree Adalut dated 3d idem calling for a Statement shewing the description, and value of each article of property found on each Prisoner in the above Case.

(Here enter F.H. No 70 of 1848)

The Court of Foujdaree Adalut

F.H.

4th April 1848.

seeing reason to question the propriety of the conviction of certain Prisoners in this case, called for the Record, and after a careful and deliberate consideration thereof, the Court find themselves constrained to dissent from the view taken of the case by the late Sessions Judge.

2. The evidence against the 1st 2d and 3d Prisoners, the Court of Foujdaree Adalut consider to be wholly insufficient for conviction, and accordingly resolve to direct their immediate, and unconditional release.

3 In respect to the 4th 10th and 12th Prisoners the Court likewise consider the evidence too defective to warrant a conviction, tho' in their case sufficiently strong to render them liable to suspicion, and, consequently, amenable to a requisition for security, which the Court accordingly resolve to demand, and direct that they be respectively required to furnish each two good and competent Securities in the Sum of Rupees 50 each Surety, for their good behaviour, and

assessment when required for the term of one year the date thereof being calculated from that on which the last assessment shall be

4 In conclusion the Court have to request the present Sessions Judge will take care that the Records of future Trials sent up for the consideration of the Taujdaree Adalut are prepared in strict conformity with the Rules laid down in the Circular Instruction dated 11th November 1847 the Record now under reference being very defective in many points therein specified.

5 The Sessions Judge will also be pleased to observe that when native dates are used, that the corresponding English dates are added, and also that the Police and Criminal Proceedings are separated and paged separately.

6 The Court of Taujdaree Adalut further direct that the practice hitherto adopted in the Principal Sudder Ameen's Court at Tinnevelly of Examining Prisoners

against confessions be in future dispensed with. After the charge has been read over to them they should be merely asked what they have to say in reply.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Chingleput by Precept returnable within three days from and after its receipt.

(Sent following precept No. 411)

Read Calendar of Case No. 12 of 1848 of the Sessions Court of Coimbatore

(Circular P. No. 2706 of 1848)

1 The four Prisoners in this Case were charged with Gang Robbery and Assault. The Law Officer acquitting them of the former offence, and convicting them of the latter, declared them liable to Roobukaree.

2. The Sessions Judge approved of the Futwa, and sentenced the Prisoners to four years imprisonment with hard labor in irons.

3. Previous to passing their final Orders in this Case, the Court of Taujdaree

1st to 4th April 1848

Ordered that a translation of the original complaint given by the Prosecutor before the Police Authorities may be submitted for their consideration. The Petition Judge with at the same time, be pleased to state at length his reasons for considering the case to be one merely of Assault, and also, whether any enmity was proved to exist between the prisoner and Prosecutor.

Ordered that Extract from these proceedings be forwarded to the Petition Judge by transmitted by first mail returnable within Ten days from and after date of receipt.

(Sub following precept No 412) J.

Thursday 6th April 1848

F.B.

At a Court of the Fiji Native District

Present

The Hon. G.A. Hooper Esqr. ——— 1st Native Judge

C.P. Thompson Esqr. ——— 2nd Native Judge

H. A. Woodhead Esqr. ——— 3rd Native Judge

Here Miscellaneous Petition presented on the 25th March 1848 by Lobbinnah of Bauan against Thugletuta.

(Here Enter Fiji Petn No 15 of 1848)

Petitioner states that on the arrival of Ratsoby of certain vessels at the Bauan Island, he and some other persons were sent off the last and directed to proceed to Rewa whence they had originally come, for passports and certificates to leave Fiji which them for the purpose.

2. He prays therefore that if by the proceedings it becomes to remove him from what he desired this Court will be pleased to interfere, and procure that some other employ-

3. Petitioner is informed that the Court of Fiji cannot interfere in this matter but that his desire for employment on

4th 4th April 1848

Abdallah request that a translation of the original complaint given by the Prosecutor before the Police Authorities may be submitted for their consideration. The Sessions Judge will at the same time, be pleased to state at length his reasons for considering the case to be one merely of Assault, and also, whether any penalty was proved to exist between the prisoner and Prosecutor.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Calicut by first opportunity returnable within Ten days from and after its receipt.

(Sent following receipt No. 412)

4th 4th April 1848

Thursday 6th April 1848

At a Court of the Fifty Pagoda Adalat

Present

W. H. G. Hooper Esqr. ——— 1st Native Judge

C. D. Thompson Esqr. ——— 2d Native Judge

R. A. Morehead Esqr. ——— 3d Native Judge

Read Miscellaneous Petition presented on the 25th March 1848 by Coobhimmah of Cuncoy

Pallah Chingleput.

(Here Enter Petn No 83 of 1848)

Petitioner states that on the division of Estate of certain Comatis at the Pagoda, he and some other persons were thrust off the land and directed to proceed to Pudapah whence they had originally come, passports and certificates being furnished them for the purpose.

2. He prays therefore that if by this proceeding it seems to remove him from actual service this Court will be pleased to interfere, and procure him some other employ.

3. Petitioner is informed that the Court of Fifty Pagoda Adalat cannot interfere in this matter but that his address for employment

on

11th 4th April 1848

Mdalah request that a translation of the original complaint given by the Prosecutor before the Police Authorities may be submitted for their consideration. The Sillion Judge will at the same time, be pleased to state at length his reasons for considering the case to be one merely of Assault, and also, whether any Injury was proved to exist between the prisoner and Prosecutor.

Ordered that Extract from these proceedings be forwarded to the Sillion Judge of Colombangara by Inwards to be returnable within Ten days from and after date receipt.

(Sent following Precept No 412) JS

Thursday
5th April 1848

JK

At a Court of the Fijeean Mdalah

Present

JK. GS Hoopa Esqre ——— 1st Puisne Judge
GS EO Thompson Esqre ——— 2d Puisne Judge
Jr. A Moreland Esqre ——— 3d Puisne Judge

Pere Miscellaneous Petition presented on the 25th March 1848 by Lieutenant of Enemy Gillah Mungleston

(Here Enter Petn No 18 of 1848)

Petitioner states that on the evening of the 21st Instant Lieutenant Gillah Mungleston of the Enemy Ship Pandora came on board the Petitioners Vessel and ordered the Petitioner to proceed to Bidadah whence they had originally come, for Port and Clearance being furnished them for the purpose.

2. He prays therefore that if by this proceeding it is meant to remove him from a Port where this Court will be pleased to interfere, and procure him some other employment.

3. Petitioner is informed that the Court of Fijeean Mdalah cannot interfere in this matter but that his action for unemployment

On

4th April 1848

Thursday

5th April 1848 At a Court of the Fiji area Admiralty

Present

W.M. G.A. Hooper Esqre ——— 1st Puisne Judge

C.P.S C.O. Thompson Esqre ——— 2d Puisne Judge

Wm A Mariner Esqre ——— 3d Puisne Judge

Read Miscellaneous Petition presented on the 29th March 1848 by Lobbennah of Evanoa Fellah Ringleader—

(Here Enter Petn No 15 of 1848)

Petitioner states that on the arrival of Captain of certain vessels at the Granby Isds, he and some other persons were sent off the last and directed to proceed to Rabe afah whence they had originally come, passports and certificates being granted them for the purpose—

2. He prays therefore that if by the proceedings set or meant to remove him from what he considered this Court will be pleased to interfere, and procure him some other employment—

3. Petitioner is informed that the Court of Fiji and Admiralty cannot interfere in this matter but that his address for employment on

4th April 1848

Petitioner request that a translation of the original complaint given by the Prosecutor before the Police Authorities may be submitted for their consideration. The Sillem Judge will at the same time, be pleased to state at length his reasons for considering the Case to be one merely of Assault, and also, whether any Immunity was proved to exist between the petitioner and Prosecutor—

Ordered that Extract from these proceedings be forwarded to the Sillem Judge Communicated by Despatch returnable within Ten days from and after its receipt—

(Sent following Despatch No 412)W

Encl 6th

W.M.

4th April 1848

Thursday 6th April 1848 At a Court of the Royal Alcalde

Present

H.W. G.S. Hooper Esqre ——— 1st Puisne Judge

C.P.S. E.P. Thompson Esqre ——— 2nd Puisne Judge

Wm. Moorhead Esqre ——— 3rd Puisne Judge

Read Miscellaneous Petition presented on the 25th March 1848 by Lockhuman of Guernsey Gallach Chingleput—

(Here Enter Petn No 16 of 1848)

1. Petitioner states that on the 21st day of October of certain convicts on the Pamban Canal he was sometime past removed from the list and directed to proceed to Pudupatnam whence they had originally come, passports and certificates being furnished them for the purpose—

2. He prays therefore that if by this proceeding it is meant to remove him from active Service this Court will be pleased to interfere, and procure him some other employ—

3. Petitioner is informed that the Court of Requests Alcalde cannot interfere in this matter but that his address for employment

On

Petitioner request that a translation of the original complaint given by the Prosecutor before the Police Authorities may be submitted for their consideration. The Sessions Judge will at the same time, be pleased to state at length his reasons for considering the case to be one merely of Assault, and also, whether any enmity was proved to exist between the prisoner and Prosecutor—

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Chingleput by first opportunity returnable within Ten days from and after its receipt—

(Sent following Despatch No 412)

on his return to his Cutcherry will be immediately attended to by the Subordinate Officer in charge of the Jail at Cannanore to whom he should at once apply

Ordered that the Records of the proceedings be granted to the Petitioner on his application.

Read again Calendar in Case No 8 of 1848 of the Sessions Court of Coimbatore

(Here Enter F.R. No 8 of 1848)

Read also return dated 22nd instant made by the acting Sessions Judge of Coimbatore to the Precept of this Court requiring the observations and remarks of the Court upon the above case, and calling for additional information

(Here Enter F.R. No 7 of 1848)

The information supplied in the present Return of the acting Sessions Judge being still insufficient to enable the Court of Foujdaree Adawlut to form a correct judgment upon the merits of the case, the Court resolve to call for the Entire record, which the Acting Sessions Judge will be pleased to cause to be translated and submitted for the consideration of this Foujdaree

Adawlut

Adawlut with the least practicable delay.

Ordered that Extract from these proceedings be forwarded to the acting Sessions Judge of Coimbatore by Precept returnable within XXI days from and after its receipt.

Send following Receipt No 415

Read Calendar of Case No 8 of the Sessions Court of Coimbatore for 1848.

(Here Enter F.R. No 7 of 1848)

1 The Prisoners 5 in number were charged with Gang Robbery and on Conviction, sentenced by the Sessions Judge to 14 years imprisonment each with hard labor in Irons under Clause third Section IV Regulation XV of 1803.

2 The 3d 4th and 5th Prisoners are recommended as fit objects for a mitigated punishment of 10 years imprisonment with hard labor in Irons.

3 The Court of Foujdaree Adawlut seeing reason to doubt the propriety of the conviction of the 3d 4th and 5th Prisoners resolve to direct the Sessions Judge to prepare and submit with the least possible delay an English Translation of such part of the Record of this

Trial

th April 1848.

Trial as regards the said Prisoners & all the Police reports relative to their apprehension will be also forwarded therewith.

4 The Court of Sessions directs further direct that the sentence as regards the 3rd 4th and 5th Prisoners be suspended, and those Prisoners confined in the Gaol without labor, and irons until final orders have been passed by the Court on this case.

Ordered that Extract from these proceedings be sent to the Sessions Judge of Coimbatore by Receipt returnable within XV days from and after its receipt.

(Sent following Receipt No. 416

Read Calendar of Cases Nos 13 of the Sessions Court of Coimbatore for 1848.

(Sent Enter P.R. No 774 of 1848)

1 The Prisoners in this case (not in number) were charged, with the crime of Gang Robbery and on Conviction were sentenced by the Sessions Judge to 14 years imprisonment with hard labor in irons on the public Roads under Clause Third, Section IV Regulation XV of 1803

2 On consideration however of

P.C.

th April 1848.

certain palliative circumstances he recommends a mitigated punishment of 10 years imprisonment with hard labor in irons, as being sufficient to meet the ends of justice in this case.

3. Before passing final orders on this Calendar the Court of Sessions resolved to call up the English translation of the record of this case, which the Sessions Judge will be pleased to prepare and submit with the least practicable delay.

4 The sentence recorded against the Prisoner will be suspended, and the prisoner confined in the Gaol without Labor or Irons until further orders from this Court.

Ordered, that Extract from these proceedings be sent to the Sessions Judge of Coimbatore by Receipt returnable within XV days from and after its receipt.

(Sent following Receipt No. 417.

Loobbennadi of Gumby, moves this Court to return the Enclosures in his Princes Concerns Petition No 16 of 1848.

Read return dated the 13th Ultimo from the Sessions Judge of Chittoor to the precept of the Tahsildar Kodatur under date the 21st February 1848 requiring a Copy of the proceedings held by the Acting Magistrate of Karvetnagar in the case of Jogiah Mandry of Perlicat—

(Here Enter Ft. No 673 of 1848)

Read Return dated the 24th Ultimo from the Sessions Judge of Chittoor to the precept of the Tahsildar Kodatur under date the 20th March 1848 requiring the attendance of certain persons in Criminal Case No 670 of 1848—

(Here Enter Ft. No 769 of 1848)

Read Calendar of Cases No 977 of 1847 submitted by the Sessions Judge of Cuddapah under date the 30th December 1847—

(Here Enter Ft. No 777 of 1848)

Read Calendar of Cases No 9 of 1848 submitted by the Sessions Judge of Rajahmundry under date the 26th Ultimo—

(Here Enter Ft. No 781 of 1848)

Read Calendar of Cases No 12 of 1848 submitted by the Sessions Judge of Salem under date the [illegible]

Read statement dated 28th Ultimo submitted by the Acting Sessions Judge of Cuddapah of Batta paid to the Prosecutors and witnesses who attended before him during the 2d Half of 1847.

(Here Enter Ft. No 784 of 1848)

Read return dated the 29th Ultimo from the Acting Sessions Judge of Chittoor to the precept of the Tahsildar Kodatur under date the 24th March 1848 requiring an explanation of the circumstances which have prevented the attendance of the defence witnesses in Criminal Case No 23 of 1847 in the Court of Sessions for February 1848—

(Here Enter Ft. No 786 of 1848)

Read Supplemental return dated the 25th Ultimo from the Sessions Judge of Chicacole to the precept of the Tahsildar Kodatur under date the 28th February 1848 directing him to examine the witnesses of the Prisoners declaration before the Subordinate Court in Commit Cases Nos 2 and 3 of 1848 and to transmit fresh Calendars—

(Here Enter Ft. No 787 of 1848)—

Ed

6th April 1848.

Read return dated the 13th Ultimo from the Sessions Judge of Chittoor to the precept of the Sirjaarea Tsadut under date the 21st February 1848 requiring a copy of the proceedings held by the Acting Magistrate of Tirtha Street in the case of Jaghee Timmaly of Tirtha

(Here Enter Fl. No 783 of 1848)

Read Return dated the 24th Ultimo from the Sessions Judge of Chittoor to the precept of the Sirjaarea Tsadut under date the 20th March 1848 resolving to mitigate the sentence in Calendar No 41 of 1848.

(Here Enter Fl No 785 of 1848)

Read Calendar of Case No 97 of 1847 submitted by the Sessions Judge of Coimbatore under date the 30th December 1847.

(Here Enter Fl No 777 of 1848)

Read Calendar of Case No 9 of 1848 submitted by the Sessions Judge of Rajahmundry under date the 24th Ultimo

(Here Enter Fl No 781 of 1848)

Read Calendar of Case No 12 of 1848 submitted by the Sessions Judge of Salem under date the 20th Ultimo

(Here Enter Fl No

6th April 1848.

Read statement dated 28th Ultimo submitted by the Acting Sessions Judge of Cuddalore of Batta paid to the Prosecutors and witnesses who attended before him during the 2d Half of 1847.

(Here Enter Fl No 784 of 1848)

Read return dated the 29th Ultimo from the Acting Sessions Judge of Chittoor to the precept of the Sirjaarea Tsadut under date the 24th March 1848 requiring an explanation of the circumstances which have prevented the attendance of the defence witnesses in Criminal Case No 237 of 1847 in the report B for February 1848.

(Here Enter Fl No 786 of 1848)

Read Supplemental return dated the 23th Ultimo from the Sessions Judge of Chicacole to the precept of the Sirjaarea Tsadut under date the 28th February 1848 directing him to examine the witnesses of the Prisoners declaration before the Subordinate Court in Commit Cases No 2 and 3 of 1848 and to transmit fresh Calendars

(Here Enter Fl No 787 of 1848)

EMR

Ed M.

F No

Saturday
8th April 1848 At a Court of the Fojdaree Udalut.

Present

GKB G. L. Cooper Esqr 1st Puisne Judge.
EPT E. P. Thompson Esqr 2d Puisne Judge.
WAM W. A. Morehead Esqr 3d Puisne Judge.

Read letter dated the 25th Ultimo from the Session Judge of Tillicherry submitting for the final sentence of the Fojdaree Udalut the proceedings in Case No 2 on the Calendar of the Session Court for 1848.

(Here enter F.R. No 785 of 1848)

The Court of Fojdaree Uda-

Mr G. L Cooper
vs
Mr W. A. Morehead.

lut on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the Prisoner,

Koyaka Mackery Iran Pothoran Kanan

is sufficient to convict him of the crime of wilful Murder, do convict him thereof; and under the provisions of Section X

suffer death by being hanged at the proper time and place of execution.

(Sent following letter a No 421)

Read Letter dated the 31st ultimo from the (late) Acting Session Judge of Cuddapah, referring for the final judgment of the Sessions Court, the Record of Case No 5 of the Calendar of the Session Court of 1848.

(Here enter F.R. No 817 of 1848.)

The Court of Foujdaree Adawlut, on a deliberate consideration of all the circumstances of the case as made out before them, being of opinion that the proof against the prisoner

"Boya Bheepuna Chinna"

is sufficient to convict her of the crime of wilful Murder, do convict her thereof and sentence her to be imprisoned and kept to labor suitable to her sex for and during the period of her natural life.

Adverting to the provisions of Act XIX of 1841, the Court of Foujdaree Adawlut, in consideration of the sex of the prisoner, and

8th April 1848.

of the case, are of opinion that the ends of Justice and the requirements of Public example will be met in this instance by a sentence of Imprisonment for Life which sentence they have accordingly substituted for Transportation for Life beyond Seas.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Cuddapah for his information.

(Sent following letter a No 422)

End 78

5 113

J. 86

Monday
10th April 1848. At a Court of the Foujdaree Udalut

Present

Sd/ W. G. S. Hooper Esq^re ——— 1st Puisne Judge

" T. D. Thompson Esq^re ——— 2d Puisne Judge

" W. A. Morehead Esq^re ——— 3d Puisne Judge

Read Miscellaneous Petition presented on the 21st February 1848 by P. Veroomala Pow Takeel on behalf of Achayata Chuntoo Menon late Tahsildar of Cawery Talook Zillah Calicut.

(Here enter F. 86 M. P. No 59 of 1848)

With reference to the proceedings of the Court of Foujdaree Udalut of the 23d December 1847 ordering Petitioner unconditional release in Case No 238 of 1847 of the Sessions Court of Calicut; he states that on making an application for his reinstatement his situation as Tahsildar, the Magistrate of Calicut passed an order on the 4th January refusing to reemploy him as he was of opinion that "too much suspicion attached

10th April 1848

"staff to the justices" in the foregoing Case to render it advisable that they should be re-examined.

2. Petitioner prays for the interference of the Court of Sanyasee Adalut and submits that the order of the Magistrate is altogether in contravention of the Spirit of that Court's order of the 23d December whereby he (Petitioner) was unconditionally released and declared fully exculpated from the charge as well as the guilt of the crime laid to his charge.

3. The Court of Sanyasee Adalut declines to interfere in the manner prayed for by the Petitioner, whose re-employment in the service was by the expressed orders of the Court left entirely to the discretion of the local authorities.

4. The Court of Sanyasee Adalut do not consider that in passing the order now complained of, the Magistrate has exceeded the authority vested in him, and they accordingly to reject the application.—

10th April 1848.

Ordered that Extract from these proceedings be furnished to Petitioner Vakeel on his application.—

Read again Calendared Case No. 24 and 25 of 1847 of the Sessions Court of Chingleput.—

(Here enter F.R. Nos. 359 & 360 of 1848)

Read also Petition dated 15th March 1848 made by the Acting Assistant Judge of Chingleput to the Precept of the Sanyasee Adalut dated 26th February 1848 calling for an English translation of so much of the Record of Case 24 as relates to the 9th 10th 11th 15th 17th and 18th Prisoners in the above Cause.—

(Here enter F.R. No. 374 of 1848)

1. In these Cases twenty-two Prisoners were charged with the Crime of "Gang Robbery"

2. The Futwas of the Law Officers acquitted the 2d 3d and 19th Prisoners of the Crime charged, and convicted the remaining. The Acting Assistant Judge concurring in the Futwas sentenced the convicted Prisoners to

10th April 1848

years imprisonment with hard labor in irons.
The 2d 3d and 19th Prisoners were ordered to be released.—

3. In the absence of any aggravating circumstances in the commission of the crime, the Acting Sessions Judge recommends that the Sentence of the 9th Prisoner be mitigated to 10 ten years. the Sentence of the 5th 6th 7th 11th 12th 13th 15th and 16th Prisoners to 7 years imprisonment the Sentence of the 10th Prisoner to three years and that of the 9th 15th 17th and 18th Prisoners to one years imprisonment.—

4 The information supplied in the Calendars being insufficient to enable the Court of Sudder Dewanny Adawlut to judge of the propriety of the conviction of certain of the Prisoners, portions of the Record were called for, and after a careful and deliberate consideration of the same, the Court feel themselves unable to concur with the Acting Sessions Judge in his conviction of the 9th 10th 11th 15th 17th and 18th Prisoners, the evidence against them

3

FR.

10th April 1848.

to be insufficient, and under the provisions of Section XXIV Act VII of 1843, the Court accordingly resolve to direct their immediate and unconditional release.—

5 With regard to the 5th 6th 7th 12th 13th 15th and 16th Prisoners, the Court of Sudder Dewanny Adawlut approve of the mitigation of their Sentence to the extent proposed by the Acting Sessions Judge, and authorize the Sessions Judge to issue his warrant accordingly.—

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Chinglepute for his information and guidance by Precept returnable within three days from and after its receipt.—

(Sent following Precept No 424)

Read Miscellaneous Petition presented on the 21st February 1848 by Mahomed Ebrahim Cazy of Zillah Chinglepute.—

(See entry F.R. M.D. No 89 of 1848)

Petitioner submits testimonial

10th April 1848.

of good conduct on behalf of his Lomamiaus,
Prisoners per Case No. 28 of 1847 of the Chingleput
Sessions Court, and prays that the Court of
Foujdaree Udalut, with reference thereto, will
reconsider their orders passed on his former
* Petitions, and direct the release of the Prisoners.

* No. 258. 330 of 1847.

2. Petitioner is referred to the Orders
of the Foujdaree Udalut dated 16th November
and 24th January last, and informed that they
are final.

Ordered that the prayer of this
Petition be rejected, and that Extract from
these proceedings be given to Petitioner on his
application.

Read again Miscellaneous Petition
presented on the 4th January 1848 by Lutchmanna
of Zillah Salem.

(Here enter F. Mc. M. C. No. 3 of 1848)

Read also again Calendar of Case
No. 196 of 1847 of the Sessions Court of Salem.

(Here enter F. Mc. No. 3089 of 1847)

Read also Return dated 1st April
1848 made by the Sessions Judge of Salem to the

10th April 1848.

Precept of the Foujdaree Udalut dated 18th February
1848 directing the Submission of the translated
record of the above case.

(Here enter F. Mc. No. 811 of 1848)

1 The Court of Foujdaree Udalut
having been led to doubt the propriety of
the conviction of the Prisoner in the above
case required the entire record to be sub-
mitted for their perusal, and after a
careful and deliberate consideration of the
same, the Court are constrained to dissent
from the view taken of the case by the
Sessions Judge.

2 In the opinion of the Court
the evidence is totally insufficient for a
conviction.

3. The 1st Witness before the Sessions
Court denies the most important points
to which he is said to have deposed in
the Talook, and the 2d witness altogether
denies his police Statement.

4 The rest of the evidence is
likewise full of contradictions, and is

irreconcileable in consequence.

5. The Court are of opinion that the Prisoners assertion, which is admitted to be correct, that he gave evidence some months before the present charge was brought against him, against the Contumacious Respondent who was found guilty, and punished, and hence the present accusation, is entitled to consideration, and that it throws additional suspicion on the truth of the charge now preferred against him.

6 For the foregoing reasons the Court of Fouzdaree Adalut have resolved to direct the immediate and unconditional release of the Prisoners.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Salsette by Precept returnable within three days from and after its receipt

(Sent following precept No. 425)

Ordered also that intimation of the release of the Prisoners be communicated to the Petitioner on her application.

F.C.

10th April 1848.

Read Miscellaneous Petition presented on the 21st February 1848 by Kamnoo Soobadoo and Caupiah Zollah Caddapah.

(Here enter F.C. M.P. No. 67 of 1848)

1 Petitioners state that they have been made the victims of a conspiracy and been dismissed from their situations as Jail Peons in the District of Caddapah, on a false charge of Assault and Robbery, which was preferred against them, by parties who were determined to effect their ruin. Petitioners pray that, as the case (No. 56 of 1847 of the Supplemental Court) fell to the ground from want of proof they may be restored to the situations they have lost.

2. The Court of Fouzdaree Adalut on a careful perusal of the Calendar of the Case above referred to resolve to inform the Petitioners that they decline interfering in the manner prayed for in their application.

Petition dismissed.

Ordered

10th April 1868.

Ordered that Extract from these proceedings be furnished to Petitioners on their application.—

Read Miscellaneous Petition presented on the 6th March 1868 by Shanyasamy and Zollah Chettoor

(Here enter F.C. M.P. No 86 of 1868)

1 Petitioner reiterates the prayer of her former petition No 80 of 1868, and urges the Court of Tengdarre Udalut to direct the release of her husband, as well as to direct the Magistrate to punish the parties who issued the proclamation shewn by Seal of Court alluded to in her former Petition.—

2 Petitioner is referred to the former order of the Court on the subject of her petition and informed that the same is denied.

3 Petition dismissed.—

Ordered that Extract from these proceedings be furnished to Petitioner on her application.—

Read again Miscellaneous Petition

10th April 1868.

presented on the 1st November 1847 by Rayaraffe Broodelly and 30 others of Pulicat

(Here enter F.C. No 276 of 1847)

Read again also Miscellaneous Petition presented on the same date by Joghee Broodelly Zillah Chittoor.—

(Here enter F.C. M.P. No 280 of 1847)

Read also Returns dated 24th and 28th January, and Further Return made under date 16th ultimo by the Subordinate Criminal Judge in charge of the Sessions Court of Chittoor to the Precept of the Tengdarre Udalut of the 21st February, requiring a copy of the Proceedings held by the Acting Magistrate of North Arcot in the case of the Petitioner Joghee Broodelly of Pulicat.—

(Here enter F.C. No 300 of 1848)

1 The Court of Tengdarre Udalut having considered the Depositions recorded by the Acting Magistrate of Chittoor in the case of the foregoing Petitioner, together with the orders passed on the subject by

10th Ap 10th April 1848

the Acting Magisthate and the Sessions Judge can see no reason to interfere in the manner solicited by the applicants, whose Petitions are accordingly rejected.—

Ordered that Extract from these proceedings be furnished to Petitioners in No. 276 of 1848 on their application.

Ordered also that Extract from these proceedings be furnished to Petitioner in No. 280 of 1848 on his application.—

Read Miscellaneous Petition presented on the 13th March 1848 by Parvatha Pillay Zillah Peishcar.—

(Here entered Fb. M.P. No. 98 of 1848)

Petitioner reiterates the prayer of his former petition 127 of 1848, and urges the Court of Tanjore Zillah to institute further inquiries into the merits of the charge brought against his brother-in-law Shiko Mangaden in Case No. 33 of the Sessions Court of Madura for 1847, or have prepared to prove that the whole case has been got up by parties

10th April 1848.

hostile to his relation, while the real culprit of the same name has never been apprehended having died only 8 months ago.—

2. Petitioner is referred to the former orders of the Court disposing of the subject of this address, and is informed that those orders are final.

3 Petition dismissed.

Ordered that Extract from these proceedings be furnished to Petitioner on his application.—

Read Miscellaneous Petition presented on the 20th March 1848 by Ammangal Zillah Chingleput.—

(Here enter Fb. M.P. No. 111 of 1848)

Read also Miscellaneous Petition presented on the same date by Chena Rajah Lama Zillah.—

(Here enter Fb. M.P. No. 113 of 1848)

The object of these Petitions is to induce the Court of Sudder Adalut to call for and peruse the Record of the Case No. 1 of the Sessions Court of Chingleput for 1848,

10th April 1848

and then proceed to liberate Junga Raja and Kerada Rajah, the 2d. and 3d. Prisoners, in the same, when the Petitioners State are wholly innocent of the crime laid to their charge and are the victims of a conspiracy.

2. The Court of Foujdaree Adalut observe that there is nothing in these Petitions which would lead them to doubt the correctness of the Sentence recorded against the Prisoners in this case, the Calendar affords full grounds for believing the parties were justly convicted and the Court accordingly resolve to reject the Prayer of these Petitions

Ordered that Extract from these proceedings be furnished to Petitioners in No. 81 of 1848 on his application

Ordered also that Extract from these proceedings be furnished to Petitioner in No. 113 of 1848 on his application.

Read Miscellaneous Petition presented on the 20th February 1848 by Vukeel Ahmed Zillah Cuddapah.

(Here enter F.B. M.P. No. 72 of 1848.)

10th April 1848.

1. Petitioner complains that he has been reduced and his name struck off the list of Jail Peons at Cuddapah, after a service of 13 years in different parts of the country - and as this proceeding has originated in the malice of a certain Vakeel of the Zillah Jail he prays he may have his case favorably considered by the Court of Foujdaree Adalut and himself restored to the Service.

2. The Court of Foujdaree Adalut decline to interfere in the manner prayed for by the Petitioner

3 Petition dismissed

Ordered that Extract from these proceedings be furnished to the Petitioner on his application.

Vukeel Ahmed of Cuddapah, moved the Court to return the enclosures in his Miscellaneous Petition No. 72 of 1848.

Ordered accordingly.

Read Miscellaneous Petition presented on the 20th March 1848 by

Ramasawmy

10th April 1848. Ramalawmy Naiken Zillah Madura.

(Here enter F.R. M.P. No 100 of 1848.)

Read also Miscellaneous Petition presented on the same date by Muttoo Kistnen Pillay Head Writer in the Sessions Court at Madura, who owed a sum of money to the 3d Prisoner and in order to free himself from the pressing demands for payment made by the 2d and 3d Prisoners, instigated the 1st witness and others to give false evidence on the subject of the Forgery for which the parties have been punished.

1. The Petitioner in the former address, states that he is a brother in law of the 2d Prisoner and the son in law of the 3d Prisoner in case No 1 of the Sessions Court of Madura for 1848, and begs to call the notice of the Court of Foujdaree Udalut that the charge of Forgery brought against the prisoners in the foregoing case has entirely been got up by one Muttoo Kistnen Pillay Head Writer in the Sessions Court at Madura, who owed a sum of money to the 3d Prisoner and in order to free himself from the pressing demands for payment made by the 2d and 3d Prisoners, instigated the 1st witness and others to give false evidence on the subject of the Forgery for which the parties have been punished.

10th April 1848.

younger brother of the 1st Prisoner in the case above alluded to- and the object of his address is to convince the Court of Foujdaree Udalut of the entire innocence of his relative of the crime of which he has been convicted by the Sessions Court. He prays that as the case has been got up by the 1st and 2d witnesses in consequence of two Decrees being passed in the District Moonsifs Court of Terasparagoondum favorable to the claims of the 1st and 3d Prisoners and unfavorable to themselves, the sentence recorded against the parties by the Sessions Court may be annulled, and the Prisoners released.

3. The Petitioners are informed that the Court of Foujdaree Udalut after a careful consideration of the Record of Case No 1 of 1848, above referred to, were satisfied of the guilt of the five prisoners and convicted them of the offence laid to their charge.

4. The Court see nothing in these

Petitions

10th April 1848

Petitioner which would lead them to doubt the correctness of this conviction and they resolve therefore to reject the prayer of the Petitioner

Ordered that Extract from these proceedings be furnished to Petitioner in No 148 of 1848 on his application.

Ordered also that Extract from these proceedings be furnished to Petitioner in No 109 of 1848 on his application.

Ex. H.

F. U.

Wednesday 12th April 1848. At a Court of the Fouzdaree Udalut

Present

G.A.H. G. A. Hooper Esqr. 1st Puisne Judge.
C.P.T. C. P. Thompson Esqr. 2d Puisne Judge.
W.M. W. M. Morehead Esqr. 3d Puisne Judge.

Read letter dated the 31st Ultimo from the Sessions Judge of Vellore submitting for the final sentence of the Fouzdaree Udalut the record of the Trial in Case No 89 on the Calendar of the Sessions Court for 1848.-

(Here enter F.U. No 804 of 1848)

The Court of Fouzdaree Udalut, on a deliberate consideration of all the circumstances of the case as evidenced before them, being of opinion that the proof against the prisoner,

"Pothiri Ragadu"

is sufficient to convict him of the crime charged, do convict him thereof and sentence him to be transported to such place or places beyond sea as the Governor in

Coimbt. shall appoint, there to be imprisoned, and kept to hard labor in irons on the public roads or other public works, for and during the period of his natural life.

(Sent following letter No 434)

Read again the Calendar of Case No 2 of 1848 of the Sessions Court of Coimbatore.-

(Hereunto F.M. No 641 of 1848)

Read also the Return made by the Sessions Judge of Coimbatore under date 29th Ultimo to the Precepts of the Tongadoo Dedalut of the 21st Ultimo calling upon him to submit the Translations of certain Documents in Case No 2 of this year and to state whether or not the 1st and 2d Prisoners were proved to have been disguised at the time the crime was committed.-

(Hereunto F.M. No 759 of 1848)

It appears by the foregoing Return that the 1st and 2d Prisoners in this Case are not shown to have disguised themselves during the perpetration of the Robbery in question.

The Court of Sessions Judge should have ascertained this point during the investigation of the case.-

Under the circumstances of the case however the Court are prepared to sanction the mitigation of punishment proposed by the Sessions Judge, and authorize that Officer under the provisions of Clause third Section III Regulation I of 1825, to issue his warrant for the imprisonment of the 1st and 2d Prisoners for seven years each with hard labour in Irons.-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Coimbatore for his information and guidance.-

Sent in No 435

Read Calendar of Case No 1 of the Sessions Court of Rajahmundry for 1848.

(Hereunto F.M. No 800 of 1848.)

The Prisoners in this Case three in Number were charged with

12th April 1848

Murder and the trial as regards the 1st Prisoner is set down for reference.

2 The 2d and 3d Prisoners were acquitted by the Sessions Judge, and unconditionally released.

3 The Court of Foujdaree Udalut observe that the Sessions Judge should have stated with reference to the Circular Order of the 24th October 822 the precise grounds of reference as regards the 1st Prisoner, and whether or not he agreed with the Law Officer in his conviction.

4. As the reference to the acquittal of the 2d and 3d Prisoners the grounds for which the Sessions Judge states will be given in the letter accompanying the Record of the trial, the Court observe that the information on this point should have been recited in the Calendar, & not reserved for a future communication.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Rajahmundry for his information and future guidance.

ETR (Sent in No 436)

J. N.

Wednesday
12th April 1848. } At a Court of the Foujdaree Udalut

Present

G. S. Cooper Esqre 1st Puisne Judge
E. P. Thompson Esqre 2d Puisne Judge
W. A. Morehead Esqre 3d Puisne Judge

Read Letter dated the 31st ultimo from the Sessions Judge of Coimbatore, referring for the final Judgment of the Foujdaree Udalut the Record of Case No 1 of 1848 of the Calendar of the Sessions Court.

(Here Enter J. N. No 821 of 1848)

The Court of Foujdaree Udalut

G. S. Cooper Esqre and W. A. Morehead Esqre on a deliberate consideration of all the circumstances of the case in evidence before them,

being of opinion that the Prisoners,

1st Rungon
2nd Veeravallay
3d Erodandy
and
4th Chockan

are not convicted on presumptive proof or on the evidence of credible witnesses or on their own confessions of the Crime charged, do acquit them thereof and direct that they

be set at liberty-

1. The Court of Sessions Upheld the observations that the omission of the deceased and the 1st and 2nd Contusees to inform the Managers on the Morning of the 12th November that they fully recognized and well knew all of the Prisoners as the persons who had attacked them, must materially invalidate any of the Statements made by them against the Prisoners.

2. That these persons should have omitted to declare at once that they knew the parties who had wounded them, appears to the Court to admit of no explanation reconcilable with the fact of their professing that knowledge.

3. The Court deeming the evidence wholly insufficient for the conviction of the Prisoners, have acquitted them and ordered their release-

Ordered, that Extract from these Proceedings be sent to the Sessions Judge of Coimbatore for his information-

(Sent following Letter No 437)

EWB.

537

F. 11

Friday 11th. April 1848.

At a Court of the Fouzdaree Udalut.

Present

G. S. Hooper Esqr. ——— 1st. Puisne Judge.
E. P. Thompson Esqr. ——— 2nd. Puisne Judge.
W. A. Morehead Esqr. ——— 3rd. Puisne Judge.

Read letter dated 25th. Ultimo from the Sessions Judge of Nellore submitting for the final Judgment of the Fouzdaree Udalut the Record of Case No. 3 of 1848. of the Calendar of the Sessions Court.—

(Here enter F. D. No. 760 of 1848).

Mr. G. S. Hooper and Mr. E. P. Thompson

The Court of Fouzdaree Udalut; on deliberate consideration of all the circumstances of the Case in evidence before them, being of opinion that the Prisoners,

1st. Tolachara Cotaya
2nd. Madaboyena Condadee
and
3rd. Gamadee Narayu

are not convicted on presumptive proof, or on the evidence of credible witnesses or on their own confession of the crime charged, do acquit them thereof; and direct that they be set at liberty.—

The Court of Fouzdaree Udalut—

observe

observe that the Cuzwool Coozat has declared that the act charged against the Prisoners does not under the Mookummudan Law render them liable to a Criminal prosecution.

The Court are further of opinion that the evidence for the prosecution fails to prove any guilty knowledge on the part of the prisoners.

The Court have therefore acquitted them and ordered their release.

Ordered, that Extract from these Proceedings be sent to the Sessions Judge of Nellore for his information.

(Sent following letter No. 440).

Read Statement dated the 15th February 1848. submitted by the Agent to the Governor of Fort Saint George at Kurnool, of Extra Peons employed at the Suit of Kurnool for the month of January 1848.

(Here enter F. C. No. 443 of 1848).

Read Criminal Report dated the 15th February 1848, submitted by the Agent to the Governor of Fort Saint George at Kurnool, for the month of January 1848.

(Here enter F. C. No. 444 of 1848).

Read Calendar in Case No. 1 of 1848, submitted by the Sessions Judge of Tellicherry under date the 3d February 1848.

(Here enter F. C. No.

Read Calendars in Cases Nos. II III and IV of 1848. submitted by the Acting Sessions Judge of Honore under date the 12th February 1848.

(Here enter F. C. Nos. 451, 452 and 453 of 1848).

E. H. M.

E. H. M.

F. C.

Saturday 15th. April 1848

At a Court of the Foujdaree Adalut.

Present.

G. S. Hooper Esqr. ——— 1st. Puisne Judge
C. P. Thompson Esqr. ——— 2nd. Puisne Judge
W. A. Morehead Esqr. ——— 3rd. Puisne Judge

Read Return dated 30th. Ultimo made by the Sessions Judge of Mangalore to the Precept of the Foujdaree Adalut dated 31st. idem, on review of the Calendar of Case No. 67 of 1847. requiring to be informed why an interval of 17 days was allowed to elapse between the closing of the trial and the final sentence of the Sessions Judge in the said Case.

(Here enter F. C. No. 819 of 1848).

1. The Court of Foujdaree Adalut are unable to admit the validity of the reasons assigned by the Sessions Judge in explanation of the delay in the disposal of this Case, and the Court hope that in future greater expedition will be observed in preparing and translating the Futwas.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Mangalore for his information and future guidance.

(Sent in No. 642.)

Read Calendar of Cases No. 15 of 1848.

7

of the Sessions Court of Coimbatore.

(Here enter F.R. No. 822 of 1848).

1. The Prisoners in this Case, five in number, were charged with having, in company with 11 others, not apprehended, proceeded armed with offensive weapons, and lighted torches to the House of the Prosecutor, entered it, by breaking open the door thereof, and robbed therefrom gold and silver Jewels and other property, valued at Rupees 97-10-10.

2. The Sessions Judge, in concurrence with the Futwa of the Law officer, convicted the Prisoner of the crime charged, and sentenced them to 14 Years imprisonment with hard labor in irons.

3. In the Case of the 4th. and 5th. Prisoners the Sessions Judge recommends that their Sentence be mitigated to 10 Years.

4. The information supplied in the Calendar being insufficient to satisfy the Court of this Case, it is resolved to call for the entire Record, a translation of which the Sessions Judge will be pleased to submit for the consideration of the Court with the least practicable delay.

5. The Court take this opportunity of directing, that in cases of this nature it may always be distinctly stated in the Calendar, whether

or no, the Robbers were disguised, when committing the Theft.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Coimbatore by Precept returnable within XXX days from and after its receipt.

(Sent following Receipt No. 1443).

Read Calendar of Case No. 6 of 1848.

of the Sessions Court of Rajahmundry.

(Here enter F.R. No. 823 of 1848).

In this Case 7 Prisoners were

1. charged with having committed a "Gang Robbery attended with aggravating circumstances" on the Premises of the Prosecutor, and the 8th. or, as he is described in the Calendar, the 13th. Prisoner was charged with having received part of the stolen property, knowing it to be such.

The Law officer convicted the 1st. 2nd. 3rd. 4th. and 13th. Prisoners of the crimes respectively laid to their charge, and the Sessions Judge, concurring in the Futwa, sentenced them to 14 Years imprisonment with hard labor in irons. The 2nd. Prisoner being an old offender was further sentenced to receive one hundred lashes.

2. The 5th. 6th. and 7th. Prisoners were acquitted and unconditionally released.

3. The

15th April 1848.

4 The evidence set forth in the Calendar being insufficient to satisfy the Court of the propriety of the conviction of the 1st 3d and 4th Prisoners convicted in this Case, it is resolved to call upon the Sessions Judge to submit for their consideration translations of such portions of the record as may have reference to these Prisoners.

5. With reference to the 10th para of the Remarks recorded by the Sessions Judge, the Court of Foujdaree Adalut observe that the method adopted by him in numbering the Prisoners and witnesses was clearly wrong, and calculated to create confusion, and was, moreover, in direct opposition to the rules laid down on that point in Foujdaree Adalut Circular Order No 10 dated 11th August 1834.

6. The Court also direct that in future the names of the officers by whom each Case is examined may be entered in the Calendar.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Rajshahee by Receipt returnable within XV days from and after its receipt.

(Sent following Receipt No 464).

Ent 7th

F.W.K.

Monday
17th April 1848.

F.W.

At a Court of the Foujdaree Adalut

Present

G. J. Cooper Esqre ——— 1st Puisne Judge
C. D. Thompson Esqre ——— 2d Puisne Judge
W. K. Marshall Esqre ——— 3 Puisne Judge.

Acts Miscellaneous

Petition presented on the 27th March 1848 by Aweedoya Pillay Lillah Tirchinopoly

(New Cases F.R.P. No 125 1848)

Petitioner complained of an order passed by the Acting Sessions Judge of Trichinopoly on the 12th February 1848 confirming the decision of the Acting Magistrate on a charge of assault preferred against the Petitioner and another, by one Canapeah Naudanar. Petitioner prays that the fine of Rupees 50 levied by order of the Acting Magistrate may be refunded as the sentence was

15th April 1848

4 The evidence set forth being insufficient to satisfy the of the Conviction of the 1st 3rd in this Case, it is res to submit for [illegible] portion [illegible] that Petitioner respectfully must repeat the prayer of his Petition accordingly.-

Ordered that Petitioners Proceedings be given to from these Petitioner on his application.-

Read Memorandum of Petition presented on the 27th March 1848 by Mr Byrne and Leech Messrs

(Here take P.R.P. No 23/1848)

Petitioner withdrew the prayer of his former Petitions Nos 177 of 1846 and 192 of 1847 and beg that in consideration of the heavy amount to procure the copies of the evidence taken by the Stipendiary Magistrate called for in like Proceedings of this Court under date 24th August 1847

record of case may be called for, and on perusal such other papers as may in practice seem to be called for.-

2 The Petitioner is referred to the Courts order of the 24th August 1847, which finally disposes of the subject of her Petitions.-

Petition dismissed.-

Ordered that Extract

Petition presented on the 20th March 1848 by Peiris Kiriwattuwaney Silvapulle and 2 others Leech Contractors

(Here take P.R.P. No 40/1848)

Read also Memorandum of Petition presented on the 3rd April 1848 by the same party.

(Here take P.R.P. No 28/1848)

In the former address the petitioners pray the Court of

Compla

17th April 1868

Tonydarre Cadet will be pleased to peruse the order of the 2d February last passed on Miscellaneous Petition No of 1868 and to note as a supplement grounds for the delay that they were unable from sickness and other causes to prefer an appeal from the decision of the Supm Ct of Contravention within the prescribed period—

2 The Petitioners prefer a petition of the foregoing nature

3 The Petitioners are referred to the former order of this Court above alluded to which finally disposes of the subject of the present application—

4 Petitions dismissed—

Ordered that Extract from these Proceedings be given to the Petitioners on their application—

Read Miscellaneous Petition of Ristnappa Asaiker forwarded by the Jailor

No
17th April 1868

Supreme Court of Tinnevelly.—

(Here Enter File R. No 81/1868.)

Petitioner states that he was most unjustly convicted by the Principal Sudder Ameen of Tinnevelly in criminal case No 129 of 1867 of having maltreated one Perumal Naick in order to extort a confession of his having been engaged in a case of theft; and prays that on the record will on personal shew the defective nature of the evidence produced for the Prosecution, the sum of Rupees 100 levied from him may be permitted and kindly restored to his detention of Jail from in the district aforesaid—

2 The Court of Tonydarre Cadet have carefully perused the sentence passed by the Principal Sudder Ameen in this case, and observe that the Sessions Judge confirmed the same, on a due consideration

consideration of the Proceedings which were called for.

3 The Court see no reason to doubt the propriety or the justness of this sentence and D refuse to interfere in it.

4 Petition dismissed.

Ordered that extract from these Proceedings be forwarded to the Sessions Judge of Tellicherry for communication to the Petitioners.

(Sentence No 445/.

Read Miscellaneous

Petition of Porthenporail Kovvoth Parambu Pydal Kovvoth praying to be released from the Sessions Judge of Tellicherry and pleads in the 7th February 1862

/Vide Extract Min. P. No 46 1862/

1 Petitioner was convicted in Cases Nos 101 and 102 of the Sessions Court of Tellicherry, convicted in the former number of "Affray" in the

latter of having preferred a false and malicious complaint, and sentenced to six months imprisonment. He asserts his innocence of the crimes charged, and contends that the accusations were falsely preferred against him at the instigation of the Iravalata Kovilagata Rajah, with whom he is at enmity, and connived at by the Tahsildar of the Talook. He, therefore, prays his release.

2 The Court of Sudder Adawlut cannot consider their interference in this matter uncalled for. The explanation afforded in the Proceedings of the Sessions Judge held on the cases in question is in the opinion of the Court satisfactory, and clearly shews that the sentence as modified by him is just and proper.

Ordered therefore that the

17th April 1868

the prayer of this Petition be
rejected and that Extract from
these Proceedings be forwarded to
the Superior Prof of Tullichewry
for his information and for com-
munication to the Petitioner —

(Sent in 1st 446 /-

Read again the Petition
Petition presented on the 31st January
1868 by Robert Kandie of Zellah
[illegible]

(Here Entered Fo. No. P. 31st Jan 1868)

Read also Petition dated
21st Ultimo made by the Superior Prof
of Tombaemyn to the precept of the
Sinydarce Ecclesiast dated 21st February
last, calling for translations of the
Records in causes No 27 and 28 of 1867

(Here Entered Fo. No. 27 & 28 1868)

The Records of the above causes
was called for, per consignment of
the Court of Sinydarce Ecclesiast dated

Fo
17th April 1868

seem to doubt the propriety of the
Prisoner's conviction, and after a care-
ful and deliberate consideration of the
matter, it is clearly evident to the Court
that the whole Proceedings held by
the late Superior Prof in the matter
were both informal and illegal,
that, in fact, the Prisoner was
condemned, and sentenced without
trial. No depositions were recorded
and the only question put to the
Witnesses was to ask, whether
they had anything more to add to
the depositions formerly given by them
respectively in Cases No. 27 and 28
of the former number, however, the
Prisoner was in no way connected,
consequently of the depositions given
therein, he must have been in
total ignorance; and as in the
latter charges he is alleged to have
been convicted, while that fact,
were it proved, cannot, obviously, alter

Fo

the irregularity of the Sessions Proceedings.

2 The only Course now open, and which the Sessions will be pleased to adopt, is to replace the Prisoner upon his trial, and after taking such evidence as may be now forthcoming, to pass a fresh sentence upon the Prisoner either for punishment or acquittal, as the circumstances of the case, elucidated in the evidence on both the occasion of the Sessions shall seem to require. The sentence passed by the late Sessions must in the mean time be suspended, and the Prisoner detained in custody without bail and without irons.

3 The Court further directs the Sessions Judge to transmit the record in Cases Nos 29, 33, and 34 which are connected with the one now under con-

sideration, and observes that irregularities be found to exist which have been detected in the present case, the Sessions Judge will also be pleased to adopt a course to them a course similar to that now pointed out.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Combaconum for his information and guidance

Sent pr Nº 4497

Ordered also that Extract from these Proceedings be furnished to the Petitioners on his application.

Mahomed Ibram Saiby of Chingleput, moves the Court to return the Evidences in his Enlargement Petition Nº 69 of 1848

Ordered accordingly.

Ex 17/4/48

F. N.

Tuesday
18th April 1848. At a Court of the Foujdaree Udalut

Present

G. S. Hooper Esqr 1st Puisne Judge.
E. D. Thompson Esqr 2d Puisne Judge.
W. A. Morshead Esqr 3d Puisne Judge

Read letter dated the 11th Ultimo from the Sessions Judge of Salem submitting for the final revision of the Foujdaree Udalut the record of the Trial in Case No 9 on the file of the Sessions Court for 1848.

(Here enter F. N. No 873 of 1848)

The Court of Foujdaree Udalut, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the prisoner,

Mr G. S Hooper

"Dawson"

is sufficient to convict him of Culpable Homicide, for which the penalty of Deyut is awardable under the Mahomedan Law as declared in Futwas of their Law

18th April 1858.

Officers, do convict him thereof, and inflict the provisions of Clause second Section XV Regulation XII of 1852 and Section XXXIV. Act VII of 1843, sentence him to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of [illegible] five years. Vide following letter [illegible]

Encl 4th

[illegible]

Thursday
20th April 1848.

F.M.

At a Court of the Fouzdaree Adalut.

Present

J.R. L. S. Hooper Esqre ——— 1st Puisne Judge.
P.T. C. P. Thompson Esqre — 2nd Puisne Judge
W.A. W. A. Morhead Esqre — 3rd Puisne Judge.
F.M.

Read the following letter dated the 11th instant from the Subordinate Judge of Salem.

(Fouzdaree F.M. No 875 of 1848.)

The Subordinate Judge reports

1. the circumstances connected with Case No 879 of the Subordinate Criminal Court of the present year and applies for sanction to offer a conditional pardon to the 3rd and 4th prisoners in that case

2. Before sanctioning the course recommended by the Subordinate Judge the Court of Fouzdaree Adalut require information on the following points: namely what led to suspicion being first attached to the Prisoners how the bones were discovered and where were they declared or supposed to be those of the

perdon suspected to be murderer and whether
any complaint had been made to the Police
of Vencatarayanamoor not being forthcoming.

3 On forwarding this information,
the Subordinate Judge will be pleased to
forward translations of the Depositions or
Statements made by the 3rd & 4th Prisoners
before the Police.

Ordered that Extract from the
Proceedings be forwarded to the Subordinate
Judge of Salem by Precept returnable within
[illegible] days from and after the Receipt
thereof following. Precept No. 458

Read return dated the 5th instant
from the Acting Sessions Judge of Cuddalore
to the precept of the Foujdaree Adalut under
date the 29th ultimo returning for amendment
the Criminal Report B of the Principal Sudder
Ameen of Cuddalore for February 1848
/Inventory Filed No. 835 of 1848/

Read return dated the 4th instant
from the Sessions Judge of Chingleput to the
precept of the Foujdaree Adalut under date
the 4th idem, directing the amended Criminal

Returns of the 1st 2nd and 3rd Prisoners, and the
demand of security from the 4th 10th and 12th in
case No 11 of 1847 of the Calendar of the Session
Court of Chingleput
/Inventory Filed No. 841 of 1848/

Read report dated the 3rd
instant from the Sessions Judge of Mangalore,
of cases pending on the 29th February and
committed for trial during the month of
March 1848.
/Inventory Filed No. 845 of 1848/

Read Calendars of Cases
No. and 67 of 1848 submitted by the Acting
Sessions Judge of Chittoor under date the 6th ultimo
/Inventory Filed No. 851 and 852 of 1848/

Read Calendar of Cases No. 56
of 1848 submitted by the Sessions Judge of
Guntoor under date the 3rd instant.
/Inventory Filed No. 853 of 1848/

Read return dated the 3rd instant
from the Agent to the Governor in Ganjam to
the precept of the Foujdaree Adalut under date
the 29th ultimo stating that transcript of the
Proceedings of the Foujdaree Adalut has

been

20th April 1848

been furnished to the Peramfal. Headsmen with instructions to carry into effect the orders therein contained.

/ Entered Fol. Book of 1848 /

Read Calendar of Cases for Trial submitted by the Sessions Judge of Chittoor under date the 7th instant.

/ Entered Fol. Book of 1848 /

Read Calendar of Cases for Trial of 1848 submitted by the Sessions Judge of Rajahmundry under date the 8th instant.

/ Entered Fol. Book of 1848 /

Read Letter dated the 8th instant from the Sessions Judge of Calicut forwarding for the consideration of the Foujdaree Adalut a letter from the Subordinate Judge of Chittoor having reference to the Proceedings of the 29th Ultimo on the Calendar of Sessions Cases No of 1848.

/ Entered Fol. Book of 1848 /

Read Criminal Reports for the month of March 1848 submitted by the Sessions Judge of Tinnevelly under date the 5th instant.

/ Entered Fol. Book of 1848 /

Fol.

Friday,
21st April, 1848.

At a Court of the Foujdaree Adalut.

Present,

G.L. Cooper, Esquire - 1st Puisne Judge,
E.P. Thompson, Esquire - 2d Puisne Judge,
W.A. Morehead, Esquire - 3d Puisne Judge,

Read Letter dated the 13th instant from the Sessions Judge of Combaconum, reporting for the final judgment of the Foujdaree Adalut, the Record of Case No 11 of the Calendar of the Sessions Court of 1848.-

/ Entered Fol. Book No 887 of 1848 /

Mr. L.A. Harper.

The Court of Foujdaree Adalut on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the prisoner,

"Olal"

is sufficient to convict her of the crime charged, do convict her thereof; and under the provisions of Section XXXIV. Act XVI

of 1843, sentence has to be imprisoned and kept to labour suitable to her sex for and during the period of her natural life.—

Adverting to the Provisions of Act XIV of 1844, the Court of Inquiry Adult are of opinion that, with reference to the sex of the Prisoner, Imprisonment for Life may, with advantage, be substituted for Transportation:—

Ordered, that Extract from these Proceedings be sent to the Acting Judge of Combaconum for his information

Sent following letter No. 1634/

Read Letter dated the 11th instant from the Acting Assistant Judge of Chittoor, reporting for the final Judgment of the Inquiry Adult, the Record of Case No. 8 of the Calendar of the Assistant Court of 1848.—

Have entered No. 904 of 1848/

No. 6 Ct Harper and No. 7 Pallachad

The Court of Inquiry Adult, on a deliberate consideration of all the circumstances of the case as evidence before them, being of opinion

that the proof against the Prisoners,

1st Cora Goondum

2nd Do Timmen

3rd Do Mulloogan

and

4th Do Goorooven

is sufficient to convict them of the crime charged, do convict them thereof; and under the Provisions of Clause third and fifth, Section IV Regulation XV of 1803, sentence them to be imprisoned and kept to hard labour in irons on the public roads or other public works, for and during the period of (5) one year.—

The Court of Inquiry Adult are of opinion that this case is not of Highway Robbery. The Prosecutrix was in the Highway, and was put in bodily fear and robbed. The Prisoners have therefore rendered themselves liable to the punishment indicated in Clause third, Section IV Regulation XV of 1803: but on a consideration of all the circumstances of the case, the Court have seen fit to mitigate

mitigate the punishment to one years
imprisonment.—

2. The Court observes that even
the offence of which the Prisoners were
declared by the Mahommedan Law
Officer, to be guilty, as specially provided
for by the Regulations, a second Question
should not have been put.—

Ordered, that the Extract
from these Proceedings be sent to the Sessions
Judge of Chittoor for his information
& guidance following letter. No. 455/

Read Calendar of Case
No. 11 of 1848 submitted by the Sessions
Judge of Rajahmundry under date the
29th Ultimo.—

/Have Entered Fld. No. 801 of 1848/

Read Calendar in Case
No. 13 of 1848 submitted by the Sessions
Judge of Rajahmundry under date the
30th Ultimo.—

/Have Entered Fld. No. 802 of 1848/

Read return dated the 30th
Ultimo from the Sessions Judge of Salem

Fld

Fld

21st April, 1848

to the precept of the Sessions Adalut
under date the 22d February 1848 on review
of the translations of the record of Case
No. 96 of 1847 on the Calendar of the
Session Court and directing the release
of the 1st 3d and 4th prisoners and the
institution of further enquiries by the
Magistrate.—

/Have Entered Fld. No. 808 of 1848/

Read report dated the 1st
instant submitted by the Sessions Judge
of Salem of Cases pending on the 31st
Ultimo before him for a period in excess
of 25 days calculated from the date
of commitment.—

/Have Entered Fld. No. 812 of 1848/

Read Calendar in Case
No. 11 of 1848 submitted by the Sessions
Judge of Salem under date the 23d
Ultimo.—

/Have Entered Fld. No. 813 of 1848/

Read Calendar in Case
No. 10 of 1848 submitted by the Sessions
Judge of Combaconum under date
the

the 1st instant.—

/Have Enter. Fllo. No 814 of 1845/

Read Letter dated the 30th
Ultimo from the Sessions Judge of Cuddapah
informing the apprehension of the Prisoner in
Pendy Liddeppa in Case No 4 of the
Calendar for 1848.—

/Have Enter. Fllo. No 815 of 1845/

Read Report dated the 1st
instant submitted by the Sessions Judge of
Nellore of Cases pending before the Sessions
Court during the month of March 1848.

/Have Enter. Fllo. No 816 of 1848/

Read Report dated the 1st
instant submitted by the Sessions Judge of
Cuddapah of Cases pending on the 29th February and committed for trial
during the month of March 1848.—

/Have Enter. Fllo. No 824 of 1848/

Read Report dated the 1st
instant submitted by the Sessions
Judge of Cuddapah of Cases pending on
the 29th February and committed for

trial during the month of March 1848—

/Have Enter. Fllo. No 829 of 1848/

Read report dated the 1st
instant submitted by the Sessions Judge
of Cuddapah of Cases pending on the
29th February and committed for trial
during the month of March 1848—

/Have Enter. Fllo. No 830 of 1848/

Read Calendar in Case
No 11 of 1848 submitted by the Sessions
Judge of Cuddapah under date the
7th instant.—

/Have Enter. Fllo. No 850 of 1848/

Read return dated the 11th
instant from the Sessions Judge of Chingleput
to the precept of the Supreme Court dated
the 10th ultimo directing the immediate
and unconditional release of the 9th 10th 11th
15th 17th and 18th Prisoners and mitigating the
sentences of the 5th 6th 7th 12th 13th 14th and 16th
as proposed by the Acting Sessions Judge
in Cases Nos 24 and 25 of 1847 of the
Calendar of the Sessions Court of Chingleput

/Have Enter. Fllo. No 870 of 1848/

Read

21st April, 1848.

Read return dated the 11th instant from the Sessions Judge of Mangalore to the precept of the Foujdaree Adalut under date the 4th instant on review of the Calendar of Case No. 7 of 1848 touching the release of Ranga the Prisoner in that Case

(Here enter F.A. No. 882 of 1848)

Read Calendar in Cases Nos. 2 and 3 of 1848 submitted by the Sessions Judge of Calicut under date the 10th instant

(Here enter F.A. No. 895 of 1848)

Read Calendar in Case No. 7 of 1848 submitted by the Sessions Judge of Canara under date the 11th instant.

(Here enter F.A. No. 897 of 1848)

End W.

E/115

F. A.

Tuesday, 25th April 1848.

At a Court of the Foujdaree Adalut.

Present

Sir W. S. Hooper Esqre — 1st Puisne Judge.
E. P. Thompson Esqre — 2nd Puisne Judge.
W. A. Morehead Esqre — 3rd Puisne Judge.

Read Miscellaneous Petition presented on the 6th March 1848 by R. Mankajee of Zillah Vizagapatam.

(Here enter F.A. M.P. No. 89 of 1848)

1. Petitioner is the son of the Prisoner in Case No. 3 of the Sessions Court of Vizagapatam for 1848 convicted of Perjury, and sentenced by the Court of Foujdaree Adalut to two years imprisonment with hard labour in irons. Petitioner asserts the innocence of his Father of the crime charged, and prays his release.

2. The Court of Foujdaree Adalut observe that sentence was passed upon the Prisoner in this case, as well as in Case No. 2, upon a full and careful consideration of the record of the Trial, and the Court can discover nothing in this Petition, to induce them to take a different view in regard to the Prisoner's guilt.

Ordered

25th April 1848.—

Petition of Zillah Chettoor.—

(Vide Letter to S.C. No. 99 of 1848.)

1. Petitioner was Prisoner in Case No. 36 of the Chettoor Sessions Court for 1846,—and directed to be released by the Court of Singaparee Udalut in their Proceedings under date the 23rd October last. His object in the present address is to gain the interference of the Court of Singaparee Udalut to prevent the Prosecutor in that Case, namely, Sawa Dyo, from doing him further injury, which, he avers to that individual is endeavouring to effect.—

2. The Court of Singaparee Udalut cannot interfere in the manner solicited by the Petitioner, and accordingly reject this Petition.—

Ordered that Extract from these proceedings be given to the Petitioner on his application.—

Read Criminal Reports of the Sessions Court of Salem for March 1848.—

(Vide Letter S.C. No. 379 of 1848.)

The date on which the above Reports were despatched having been omitted to be entered on the back of the Statement, the Court ordered to draw the attention of the Sessions Judge to

25th April 1848.—

Petition of Zillah Chettoor.—

(Vide Letter to S.C. No. 99 of 1848.)

1. Petitioner was Prisoner in Case No. 36 of the Chettoor Sessions Court for 1846,—and directed to be released by the Court of Singaparee Udalut in their Proceedings under date the 23rd October last. His object in the present address is to gain the interference of the Court of Singaparee Udalut to prevent the Prosecutor in that Case, namely, Sawa Dyo, from doing him further injury, which, he avers to that individual is endeavouring to effect.—

2. The Court of Singaparee Udalut cannot interfere in the manner solicited by the Petitioner, and accordingly reject this Petition.—

Ordered that Extract from these proceedings be given to the Petitioner on his application.—

Read Miscellaneous Petition presented on the 13th March 1848 by Chinganmal of Zillah Singlepoot.—

(Vide Letter to S.C. No. 95 of 1848.)

1. Petitioner is the Mother of the Prisoner in Case No. 1 of 1848 of the Sessions Court of Singlepoot, who was convicted of Housebreaking and Theft, and sentenced to 5 years imprisonment with hard labor in irons. Petitioner solicits the intercession of her son, and prays his release.—

2. The Court of Singaparee Udalut can discover nothing in the Petitioners Petition which would lead them to doubt the propriety of the Prisoners conviction or the justness of the sentence passed upon him.—

Ordered therefore that the prayer of this Petition be rejected and that Extract from these Proceedings be given to the Petitioner on her application.—

Read Miscellaneous Petition

to this enquiries, and to request that in future it may be duly supplied.-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Salem for his information and future guidance.-

(Sent in No 460

Read Miscellaneous Petition presented on the 13th Instant 1848 by Ennatuppatty Dutchatchy of Zillah Chittoor.-

(Vide inter P.P. Gr. P. No 1025 of 1848)

1 The Petitioner was Prisoner in Case No 36 of 1846 of the Chittoor Sessions Court, convicted by the Sessions Judge of Cuddapah, but subsequently directed to be released by the Court of Sudder Adawlut in their Proceedings under date the 25th October last. He now complains, that the Magistrate on the supposition of his guilt, and at the instigation of Sawa Dosa the Prosecutor in that case, has, in communication with the Board of Revenue, confiscated his Property, and conferred the Hereditary right on Lutchimanah, his adoptive Brother, who has no right or title thereto - and that the said Sawa Dosa, taking advantage of these proceedings of the Magistrate, has endeavoured to persuade the community of his guilt, and prevented his performance

of the usual ceremonies in the Triplety Pagoda, of which he is an Archaeum - He therefore prays that the Proceedings of the Magistrate may be set aside, that his Property may be restored to him, and finally that Sawa Dosa may be punished according to his merits.-

2 Before passing final Orders in the matter of this Petition, the Court of Sudder Adawlut resolve to forward the English translation of the same to the Acting Magistrate, who will be pleased to report without delay the circumstances under which the Petitioner has been deprived of his right, and property, after he had been declared by the Court of Sudder Adawlut in their Proceedings dated 25th October last, to be innocent.-

Ordered that Extract from these Proceedings be forwarded to the Acting Magistrate of North Arcot by Express returnable within Ten days from and after its receipt.-

(Sent following Precept No 461

Read Miscellaneous Petition presented on the 13th of March 1848 by Iyamoottah and another of Zillah Chittoor.-

(Vide inter P.P. Gr. P. No 1025 of 1848)

1 The Petitioners are relatives of the

3d

25th April 1848 –

2nd and 4th Prisoners on Count 2 No 3 of the Finding of the Principal Sudder Ameens Court, whereby convicted of Cattle stealing and sentenced to rigr and three months imprisonment respectively. The Petitioners contend that the Bullock which the Prisoners were charged with having stolen was the bonâ fide property of the 4th Prisoner, and that the charge was falsely and maliciously preferred against them by the Inhabitants of Nordiar pollium, whose enmity the Prisoners had incurred. Finally, the Petitioners pray the Court of Sudder Adalut to call for the entire Record and after satisfying themselves of the innocence of the Prisoners, to direct their release.

2. Before passing final order on this Petition, the Court of Sudder Adalut resolve to forward the English translation thereof to the Sessions Judge, who will be directed to call up the entire record of the case referred to, and after due consideration of the same, pass such orders as the circumstance of the case may seem to require, reporting the result of the enquiry for the information of the Sudder Adalut.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Trichinopoly by Precept returnable in three

25th April 1848.

X days from and after its receipt.–

(Sent following Precept No 462

Ordered also that Extract from these proceedings be furnished to the Petitioner on their application.–

Read Miscellaneous Petition presented on the 27th March 1848 by Vatee Zillah Chittoor.–

(Here enter F. M. P. No 121 of 1848.)

With reference to his former Petition No 356 of 1848 and the Proceedings held thereon by this Court under date the 13th March last, the Petitioner states that the Prisoners for whom his pleader were not punished by the Sessions Judge of Salem, but by the Sessions Judge of Chittoor, and that the sentence recorded against them was for 7 years imprisonment, – not 5 years, as stated in the proceedings of the Court aforesaid.–

2. The Court of Sudder Adalut observe that the error of which the Petitioner now complains, is entirely owing to his having neglected to specify on his former Petition, the name of the Zillah in which his relatives were punished and the particular Court which passed sentence on the case in question.–

On

25th April 1848.

3. On a reference to the Calendar of Case No 42 of the Supreme Court of Chittoor for 1846 the Court not being able from the abstract of evidence in the Calendar to determine on the propriety of the sentence recorded against the Prisoners by the Sessions Judge, resolved provisionally to pass final orders on the Petition, to call for an English translation of the entire record of the case, which the Sessions Judge will be pleased to prepare and submit with the least possible delay.—

Ordered that Extracts from these proceedings be forwarded to the Sessions Judge of Chittoor by Precept returnable within XX days from and after its receipt.—

(Sent following Precept No 463

Ordered also that Extracts from these proceedings be furnished to the Petitioners on his application.—

Read letter dated the 15th Instant from the Sessions Judge of Coimbatore submitting for the final judgment of the Sudder Adalut, the record of Case No 14 on the Calendar of the Sessions Court for 1848.—

(Hereunto F. 86. No 921 of 1848.)

Mr E. P. Thompson.— The Court of Sudder Adalut,
and
Mr H. A. Morehead.— on

on a deliberate consideration of all the circumstances of the case in evidence before them, are of opinion that the Prisoner

"Vencatty"

is convicted of having put to death, the deceased: but considering that she committed the fatal act when affected by temporary alienation of mind, the Court acquit her of the charge of Wilful Murder and direct that she be set at liberty.—

(Sent following Letter No 464

Read letter dated the 15th Instant from the Sessions Judge of Mangalore submitting for the final judgment of the Sudder Adalut, the record of Case No 14 on the Calendar of the Sessions Court for 1848.—

(Hereunto F. 86. No 968 of 1848.)

Mr E. P. Thompson.— The Court of Sudder Adalut,
on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the prisoners,

1st Doojappa.

and

2nd Pedroo.—

is insufficient to convict them of "Culpable Homicide" for which the penalty of Deyut is awardable

under

25th April 1848.—

under the Mohammedan Law, as declared in Fetwas of their Law Officers, to convict them thereof; and under the provisions of Clause Second, Section XV. Regulation VIII of 1802, and Section XXXIV. Act VII of 1843, sentence the Prisoner

Pr. Doojasha

to be imprisoned and kept to hard labor in irons on the public roads or other public works, for and during the period of (15) fifteen Calendar Months.—

But being of opinion that the imprisonment which the Prisoner,

2nd Pedro

has already undergone is sufficient punishment for his offence, the Court direct that he be set at liberty.—

(Sent following Letter No 466 —

F. V.

Wednesday
26th April 1848 } Act'g Court of the Fouzdaree Adalut

Present

G. S. Hooper Esqre — 1st Puisne Judge
G. P. Thompson Esqre — 2d Puisne Judge
W. A. Morehead Esqre — 3d Puisne Judge

Read Calendar of Cases No 16 of the Sessions Court of Combatore for 1848.—

(Reverter F. V. No 849 of 1848)

1 In this Case the two Prisoners were charged with "Gang Robbery" in having in company with two others, proceeded armed with offensive weapons to the Prosecutors Cattle-pen, entered it by cutting the rope and lifting up the fence thereof, assaulted the Prosecutor and his 5 witness, and robbed therefrom one sheep valued at 8 annas.

2 The Futwa of the Law Officer convicted the Prisoners of the crime charged, and the Sessions Judge concurred in the finding, but being of opinion that under all the circumstances of the Case the punishment to which they are liable, may, in the present instance be mitigated to two years imprisonment with hard

26th April 1848.

hard labor in irons he had recommended accordingly.

3 The Court of Foujdaree Adalut approve the recommendation of the Sessions Judge, and, under the provisions of clause third Section III Regulation I of 1825, authorize him to issue his warrant for the imprisonment of the Prisoner for the term of two years.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Combatoor for his information and guidance.

(Sent in No 468

Read Calendar of Case No 14 of the Sessions Court of Salem for 1848.

(Hereunto S.C. No 847 of 1848)

1 The Prisoner in this Case was charged with having, in company with the Prisoners in Case No 2 committed a gang Robbery by open violence on the Premises of the Prosecutor, stealing therefrom property valued at Rupees 352-4-6.

2. The Sessions Judge in concurrence with the verdict of the

Prisoner of the crime charged, and sentenced him to 14 years' imprisonment with hard labor in irons, recommending, however, that the sentence be mitigated to 7 years' imprisonment.

3. The Court of Foujdaree Adalut approve the mitigation recommended by the Sessions Judge, and under the provisions of clause third Section III Regulation I of 1825 authorize him to issue his Warrant accordingly.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Salem for his information and guidance.

(Sent in No 469

Read Calendar of Case No 14 of the Sessions Court of Rajahmundry for 1848.

(Hereunto S.C. No 858 of 1848)

1. In this Case two Prisoners were charged with 'House breaking and Theft', in having dug a hole in the Wall of the Prosecutor's house, and stolen therefrom gold ornaments valued at Rupees 117½.

2. The Sessions Judge, concurring in the Futwa of the Law Officer, which convicted

26th April 1848.

convicted the Prisoners of the crime charged — sentenced them to 7 years imprisonment with hard labor in irons.

2. Previous to disposing of this Case, the Court of Foujdaree Adalut require to be informed, whether the confessions alleged to have been given by the Prisoners before the Subordinate Court were dictated in detail by them, or whether they merely assented to the Police Statements on such being read over to them.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Ryatmundry by Precept returnable within III Days from and after its receipt.

(Sent following Precept No 470

Read Calendar of Cases No 11 of the Sessions Court of Combaconum for 1848.

(Herewith F. C. No. 861 of 1848)

1 The Prisoner in this Case was charged with having robbed the Prosecutrix aged 10 years of Jewels valued at Rupees 10-8 — first tied her into a well, and next upon her stones and a log of wood with intent to Kill her —

F.C.

26th April 1848.

2 The Jury convicted the Prisoner of the crime charged, and the Sessions Judge concurring in their finding, has referred the case for the final Judgment of the Foujdaree Adalut -

3 The grounds upon which the above reference has been made, not having been entered in the Calendar as required by Circular Order dated 14th October 1822 the Court of Foujdaree Adalut resolve to return the same to the Sessions Judge, in order that the omission may be duly supplied, and the Calendar re-transmitted with the least practicable delay -

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Combaconum by Precept returnable within III days from and after its receipt —

(Sent following Precept No 471 —

End 7th.

F. Ub.

Thursday
27th April 1848. At a Court of the Fayidarua Ndalubi.

Present;

GSK — G. S. Hooper Esqre — 1st Puisne Judge,
CPR — C. P. Rampston Esqre — 2nd Puisne Judge,
WMH — W. M. Horsford Esqre — 3rd Puisne Judge,

Read Letter dated the 11th instant from the Sessions Judge of Tellicherry, referring for the final Judgment of the Fayidarua Ndalubi, the Record of Case No 3 of the Calendar of the Sessions Court of 1848.

(Duvenkandil Combyssa Nayar No 915 of 1848)

The Court of Fayidarua Ndalubi, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the prisoner,

"Duvenkandil Combyssa Nayar"

is sufficient to convict him of the crime of wilful murder, do convict him thereof; and under the provisions of Section X Regulation VII of 1802, sentence him to suffer death by being hanged

Mr G. S. Hooper
and
Mr C. P. Rampston

27th April 1848

hanged at the usual time and place of execution.

1. The Court of Inquiry should observe that the course which the Adjutant appears to have adopted to induce the Prisoner to confess namely telling him that if he did so and gave up the property of the Innkeeper would be sufficient and he would be exculpated is reprehensible: and the Court direct that the circumstance be brought to the notice of the Magistrate, in view to his taking steps to prevent a recurrence of the objectionable proceeding.

2. The Court think it right however to observe that in other respects the Adjutant appears to have acted properly

3 The Court deem it their duty to notice the delay which has occurred in the transmission of the Record of this Trial. The Trial was closed on the 23rd February but the Record did not reach the Court until the 19th instant. The Letter of reference being dated the 11th instant. Thus an interval of forty eight days occurred, although by Section XXII Regulation VII of 1812, the Record of all Trials

27th April 1848

the prisoners are liable to suffer death, are required to be transmitted within five days after the close of the Trial.

The Court trust that the Sessions Judge will take measures to prevent a similar delay in future.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Tellicherry for his information and guidance.

(Sent following Letter No 472)

Read Letter dated the 11th instant from the Sessions Judge of Calicut, referring for the final judgment of the Foujdaree Adalut the Record of Case No 12 of the Calendar of the Sessions Court of 1848

(Documents Folio No 93 of 1848)

Mr L. Compston and Mr. Strachan

The Court of Foujdaree Adalut, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the Prisoner

"Teen Poonattil Kandy Kadoongon"

is sufficient to convict him of the crime charged

do

27th April 1848.

do convict him thereof and sentence him to be transported to such place or places beyond sea as the Governor in Council shall appoint there to be imprisoned and kept to hard labour in irons, on the public roads or other public works for and during the period of his natural life.

(Sent following Letter No 478

Read Calendar of Cases No 97 of 1848 submitted by the Sessions Judge of Mangalore under date the 6th instant.

(Forwarded F.R. No 848 of 1848)

Read Calendar of Cases No 97 and 98 of 1848 submitted by the Sessions Judge of Cuddapah under dates the 29th and 31st ultimo.

(Forwarded F.R. Nos 894 and 895 of 1848)

Read Calendar of Cases No 76 of 1848 submitted by the Sessions Judge of Cuddapah under date the 11th instant.

(Forwarded F.R. No 896 of 1848)

Read Letter dated the 15th instant from the Sessions Judge of Coimbatore informing that with reference to the Proceedings pending dated the 8th idem, that the statement of the com-

F.R.

27th April 1848.

-mitted charge of the Magistracy and the Jail returns had been already submitted on the 8th Instant.

(Forwarded F.R. No 899 of 1848)

Read Calendar of Cases No 12 of 1848 submitted by the Sessions Judge of Cuddapah under date the 15th instant.

(Forwarded F.R. No 908 of 1848)

Read Calendars of Cases No 10 and 12 of 1848 submitted by the Sessions Judge of Mangalore under date the 11th instant.

(Forwarded F.R. No 909 and 910 of 1848)

Read Letter dated the 10th instant from the Sessions Judge of Honore reporting the escape on the 8th idem, at 4 A.M. from the Honore Jail of two Prisoners named Lathan and Calwa sentenced by the Head Assistant Magistrate of Sangod to two months imprisonment with labour for theft.

(Forwarded F.R. No 913 of 1848)

Read Calendar of Cases No 7 of 1848 submitted by the Sessions Judge of Chingleput under date the 15th instant.

(Forwarded F.R. No 917 of 1848)

Read Letter dated the 7th instant from

27th April 1848

from the Sessions Judges of Chingleput reporting the arrival of 2 Convicts from Cuddalore under sentence of transportation who have been marked by the process prescribed by Section XXXV Regulation VII of 1843

(Here enter F.No. 48 of 1848)

Read Calendar of Cases No 22 of 1848 submitted by the Acting Sessions Judge of Cuddalore under date the 7th instant

(Here enter F.No. 36 of 1848)

Read Calendars of Cases No 12 and 14 of 1848 submitted by the Sessions Judge of Tellicherry under date the 14th and 15th instant

(Here enter F.No. 37 and 39 of 1848)

Read Calendar of Cases No 8 of 1848 submitted by the Sessions Judge of Salem under date the 14th instant

(Here enter F.No. 40 of 1848)

Read Calendar of Cases No 8 of 1848 submitted by the Sessions Judge of Bellary under date the 14th instant

(Here enter F.No. 41 of 1848)

Read Report dated the 18th instant

27th April 1848.

from the Sessions Judge of Chingleput reporting the arrival of 2 Convicts from Cuddalore under sentence of transportation who have been marked by the process prescribed by Section XXXV Regulation VII of 1843

(Here enter F.No. 48 of 1848)

Read Statement dated the 15th instant from the Acting Sessions Judge of Trichinopoly of amount realized by the labor of prisoners in the 1st Quarter of 1848.

(Here enter F.No. 52 of 1848)

Read Calendar of Cases No 9 of 1848 submitted by the Sessions Judge of Cuddalore under date the 18th instant.

(Here enter F.No. 53 of 1848)

Read returns dated the 18th instant from the Sessions Judge of Salem to the precept of the Foujdaree Adalut under date the 10th idem, directing the unconditional release of the prisoner in No 106 of 1847 on the Calendar of the Sessions Court of Salem.

(Here enter F.No. 56 of 1848)

Read Calendar of Cases No 15 of 1848 submitted by the Sessions Judge of Rajahmundry under date the 18th instant

(Here enter F.No. 57 of 1848)

Read Calendars of Cases No 13 and

27th April 1848

and 16 of 1848 submitted by the Sessions Judge of Salem under date the 17 13th and 15th instant.

(Here enter Fls. Nos 62 ghs and 96 of 1848)

Read Calendar of Cases Nos 13 of 1848 submitted by the Sessions Judge of Cuddalore under date the 19th instant.

(Here enter Fls. Nos 96 of 1848)

Read Calendar of Cases Nos 6 of 1848 submitted by the Sessions Judge of Coimbatore under date the 17th instant.

(Here enter Fls. Nos 97 of 1848)

Read Statement dated the 21st ultimo from the Sessions Judge of Chingleput shewing the amount realized by the Sales of Prisoners the yield of Chingleput for the 1st Quarter of 1848.

(Here enter Fls. Nos 97 of 1848)

Read return dated the 22nd instant from the Acting Sessions Judge of Cuddalore to the precept of the Registrar dated under date the 22nd ultimo, directing the return to transmission to the Magistrate of the 2 Prisoners on Sessions Case No 37 of 1847 and to obtain from them an explanation of the employment of the 3rd Prisoner named therein Roor.

(Here enter Fls. No

Fol

Friday. 28th April 1848

At a Court of the Foujdaree Adaulut

Present.

G. S. Arbuthnot Esqr — 1st Puisne Judge

G. Thompson Esqr — 2d Puisne Judge

H. A. Morehead Esqr — 3d Puisne Judge.

Read Letter dated the 27th instant from the Sessions Judge of Calicut, referring for the final judgment of the Foujdaree Adaulut the Record of Case No 13 of 1848 of the Calendar of the Sessions Court

(Here enter Fls No 97 of 1848)

Mr H. A. Morehead

The Court of Foujdaree Adaulut on a deliberate review taking all the circumstances of the case in evidence before them, being of opinion that the proof against the Prisoner

Kodakal Shangara Nair

is sufficient to convict him of

Culpable

28th April 1846

culpable Remissness for which the penalty of Deport is available under the Statute Law as stated in Schedule of that Law officers, as must be known to, and under the provisions of Crimes Statute Section XII Regulation III of 1822 and Section XXIII and XIII of 1838, either has to be transported to such place, or places, beyond seas, as the Governor in Council shall appoint, there to be imprisoned and kept to hard labor for such term as the said Court or other public authority for the time being shall direct.

The Court of Appeal observe that the offence for which the Prisoner stands convicted by the Assessors Court is merely causing the defendant given by the Prosecutor and subject in Order No 180 of 1837 to be punished on the trial of this case to

28th April 1846.

defendant is altogether irregular and has not the Prisoner made a full confession of his fault before the Assessors Court, the Proceedings would have been compelled to quash the entire proceedings and order a new trial to be held.

The Court observe that this case has been erroneously numbered XII, instead of XIV

Ordered that Extract of these Proceedings be forwarded to the Assistant Judge of Colombo for his information and guidance.

Clerk's No 1474-5

Ent'd

Ellis

F: H:

Monday 1st May 1848.

At a Court of the Foujdaree Udalut.

Present.

G/C — Gy: S: Hooper Esqre ——— 1st Puisne Judge
C P S — E: P: Thompson Esqre ——— 2nd Puisne Judge
W A M — W: A: Morehead Esqre ——— 3rd Puisne Judge.

Read Miscellaneous Petition presented on the 18th May 1847 by Chinnatooray Iyengar zillah Salem —

(Here enter F: Dr: P: No: 117 of 1847).

Read also Miscellaneous Petition — presented on the same date by Sreenivas Iyengar same zillah —

(Here enter F: Dr: P: No: 126 of 1847)

Read also Miscellaneous Petition presented on same date by Sanny Iyengar same zillah —

(Here enter F: Dr: P: No: 128 of 1847).

1 Petitioner in No: 117 makes an appeal to the Court of Foujdaree Udalut on behalf of his brother Annamiengar (the 1st Prisoner in Case No: 11 of the Sessions Court of Salem for 1846) who he states has been unjustly accused of the crime of Gang Robbery and been sentenced by the Court of Foujdaree Udalut to 14 year's imprisonment with hard labor in Irons —

Petitioner

2. Petitioner in No. 126 states that he was the 4th Prisoner in the aforesaid case and that he was set at liberty by order of the Court of Foujdaree Adaulut. He desires however that the evidence of his witnesses may be perused regarding his right to a certain Complaint and the same returned to himself the rightful owner.

3. Petitioner in No. 128 reiterates the prayer of a former Petition No. 183 of 1846 presented by his relative Narainmungar and prays for the release of his further Imaumungar aforesaid.

4 Petitioners in Nos. 117 and 128 state that the subject of their applications was finally disposed of by the Court of Foujdaree Adaulut in their Proceedings of the 27th October 1846.

5. The Court of Foujdaree Adaulut cannot refuse to comply with the request contained in Petition No. 126 more especially as the further witnesses examined on the Petitioners behalf prove nothing in his favor.

6. The Petitions are accordingly rejected.

Ordered that Extract from these Proceedings be furnished to the Petitioners in Nos. 117-126-128 of 1847 on their application.

1st Day 1848.

Read Miscellaneous Petition presented by Sy. T. Ramachendriah Vakeel on behalf of Anno the Criminally late Nazir of the Zillah Court of Tellicherry.

(Here enter F. Gr. P. No. 37 of 1848).

1. The Petitioner submits the order of the Sessions Judge of Tellicherry of the 22d November last, ordering his dismissal from the situation of Nazir in the Zillah Court, and reiterates the prayer of his former Petitions for his restoration to the same with arrears of pay - combating at great length the arguments of the Sessions Judge and Joint Magistrate for his dismissal.

No. 96 and 315 of 1847

2. Before passing final orders on this Petition the Court of Foujdaree Adaulut resolve to call upon the Sessions Judge to submit without delay an English Translation of the Record on which he deemed the Petitioner unworthy of being longer employed in his situation of Nazir.

3. The Sessions Judge will also at the same time submit the proceedings held by the Joint Magistrate on which that officer's report dated the 5th October was founded.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Tellicherry by Receipt returnable within XII days from and after its receipt.

(Sent following Receipt No. 478)

Ordered also that Extract from these Proceedings

1st May 1848.

Proceedings be furnished to the Petitioners Vakeels on his application.—

Read Miscellaneous Petition presented on the 28th February 1848. by Ramasamy Row Vakeel on behalf of Palaccondatha Kootyil Ramasetty Nair and another zillah Calicut.—

(Here enter F: St: P. No 70 of 1848).

Read also Miscellaneous Petition presented on the same date by the same Vakeel on behalf of Konoy Munoo late Police gouma to zillah Calicut.—

(Here enter F: St: P. No 71 of 1848)

Read also Miscellaneous Petition presented on the 6th March 1848 by the same Vakeel on behalf of Ittoony Ramen Munoo and 3 others of Calicut zillah.—

(Here enter F: St: P. No 84 of 1848).

1. Petitioners in No 70 are the 2nd and 3d Prisoners in Case No 1 of the Sessions Court of Calicut for 1848. Petitioner in No 71 is the 1st Prisoner in the same and the four individuals who have presented Petition No 84 are the 4th 10th, 11th and 23d Prisoners in the same Calendar.—

2. The object of these applications, is to inform the Court of Foujdaree Adawlut, that the Petitioners with certains others have been charged

with

1st May 1848. F: St:

with the crime of being implicated in the murder of one Ramen (whom however they state to have met with his death by accident); that consequently they themselves are wholly innocent of the grave charge brought against them, and are the victims of a conspiracy entered into by certain parties to effect their Ruin.—

3. The Petitioners are informed that the Record of this Case received the careful consideration of the Court of Foujdaree Adawlut and the Petitioners in the foregoing Nos were convicted of the crime laid to their charge.—

4 The Court see no reason to doubt the correctness of the sentences recorded against the Petitioners, and accordingly resolve to dismiss their applications.—

Ordered that Extract from these Proceedings be furnished to the Petitioners in No 70. 71 84 of 1848, with their application.—

Read Miscellaneous Petition presented on the 6th March 1848 by Pedda Yella = reddy and another of Zillah Cuddapah.—

(Here enter F: St: Mc: P: No 88 of 1848).

1. Petitioners complain of sundry acts of oppression on the part of the Magistrate of Cuddapah towards them, and seek to obtain the

Reversal

Proceedings be furnished to the Petitioners Vakeels on his application.—

Read Miscellaneous Petition presented on the 28th February 1848. by R. Tirooment Row Vakeel on behalf of Palacconatha Kootyil Ramoutty Nair and another zillah Calicut.—

(Here enter F: Re: P. No 70 of 1848).

Read also Miscellaneous Petition — presented on the same date by the same Vakeel on behalf of Kondy Menon late Police gouma to zillah Calicut.—

(Here enter F: Re: P. No 71 of 1848)

Read also Miscellaneous Petition — presented on the 6th March 1848 by the same Vakeel on behalf of Ittomy Ramen Menon and 3 others of Calicut zillah.—

(Here enter F: Re: P. No 84 of 1848).

1. Petitioners in No 70 are the 2nd and 3rd Prisoners in Case No 1 of the Sessions Court of Calicut for 1848. Petitioner in No 71 is the 1st Prisoner in the same and the four individuals who have presented Petition No 84 are the 9th 10th, 11th and 23rd Prisoners in the same Calendar.—

2. The object of these applications, is to inform the Court of Foujdaree Adawlut, that the Petitioners with certain others have been charged

with the crime of being implicated in the murder of one Ramen (whom however they state to have met with his death by accident); that consequently they themselves are wholly innocent of the grave charge brought against them, and are the victims of a conspiracy entered into by certain parties to effect their Ruin.—

3. The Petitioners are informed that the Record of this Case received the careful consideration of the Court of Foujdaree Adawlut and the Petitioners in the foregoing Nos were convicted of the crime laid to their charges.—

4 The Court see no reason to doubt the correctness of the sentences recorded against the Petitioners, and accordingly resolve to dismiss their applications.—

Ordered that Extract from these Proceedings be furnished to the Petitioners in No 70 71 84 of 1848 on their application.—

Read Miscellaneous Petition — presented on the 6th March 1848 by Pedda Yellama reddy and another of Zillah Cuddapah.—

(Here enter F: El: Mc: P. No 88 of 1848).

1. Petitioners complain of sundry acts of oppression on the part of the Magistrate of Cuddapah towards them, and seek to obtain

reverse

reversal of a sentence which they allege has been unjustly passed on them at the instigation of the Carnam and Curnum of their Village with whom they, the Petitioners, are at enmity.—

2. The Court of Foujdaree Adawlut observe that if the Petitioners considers themselves aggrieved the proper course for them to pursue was to appeal to the Sessions Judge in the first instance; if still dissatisfied they would then be at liberty to appeal to the Court of Foujdaree Adawlut.

3. This course it is still open to the Petitioners to adopt.—

Ordered that the prayer of this Petition be rejected and that Extract from these Proceedings be given the Petitioners on their application.

Read Miscellaneous Petition presented on the 15th March 1848. by Pyneemmah zillah Salem.—

(Here enter F. Gr. P. No. 104 of 1848).

1. Petitioner reiterates the prayer of her former Petition No. 48 of 1848. and urges the Court of Foujdaree Adawlut to issue orders for the immediate release out of custody of her husband who is a Prisoner in Cause No. 63 of 1846 on the file of the Sessions Court of Salem.—

2. The Court of Foujdaree Adawlut—

having considered this Petition with the former ones presented by the Petitioner and others, can see no reason to doubt the correctness of the sentence recorded against the Prisoners in the case above alluded to. and resolve accordingly to dismiss this application.—

Ordered that Extract from these Proceedings be furnished to the Petitioner on his application.—

Read Miscellaneous Petition of P. Seshannah and another forwarded by the Sessions Judge of Rajahmundry.—

(Here enter F. Gr. P. No. 130 of 1848).

1. Petitioners complain of a fine of Rupees 108-5-6 which has been imposed on them by the Subordinate Judge of Rajahmundry, under Section XVII Regulation IX of 1822.—

2. The Sessions Judge in Appeal confirmed the sentence.—

3. Petitioners urge that they expended the amount of the money which they are charged with having given as "Bribes", in public feasts charities and Hindoo Ceremonies, undertaken in conformity with the custom of Hindoos, in order to obtain a decision of the Land dispute, favorable to themselves.—

Petitioner

4 Petitioners repudiate the charge of Perjury and throw themselves on the protection of the Court of Foujdarry Adalut.—

5. The Court of Foujdarry Adalut are satisfied that the Sentence recorded against the Petitioners was just and legal and they refuse accordingly to disturb it.—

6 Petition dismissed.—

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Rajahmundry for communication to the Petitioners.

(Sent in No. 479).

Read Miscellaneous Petition presented on the 10th April 1848 by Voochummah Zillah Coimbatore

(Here enter F: Ds: P: No. 133 of 1848).

1. Petitioner reiterates the prayer of her former Petition No. 175 of 1847, and urges the Court of Foujdarry Adalut to order the release of her son Ramen Kristna gounden and others, Prisoners in Criminal Case No. 66 of the Session Court of Coimbatore for 1846, as the charge of Gang Robbery was entirely committed by Appaliah the Principal Under Annery, who has reasons for being particularly opposed to the 1st Prisoner her son.—

2. The Court of Foujdarry Adalut—observe that the trial above referred to received the

attentive consideration and they see nothing on the face of this Petition to lead them in any way to question the propriety of the 1st 2nd, and 3rd Prisoners conviction.—

3. This Petition is accordingly rejected.

Ordered that Extract from these Proceedings be furnished to the Petitioner on her application.—

Read Calendar of Case No. 8 of 1848 of the Session Court of Guntoor.—

(Here enter F: A: No. 877 of 1848).

1. The two Prisoners in this Case were charged with having burnt a heap of Red Paddy in straw valued at Rupees 100, and, on conviction, were sentenced by the Sessions Judge to seven years imprisonment with hard labor in irons under Clause Seventh Section II Regulation XV of 1803.—

2. The Court of Foujdarry Adalut are of opinion that the ends of justice may be attained by a mitigation of the punishment to which the Prisoners have been sentenced, and under the provisions of Section XXXV Act VII of 1843, the Court accordingly resolve to direct that the term of their imprisonment be reduced to three (3) years.—

3. The Sessions Judge will be pleased to issue his Warrant in accordance with the foregoing resolution.—

Ord

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Guntoor by Precept returnable within 10 days from and after its receipt.—

(Sent following Panst. No. 480)

Read Criminal Reports of the Sessions Court of Coimbatore for March 1848.—

(Here enter F. St. No. 888 of 1848).

Report B
Case No. 76.

1. In this Case the two Prisoners were charged with "Assault" and were sentenced to three months imprisonment with hard labour and to pay a fine of Rupees 30 each &c.—

2. The Court of Foujdaree Adalut consider the infliction of "Irons" may in this Case with propriety be dispensed with, and accordingly resolve to direct their remission.—

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Coimbatore for his information and guidance and for communication to the Principal Sudr Ameen.—

(Sent in No. 481)

Read Criminal Reports of the Sessions Court of Combaconum for March 1848.—

(Here enter F. St. No. 889 of 1848).

1. The date on which the above Re[ports] were dispatch[ed]

of the statement, the Court of Foujdaree Adalut resolve to call the attention of the Sessions Judge to the omission, and request that, in future, it may be duly supplied.—

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Combaconum for his information and future guidance.—

(Sent in No. 482)

Read Criminal Reports of the Sessions Court of Chingleput for March 1848.—

(Here enter F. St. No. 890 of 1848).

Report B
Case No. 6.

1. In this Case three Prisoners were charged with "Housebreaking and Theft." The 1st and 3rd Prisoners were released, and the 2nd Prisoner was stated to be "still under examination".—

2. The Court of Foujdaree Adalut desire to be informed whether sentence has yet been passed upon the 2nd Prisoner.

3. The Court also take this opportunity of requesting that the date on which the Criminal Reports are dispatched from the Sessions Court may in future be duly endorsed on the back of the Statements.—

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chingle[put]

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Guntoor by Precept returnable within 10 days from and after its receipt.—

(Sent following Precept No. 480)

Read Criminal Reports of the Sessions Court of Coimbatore for March 1848.—

(Here enter F. C. No. 888 of 1848).

Report B Case No. 76.

1. In this Case the two Prisoners were charged with "Assault" and were sentenced to three months imprisonment with hard labor in irons, and to pay a fine of Rupees 30—

2. The Court of Foujdaree Adalut consider the infliction of "Irons" may in this Case with propriety be dispensed with, and accordingly resolve to direct their remission.—

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Coimbatore for his information and guidance and for communication to the Principal Sudr Ameen.—

(Sent in No. 481)

Read Criminal Reports of the Sessions Court of Combaconum for March 1848.—

(Here enter F. C. No. 889 of 1848).

1. The date on which the above Re-

of the statement, the Court of Foujdaree Adalut resolve to call the attention of the Sessions Judge to the omission, and request that, in future, it may be duly supplied.—

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Combaconum for his information and future guidance.—

(Sent in No. 482)

Read Criminal Reports of the Sessions Court of Chingleput for March 1848.—

(Here enter F. C. No. 890 of 1848).

Report B Case No. 6.

1. In this Case three Prisoners were charged with "Housebreaking and Theft" The 1st and 3d Prisoners were released, and the 2d Prisoner was stated to be "still under examination".—

2. The Court of Foujdaree Adalut desire to be informed whether sentence has yet been passed upon the 2d Prisoner.

3. The Court also take this opportunity of requesting that the date on which the Criminal Reports are dispatched from the Sessions Court may in future be duly endorsed on the back of the Statements.—

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chingle-

1st May 1848.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Guntoor by Precept returnable within 10 days from and after its receipt.—

(Sent following Precept No 480)

Read Criminal Reports of the Sessions Court of Coimbatore for March 1848.—

(Here enter F. R. No 888 of 1848).

Report B
Case No 76.

1. In this Case the two Prisoners were charged with "Affault" and were sentenced to three months imprisonment with hard labor in irons, and to pay a fine of Rupees [illegible]

2. The Court of Foujdaree Adalut consider the infliction of "Irons" may in this Case with propriety be dispensed with, and accordingly resolve to direct their remission.—

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Coimbatore for his information and guidance and for Communication to the Principal Sudr Ameen.—

(Sent in No 481)

Read Criminal Reports of the Sessions Court of Combaconum for March 1848.—

(Here enter F. R. No 889 of 1848).

1. The date on which the above Re[illegible] were dispatch[illegible]

T. D.

1st May 1848.

of the statement, the Court of Foujdaree Adalut resolve to call the attention of the Sessions Judge to the omission, and request that, in future, it may be duly supplied.—

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Combaconum for his information and future guidance.

(Sent in No 482)

Read Criminal Reports of the Sessions Court of Chingleput for March 1848.—

(Here enter F. R. No 890 of 1848).

Report B
Case No 6.

1. In this Case three Prisoners were charged with "Housebreaking and Theft." The 1st and 3d Prisoners were released, and the 2d Prisoner was stated to be "still under examination".—

2. The Court of Foujdaree Adalut desire to be informed whether Sentence has yet been passed upon the 2d Prisoner.

3. The Court also take this opportunity of requesting that the date on which the Criminal Reports are dispatched from the Sessions Court may in future be duly endorsed on the back of the Statements.—

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Ching[illegible]

1st May

1st May 1848.

Report B
Case No 76.

Read Extract of Criminal Proceedings of the Session Court of Judicature (Here enter F: Ct: No. 1838 of 1848.)

1. The Prisoner in this case was charged with "Theft" and on conviction sentenced by the Sessions Judge to three years imprisonment with labor under Section XXI Regulation VII of 1832.

2. The Sessions Judge in forwarding the proceedings has recommended that the sentence of the Prisoner may be confirmed for the information of this Court.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Cuddalore for his information and future guidance.

(Sent in No 485)

Read Extract Criminal Proceedings of the Session Court of Chingleput (Here enter F: Ct: No. 1838 of 1848.)

1. The Prisoner in this case was charged with "Housebreaking and Theft" and on conviction sentenced by the Sessions Judge to three years imprisonment with labor under Section XXI Regulation VII of 1822.

2. The Sessions Judge in forwarding the proceedings has recommended that the sentence of the Prisoner may be confirmed for the information of this Court.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chingleput for his information and future guidance.

(Sent in No 485)

Read Extract Criminal Proceedings of the Session Court of Tanjore (Here enter F: Ct: No. 1838 of 1848.)

1. The Prisoner in this case was charged with "Theft" and on conviction sentenced by the Sessions Judge to three years imprisonment with labor under Section XXI Regulation VII of 1822.

2. The Sessions Judge in forwarding the proceedings has recommended that the sentence of the Prisoner may be confirmed for the information of this Court.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Tanjore for his information and future guidance.

(Sent in No 485)

Read Extract Criminal Proceedings of the Session Court of Nellore (Here enter F: Ct: No. 1838 of 1848.)

1. The Prisoner in this case was charged with "Housebreaking and Theft" and on conviction sentenced by the Sessions Judge to three years imprisonment with labor under Section XXI Regulation VII of 1822.

2. The Sessions Judge in forwarding the proceedings has recommended that the sentence of the Prisoner may be confirmed for the information of this Court.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Nellore for his information and future guidance.

(Sent in No 485)

F: Ct:
1st May 1848.

observes that the Crime of "Housebreaking and Theft" not having been proved against the Prisoners in this instance, the charges against them should have been amended accordingly.—

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Cuddalore for his information and future guidance.—

(Sent in No 485)

Read Criminal Reports of the Sessions Court of Nellore for March 1848.—

(Here enter F: Ct: No. 906 of 1848).

Report B
Case No 38.

1. The Prisoner in this Case was charged with "Theft" in "having stolen gold beads to the value "of Rupees from the neck of the Prosecutor's daughter "aged about 6 years viz".—

2. The Court of Foujdaree Adawlut observes that this offence falls under the Head of "Snatching" and the case as such should have been committed for trial before the Sessions Court.—

Case No 45.

3. The Prisoner in this Case, having been convicted of Theft in four Cases previously, should have been committed under Clause Second, Section II Regulation VI of 1822, and with reference to his notorious character, the Court considers the

1st May 1848.

inadequate punishment.—

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Bellary for his information and for communication to the Principal Sub: Assn.—

(Sent in No: 486).

Read Calendar of Case No: 26 of 1848 of the Sessions Court of Chingleput.—

(Here enter F: R: No: 916 of 1848).

1. In this Case, seventeen prisoners are charged with "affault attended with Homicide"—

2. They were convicted, but as they all appear to have behaved ill and turbulently, in attempting to enter a Tope a second time from the Choultry Gooumatah and the first five prisoners particularly so, the Sessions Judge "directed that the Prisoners 1 to 5 should be released on producing each two Sureties to be bound in the sum of Rupees 10 each for their good conduct for the period of one Year or, in default, that they be imprisoned and kept to hard labor with Irons (in consideration of their turbulent conduct) for that period"

3. The Court of Kingsmen Moodeliar observe that that part of the order of the Sessions Judge which imposes Irons must be cancelled. Turbulent conduct

1st May 1848

does not warrant the Imposition of Irons in default of finding Security. Of course should they be turbulent in Irons, at the discretion of the Judge, may be employed, in accordance with the Rules of Prison Discipline.—

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Chingleput for his information and guidance.—

(Sent in No: 487).

Read Criminal Reports of the Sessions Court of Trichinopoly for March 1848.—

(Here enter F: R: No: 919 of 1848).

1. The date on which the above Reports were despatched not having been entered on the back of the Statement, the Court of Kingsmen Moodeliar resolve to call the attention of the Civil Judge to the omission, and request that it may in future be duly supplied.—

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Trichinopoly for his information and future guidance.—

(Sent in No: 488)

Read Miscellaneous Petition presented on the 31st August 1846 by T. Appiah Mudeliar

1st May 1848.

1. Petitioner in this application, which is very obscurely expressed, brings to the notice of the Court of Fongdarra Ghaut the following circumstances.

2. It appears that the Petitioner has an extensive Farm and cattle breeding establishment near Royakoondy, and that his labourers have been in the habits of drawing and using the Toddy produced therefrom for the last 40 years.

3. One C. Kurrial the abkary Renter interfered and put a stop to this practice on the grounds that it was a violation of his own exclusive rights to permit parties to draw the Toddy without a licence.

4. The parties appealed to the Magistrate of the District who decided that the interference of the Renter was irregular - and that an old established custom sanctioned the drawing of the toddy by the workmen of the petitioner, who however should pay a certain fixed sum to the Renter - and see that the liquor so drawn was consumed by the parties themselves - not sold to others.

5. The Sessions Judge took a totally different view of the matter - and forbad the practice altogether as being opposed to the regulations in force - as well as to the rights of the Renter.

6. Petitioners object is to induce the Court of Fongdarra Ghaut to take

F.G:
1st May 1848.

similar to that held by the Magistrate and to procure the cancellation of the Sessions Judges Orders on the subject.

7. The Court of Fongdarra Ghaut resolve to inform the Petitioner that the subject embraced in this application and its enclosures, contains so many and important interests that they decline to give an opinion in the matter in its present crude and imperfect form.

8. Petitioner can if he thinks proper bring the subject to issue by a regular suit when the entire circumstances of the case will receive that consideration, which their importance demands.

Ordered that Extract from these Proceedings be furnished to the Petitioners Vakeel on his application.

Read Miscellaneous Petition presented on the 10th April 1848 by Mootoo Pillay Zillah Cumbaconum.

(Hereunto F.G:P: No: 132 of 1848).

1. This Petition contains a repetition of Petitioners former statements contained in his Petitions No: 254 of 1847 and 55 and 100 of 1848.

2. Petitioner is informed that no further

Application he is again referred to the Courts order of the 31st January 1848.—

3

Petition dismissed.—

Ordered that Extract from these Proceedings be furnished to the Petitioner on his application.—

Read again Miscellaneous Petition presented on the 16th February 1848, by Alagapumadan of the Zillah of Jaffnapatam.

(Here enter F. M. P. No 37 of 1848).

Read also Return dated the 22nd Ultimo from the Session Judge of Jaffnapatam to the Rule of the Court of Fiscal dated the 15th March 1848, forwarding to him Petition No 57 of 1848 and desiring him to offer an explanation in reply to the allegations therein set forth.

(Here enter F. M. P. No 776 of 1848)

1.

The Session Judge, in the Return above recorded states that the Petitioner Alagapumadan was the 8th Prisoner in Cases Nos 4, 30, 36, 37 and 39 of the Calendar of the Session Court for the year 1848 and on account of the strong suspicion attaching to him in those cases he was required by the Session Judge to find two sureties of 100 Rixdollars each for his good behaviour and appearance when required within 3 years

period for which security had been accepted, a charge of assault was preferred against the said Alagapumadan before the Magistrate, and as that individual's attendance was not procurable by the Magistrate, the Session Judge was requested to call upon the sureties of the said Alagapumadan to produce his person, or to forfeit the amount of their security bonds. The Magistrate having furnished the Session Court with a copy of the sentence in the case referred to, the Session Judge complied with the above request, and the sureties having failed to produce the said Alagapumadan, the amount of the recognizances was declared forfeited, and the same collected and carried to the credit of Government."

2. The Court of Fiscal Wadsworth observes that, under the circumstances reported by the Session Judge, the Petitioner is not the party to apply to this Court. The Appeal against the Session Judge's Order should be made by his sureties, the persons whose recognizances were estreated, should they deem themselves aggrieved in the matter in question.—

Ordered therefore that the prayer of this Petition be rejected and that Extract from these Proceedings be furnished to the Petitioner on his application.—

1st May 1848.

Read my own Miscellaneous Petition presented on the 28th February 1848 by Sunadya Bhat Zillah Trichinopoly.—

(Here enter F. Pr. P. No 77 of 1848).

Read also Return under by the Acting Sessions Judge of Trichinopoly under date the 30th ult to the Precept of the Foujdaree Adalut of the 20th Instn directing that officer to submit a detailed report on the matters complained on in para 2 of the foregoing Petition.—

(Here enter F. Pr. No 80 of 1848)

Read also Miscellaneous Petition presented by the same party on the 15th March 1848.

(Here enter F. Pr. P. No 96 of 1848).

1. Petitioner in the last application complains that the Acting Magistrate of Trichinopoly unjustly fined him in the sum of Rupees 50 and that the Acting Sessions Judge on appeal merely remitted a portion of the same, viz one fifth, while Petitioner contends that justice required the whole amount should be refunded. The order of the Acting Sessions Judge of the 29th January last is submitted for the perusal of the Court of Foujdaree Adalut.—

2. The Court of Foujdaree Adalut see no reason to doubt the correctness of the orders passed by the Lower authority

F. Pr.
1st May 1848.

3. It appears by the foregoing Return of the Acting Sessions Judge that the assertion made by the Petitioner in Miscellaneous Petition 77 of 1848 that no orders were passed on six Miscellaneous Petitions presented by him to the Sessions Court, is a deliberate falsehood, and the Court of Foujdaree Adalut resolve in rejecting his Petition to inflict a fine of Rupees 5 upon him which the Sessions Judge will cause to be levied from him.—

Ordered that Extract from these Proceedings be sent to the Acting Sessions Judge of Trichinopoly for his information and guidance by Precept returnable within two months from and after its receipt.—

(Sent following Precept No 489).

Ordered also that Extract from these Proceedings be furnished to the Petitioner on his application.—

Read return dated the 7th Ultimo from the Sessions Judge of Mangalore, to the Precept of the Court of Foujdaree Adalut under date the 30th March 1848 conveying their observations and orders on the Mangalore Criminal Reports for the month of February 1848.—

(Here enter F. Pr. No 871 of 1848).

1. The Foujdaree Adalut having called

1st May 1868.

for an explanation of the term "Petty Sessions" used in the Report of Case No 30. the Sessions Judge in the Return above recorded, states that "in consequence of the number of decrees that remained unexecuted in the Court of the Principal of Sivagungah which has jurisdiction over a large and jungly tract of country and it being found that the two Ameens attached to that Court, being unable to do all the work themselves, employed largely Petty Peons to assist them sometimes was granted to the Principal to employ when the state of business required it two extra Ameens who were to be remunerated by Fees, according to certain prescribed Rules."

2. The Court of Register Madurah observes that under the Regulations, Distant Zemindars are required to execute their own Decrees and this they do by Peons. The Court do not yet understand what is meant by Petty Ameens, and they request to be informed in what way they are employed in execution of Decrees.

3. The Court also wishes to be furnished with a Return of the names of Zemindars who are required to execute their own Decrees and the number of Decrees executed by each.

1st Decr 1868.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Sivagunga by Receipt returnable within seven days from and after its receipt.—

(Sent following Receipt No)

Ent 7th

F. N.

Tuesday
2d May 1848.

At a Court of the Foujdaree Udalut

Present

W.H.R. G. S. Hooper Esqr. 1st Puisne Judge.
C.P.S. C. P. Thompson Esqr. 2d Puisne Judge.
W.M. M. D. Morehead Esqr. 3d Puisne Judge.

Read Criminal Reports of the Sessions Court of Mangalore for March 1848.

(Criminal S. N. 950 of 1848.)

Report B. Case No. 37.

1. The Prisoner in this case was charged with "Cattle Stealing;" but whether he was convicted, or acquitted, of the offence the Court of Foujdaree Udalut are unable to learn, the only remark recorded in the Report being that "sentence has been passed in the preceding case".-

2. Information upon this point is, however, essentially necessary to enable the Court to determine the extent of the Prisoners guilt, and consequently, to judge of the propriety of the sentence passed upon him. The Sessions Judge will

therefore be pleased to furnish it without delay, and he will in future take care that in all cases where the same Prisoner is charged with two or more offences, his conviction or acquittal upon each charge may be distinctly stated in the Report.

3. The Court take this opportunity of directing that in future the Monthly Criminal Reports bear the date of their despatch from the Sessions Court.-

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Mangalore by Precept returnable within 10 days from and after its receipt.-

(Sent following Precept No 492)

Read Criminal Reports of the Sessions Court of Canara for March 1848.

(How entered F.N. No 982 of 1848.)

The above Reports not bearing the signature of the Sessions Judge, as required, the Court of Foujdaree Adawlut resolve to return the same, in order that the omission may be duly supplied. The Sessions Judge will also be

to direct that a Note be appended to the foot of each case, signifying whether, or not, it has elicited remark from the Sessions Court.-

2. In retransmitting these Statements the Sessions Judge will also be pleased to state, whether the prisoner in Case No 40 was convicted of the "House breaking and Theft" charged against him in that Case, as well as, of the offence charged against him in the preceding Number.-

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Canara by precept returnable within 8 days from and after its receipt.-

Sent following precept No 493

Read Criminal Reports submitted by the Agent to the Governor at Kurnool for March 1848.

(How entered F.N. No 934 of 1848)

The above Reports not bearing the date on which they were dispatched by the Agent, the Court resolve to call his attention to the omission, and to direct that in future

duly endorsed on the back of the Statements previous to their transmission to the Tongdarae Udalut

Ordered that Extract from these proceedings be forwarded to the Governor's Agent at Kurnool for his information and future guidance.

(Sent in a/c. No. 494)

Read Criminal Reports of the Sessions Court of Chittoor for March 1848

(Hereunto F.N. No 927 of 1848)

Report B. Case No. 38

The Prisoner in this case was charged with "Smuggling Arrack without a license" and, on conviction, was sentenced to pay a fine of Rupees 100, or in default to be imprisoned for 6 months.

2 In the absence of any apparently aggravating features of the case the Court of Tongdarae Udalut are disposed to consider this sentence to be primâ facie severe, but previous to their passing final Orders, they desire that the Assistant Judge may be called upon to explain the particular circumstances of the Case which rendered the Prisoner in his opinion

The same Prisoners were

Cases Nos. 49-50 and 51. concerned in each of these Cases, but whether they were convicted, or acquitted, of the charges preferred against them in the two former Numbers does not appear in this Report -

4 The Sessions Judge will now be pleased to afford the information which is essentially necessary to enable the Court to determine the extent of the Prisoners guilt, and consequently, to judge of the propriety of the sentence recorded against them - The same remark

Cases Nos. 53 and 54 are equally applicable to these cases, and the Court therefore request that the Session Judge will in future bear in mind that whenever the same Prisoner stands charged with two or more offences, his acquittal or conviction upon each separate charge must be distinctly entered in the Report

5. The Court of Tongdarae Udalut

Report B Cases Nos. 36, 40-47 and 48. observe that when the remarks of the Session Judge on review of the Criminal Reports, are of the trifling nature of

those cleaved on the cases noted in the mar-
gin, such remarks may be inserted in the
form of a Memo appended to the foot of
the Case to which it has reference in Report
B. the transmission of Report A would in
such cases be unnecessary.

6. The Court take this opportu-
nity of directing that in future, the Monthly
Criminal Reports bear the date of their
despatch from the Sessions Court.-

Ordered that Extract from
these Proceedings be forwarded to the Ses-
sions Judge of Chittoor by Peon's ex-
pense, such remarks may be inserted in the
form of a Memo appended to the foot of
the Case to which it has reference in Report
B. the transmission of Report A would in
such cases be unnecessary.

(Sent following Perceipts Nos 495
Read Criminal Reports of
the Sessions Court of Madura for March 1838.
(Here enter F.R. No 923 of 1838)

6. The Court of Zeejdaree Ada-
lut request that, in future, when the re-
marks of the Sessions Judge on receipt of
the Criminal Reports are of the nature

3d. May 1838.

marks may be inserted in the form of a
Memo appended to the foot of the Case,
to which they have reference in Report B.
the transmission of the detailed Statement
attached to the present Reports to Form A
would be then unnecessary.-

The Court further request

3. that the date on which the Criminal Re-
ports are despatched from the Sessions Court
may in future be endorsed on the back of
the Statement.

Ordered that Extract from
these Proceedings be forwarded to the Ses-
sions Judge of Madura for his information
and future guidance.-

Sent per Pr 496
Read Criminal Reports
of the Sessions Court of Rajahmundry
for March 1838.
(Here enter F.R. No 958 of 1838)

The Court of Zeejdaree Ada-
lut consider the infliction of "nine" awards
to the Prisoner in this case may be with
Case No 35. to the Prisoner in this case may be with
drawn dispensed with, and the Court
[illegible] this omission.

May 1848

ane 1837.

2. The Prisoner in this case was charged with "Theft" and sentenced to be imprisoned for a period of 13 months with hard labor in irons and to receive 25 lashes with a Rotanne tails.-

3. With reference to the small amount of property stolen, the Court of Foujdaree Udalut desire an explanation of the nature of the circumstances, which rendered the Prisoner in the opinion of the Acting Sudder Ameen, deserving of so severe a punishment.

4. The Court request that in future, the date on which the Criminal Reports are despatched from the Sessions Court may be duly indorsed on the back of the Statement, previous to its transmission to the Foujdaree Udalut.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Rajahmundry by Despatch returnable within 8 days from and after its receipt.

(Sent following Despatch No. 497

F.U.

2d. May 1848.

Read Criminal Reports of the Sessions Court of Tellicherry for March 1848.

(Here enter F.U. No. 907 of 1848.)

1. The Court of Foujdaree Udalut observe that the Sessions Judge has forwarded the Reports of each case disposed of by the Principal Sudder Ameen during the Month. This practice appears to the Court unnecessary, and they request that, in future, when the remarks elicited from the Sessions Judge are of the trifling nature of those embodied in the present Report, and which in no way affect the sentence passed, they may be appended in the form of a Memo: at the foot of the case to which they refer in Report B: the submission of Report A in such cases would then be annulled for.

2. With reference to the correspondence entered in the Appendix to the above Reports, the Court request that the Joint Magistrate may be instructed, when holding any future communication

with the Principal Sudder Ameen, to add that Officer in the usual form of a public letter: the practice of corresponding thro' the medium of official memoranda being in the opinion of the Court objectionable.

3. The Court further request that the Session Judge will in future observe that the date, on which the Criminal Reports are dispatched from the Session Court, is duly entered on the list of the Statements forwarded to the Foujdaree Adawlut.

Ordered that Extract from these proceedings be forwarded to the Session Judge of Tellicherry for his information and future guidance, and for communication to the Joint Magistrate for the future guidance of that Officer.

Sent in a No 498

Read Criminal Reports of the Session Court of Mangalore for March 1828.

(Here enter F.D. No 948 of 1828)

The Court of Foujdaree Adawlut

been submitted for their consideration in Report A.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Masulipatam for his information and future guidance.-

(Sent in a No 499

Read Criminal Reports of the Session Court of Bellary for March 1828.-

(Here enter F.D. No 949 of 1828)

The Court of Foujdaree Adawlut

From A Cases No 39 and 50. - but observe that the Proceedings held in these Cases should have accompanied the Report B for February, to which they have reference.

2. The Court request that, in future, when the remarks elicited from the Session Court are of the trivial nature of those now under reference, they may be appended in the form of a Memo. to Report B in lieu of being inserted at length in Report A.

Cases No 54 and 55.

3. The Court further request

2nd 2nd May 1828

Reports are despatched from the Sessions
may be invariably endorsed on the back
the Statements.-

Ordered that Extract from
these Proceedings be forwarded to the
Sessions Judge of Batticaloa for his inform
tion and future guidance.

(Sent in No 530

Read Calendar of Cases No 5
of the Sessions Court of Cuddalore for 1828

(Have entered F.H. No 935 of 1828

The Prisoners in this case
four in number were charged with the
crime of Gang Robbery and the Acting
Sessions Judge concurred with the Mahom
medan Law Officer in considering that
the evidence did not warrant the conviction
of the prisoners, but that they were liable
to a requisition for security under Clause
1st Section X Regulation VII of 1827.-

2.

The Prisoners were accordingly
required to find two sureties each in the
sum 50 for good behaviour for two years
or in default to be imprisoned for that

F.H.

2nd May 1828.

3.

The Court of Foujdaree Ada
but are of opinion that the evidence for
the prosecution, is insufficient to justify
a requisition for security in this case
and resolve accordingly under the authe
rity vested in them by Section XXXIII Act VII
of 1843 to direct that the Prisoners if in
custody under the requisition be uncon
ditionally released - and the Bail bonds
if entered into, be cancelled.

Ordered that Extract from proceedings
these proceedings be forwarded to the Ses
sion Judge of Cuddalore for his information
and guidance.-

(Sent in No 530

Read again Calendar
of Case No 114 of the Sessions Court
of Madura for 1828 -

(Have entered F.H. No 757 of 1828.)

Read also Return made
by the Sessions Judge of Madura under
date 15 Instant, to the Precept of the
Foujdaree Adalut of the 3rd Ultimo calling
for a Translation of Deposition of

also list of stolen property given in by the Prosecutor in Sessions Court on 25th of 1848.

(Have entered F.H. No. 925 of 1848)

1. With the information now before them the Court of Tondiarpet Madras concur with the Sessions Judge in the propriety of the conviction of the Prisoner in this case and resolve accordingly to direct that the sentence awarded against them be carried into effect.-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Madura for his information and guidance.-

(Sent in No. 502

Read Criminal Reports submitted by the Agent to the Governor in Ganjam for March 1848

(Have entered F.H. No. 955 of 1848)

The above Reports not bearing the date on which they were dispatched by the Agent to the Tondiarpet Madras, the Court resolve to call the attention of the

that in future such information be duly supplied.

Ordered that Extract from these Proceedings be forwarded to the Governor Agent in Ganjam for his information and future guidance.-

(Sent in No. 503)

Read Criminal Reports of the Sessions Court of Cuddapah for March 1848.

(Have entered F.H. No. 929 of 1848)

1. In this case the Prisoner

Report B.
Case No. 18.

was charged with Housebreaking and Theft, and on conviction was sentenced by the Acting Subordinate Judge to two years' imprisonment in irons, and to receive 150 lashes.-

2. The Court of Tondiarpet Madras but consider this sentence to be quite inadequate to meet the ends of justice. The prisoner was convicted and punished for Theft on four previous occasions, and was ordered to find security for his good conduct on three other occasions. the Case should, in the opinion of the Court, have

2. In furnishing this explanation, the Sessions Judge will be pleased to state what subsequently became of the Prisoner in Case № 3 of 1848, who was accused of severe wounding and attempt at Suicide and discharged on the ground of his insanity.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Cuddalore by Dwarpt returnable within 10 days from and after its receipt.

(Sent following Dwarpt № 505)

Read Criminal Reports of the Sessions Court of Cuddalore for March 1848.

(Henewter F. No. 930 of 1848)

1. The same Prisoner was concerned in each of these cases; but whether he was acquitted or convicted of the crime charged against him in the former number, the Court of Foujdaree Udalut are unable to learn.-

Report B. Cases № 22 and 23

2. The acting Sessions Judge

been committed for trial, before the Sessions Judge.-

3 The Court take this opportunity of directing that the date on which the Criminal Reports are dispatched from the Sessions Court, be in future, duly endorsed on the back of the Statement.-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Cuddalore for his information and guidance, and for communication to the Acting Subordinate Judge.

(Sent in № 504)

Read Criminal Reports of the Sessions Court of Cuddalore for March 1848.

(Henewter F. No. 931 of 1848)

1. The transmission of the above Reports having been delayed two days beyond the prescribed period, the Court of Foujdaree Udalut resolve to call upon the Sessions Judge for an explanation of the cause, and to direct that in future, proper care may be taken to ensure their regular dispatch.

2d. May 1848.

will now be pleased to afford this information, which is essentially necessary to enable the Court to determine the extent of the Prisoners guilt, and consequently, to judge of the propriety of the sentence passed against him, and the Court further direct that in future Reports, where the same Prisoner stands charged with two or more offences, his acquittal or conviction upon each charge be distinctly entered against him.

3. The Acting Sessions Judge

Case No 26.

will at the same time be pleased to state whether the 2d Prisoner in this case was deemed liable to suspicion, the Court of Foujdaree Udalut being unable to gather that fact from the remarks entered in the Report.

4 The Court take this opportunity of directing that in future, the Monthly Criminal Reports bear the date of their dispatch from the Sessions Court.

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Coimbatore by Dawk No. timeable within III days from and after the

2d. May 1848.

Read Calendar of Case No 94 of the Session Court of Coimbatore for 1847.

(Here enter J. D. No 933 of 1848)

The Prisoners in this case six in number were charged with the crime of Gang Robbery by open violence, and on conviction, the 1st, 2d 3d and 6th Prisoners were sentenced by the Session Judge to 14 years imprisonment with hard labor in Irons under Clause third Section IX Regulation XV of 1803 and the 4th and 5th Prisoners were required to find security in 2 sureties of 50 Rupees each under Clause sixth Section II Regulation XV of 1803.

2. The Court of Foujdaree Udalut resolve before disposing of this Calendar to direct the Session Judge to forward with the least possible delay a Translation of the Police reports in this case, as well as of the Prosecutors first statements, before the Police.

3. With reference to the delay which has occurred between the close of this trial, and the date of the sentence

2nd May 1848

the Court of Tinjdaree Udalut observe that they deem the explanation submitted by the Sessions Judge on this point to be unsatisfactory.-

4th. The Court of Tinjdaree Udalut require to be informed why an interval of nearly 5 months elapsed between the date of committal (24th November 1847) and that of sentence (April 13th 1848).-

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Coimbatore by Runner returnable within x days from and after its receipt.

5

(Sent following receipt No 507 &c

Ent'd

Wednesday
3rd May 1848

F. Vb.

At a Court of the Tinjdaree Udalut

Present

W.H.M. — G. L. Hooper Esqr — 1st Puisne Judge.
O.P.T. — C. P. Thompson Esqr — 2nd Puisne Judge
W.M. — W. A. Morehead Esqr — 3rd Puisne Judge

Read Letter dated the 24th ultimo from the Sessions Judge of Coimbatore, requiring for the final Judgment of the Tinjdaree Udalut, the Records of Cases Nos 4 of 1848 of the Calendar of the Sessions Court.

(Records F. Vb. Nos 4 of 1848)

Mr C. P. Thompson and Mr W. A. Morehead

The Court of Tinjdaree Udalut, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the prisoner

"Coorooviengne Beraptharky"

is sufficient to convict him of the crime of wilful Murder, to convict him thereof; and under the provisions of Section X Regulation VIII of 1802, sentence him to suffer death by being hanged by the neck as conveniently may be after the

3rd May 1848

receipt of this warrant shall be paid to the Sheriff
by the Principal Sheriff or Sheriffs of Cahir
the immediate vicinity of the place where the
murder was committed.

(Sheriff's Warrant Cahir 3rd May)

2nd Ct

NNB

Thursday,
4th May 1848.

F. 66.

At a Court of the Foujdaree Adalut

Present

J.J.H. J. J. Hooper Esqre ——— 1st Puisne Judge
C.P.T. C. P. Thompson Esqre ——— 2nd Puisne Judge
W.W. W. A. Morehead Esqre ——— 3rd Puisne Judge

Read Letter dated the 20th ultimo from the Sessions Judge of Madura, referring for the final Judgment of the Foujdaree Adalut, the Record of Cases Nos 15 & 16 of the Calendar of the Sessions Court

Prosecution F.H. No 905 of 1848.

Mr. J. J. Hooper — The Court of Foujdaree Adalut, on a deliberate consideration of all the circumstances of the cases as evidenced before them, being of opinion that the proof against the Prisoner,

Criminal Procedure

is sufficient to convict him of the crime of Perjury & to commit him thereof, and under the provisions of Clause First Section III Regulation VII of 1817 and Section XXXV Act VII of 1843 sentence him to receive 60 Lashes with a Cat o Nine tails and

4th May 1826.

To be considered and kept for hand between
the first Thursday in the first week of
and during the pleasure of (illegible)

The Board of Magistrates Police
observe that the manner of recording the
proceedings this Office to which reference
is to be made in their Proceedings under date the 3rd
1826, on the review of Order No 8 of the Calendar
of the present year, has been again adopted
the case now under consideration and they
deem it necessary to call the attention of
thereto in order that the same
hereafter strictly adhered to.

Ordered that Colonial Secretary
Proceedings be forwarded to the Colonial Surgeon
for his information and guidance

(Sd) following Letter No 510

Encl 1st

F.U6.

Friday 1st May, 1848.— At a Court of the Foujdaree Udalut.

Present.

G. A. Cooper, Esquire 1st Puisne Judge.

E. P. Thompson, Esquire 2nd Puisne Judge.

W. A. Morehead, Esquire 3rd Puisne Judge.

Read Return dated the 17th ultimo from the Sessions Judge of Rajahmundry to the Registrar of the Foujdaree Udalut under date the 1st April 1848, directing that measures be adopted for the re apprehension of the Prisoners in Case No 7 of the Calendar of the Session Court of 1848, and that the Record be translated and referred, without delay, for their final Judgment.—

(Here Enter F.U6. No 977 of 1848.)

Read also Letter dated the 28th March 1848. from the same Officer, forwarding copies of Letters from the Magistrate and Joint Magistrate of Rajahmundry communicating certain

5th May 1848.

Mr G S Thompson
Mr E P Thompson
and
Mr W. A. Marks

Sessions in the examination of the
Act of 1848, and on the evidence produced
in that behalf by the Queens Counsel.

The Court of Inquiry
Held, on adjournment from the
examinations before them, being of opinion
that the proof against the Prisoners
1st Cankapudden Rajapaksa
and
2nd Cahapulle Arhegadoo
is sufficient to commit them for the
crime of Culpable Homicide, punishable
by the Penalty of Death or such other
Punishment as Law or Custom
shall direct, and under the Provisions
of Clause 3 Section XX Page 66
of 1842, order the said Prisoners
to be committed to the Gaol of
Galle in the Custody of the Fiscal
to take their Trial at the next
Session of the Supreme Court to be
holden at Galle in and for the
(5)

5th May 1848.—

And the Court being of
opinion that the Prisoners
3rd Cundumilly Guddagedoo
and
4th Moopedee Mungedoo
are not convicted on Presumptive Proof or
on the evidence of credible witnesses or on
their own confessions, do accordingly acquit
them and direct that they be set at Liberty

The Court yield no credit
to the story of the Rape. The evidence
given by the 10th 11th and 17th witnesses is
directly opposed to it. No cause exists to
why these witnesses should utter falsehood in the matter: they are perfectly
unconnected with all the parties.—

The confessions of the 1st and
2d prisoners, are supported by corroborative
evidence which brings home the charge
satisfactorily and completely to them. There
can be no moral doubt of the guilt of
the 3d and 4th prisoners also, but the evidence
forthcoming is not deemed sufficient for
their legal conviction: and the Court have

F. 116.

5th May, 1848

1. The Prisoner

Comatavoo

was charged with the crime of Gang =
Robbery, and on conviction sentenced by
the Sessions Judge of Coimbatore to 14
years Imprisonment with hard labour
in Irons under Clause third Section IV.
Regulation XV of 1803 —

2. The Sessions Judge in con=
sideration of a very severe wound which
the Prisoner has received on his right arm,
recommends that the prescribed punish=
ment be mitigated to imprisonment
for 3 years with such labor as the
Prisoner may be equal to —

3. The Court of Foujdaree
Udalut approve of the mitigation so
recommended by the Sessions Judge
and under the provisions of Clause
third Section III Regulation I of 1825
authorize him to issue his warrant
accordingly —

Ordered, that Extract
from these Proceedings be forwarded

4

5th May, 1848

therefore acquitted them and ordered their release.

3. Adverting to the Letter of the Sessions Judge of the 28th March last, the Court of Foujdaree Udalut observe that they had seen cause to set aside the sentence passed by that Officer, and to direct that the accused should be re-apprehended and the Record returned for their final Judgment upon the receipt of the representations made on the subject of this Trial, by the Magistrate and Joint Magistrate.

4. The Sessions Judge will be pleased to furnish the Magistrate with a copy of these Proceedings, exhibiting the view taken of the case by the Foujdaree Udalut —

Ordered, that Extract from these Proceedings be sent to the Sessions Judge of Ryakonda for his information and guidance

/ Sent the following letter No 511 /

Read Calendar of Cases No 19 of the Sessions Court of Coimbatore for 1848 —

5th May, 1848

therefore acquitted them and ordered their release.

3. Adverting to the Letter of the Sessions Judge of the 28th March last, the Court of Enquiry Udalut observe that they had seen cause to set aside the sentence passed by that Officer, and to direct that the accused should be re-apprehended and the Record referred for their final Judgment upon the receipt of the representations made on the subject of this Trial, by the Magistrate and Joint Magistrate.

4. The Sessions Judge will be pleased to furnish the Magistrate with a copy of these proceedings, exhibiting the view taken of the case by the Enquiry Udalut.

Ordered, that Extract from these Proceedings be sent to the Sessions Judge of Ryakonda for his information and guidance.

Sent following letter No. 511

Read Calendar of Cases No. 19 of the Sessions Court of Combatore for 1848.

5th May, 1848

1. The Prisoner Oomatavoo was charged with the crime of Gang Robbery, and on conviction sentenced by the Sessions Judge of Combatore to 14 years Imprisonment with hard labour in Irons under Clause third Section IV. Regulation XV of 1803.

2. The Sessions Judge in consideration of a very severe wound which the Prisoner has received on his right arm recommends that the prescribed punishment be mitigated to imprisonment for 3 years with such labor as the Prisoner may be equal to.

3. The Court of Enquiry Udalut approve of the mitigation recommended by the Sessions Judge and under the provisions of Clause third Section III Regulation I of 1825 authorize him to issue his warrant accordingly.

Ordered, that Extract from these Proceedings be forwarded to

...May, 1848.

1848

to the Sessions Judge of Coimbatore
the information and Sundries —
/Sundries No. 312/.

Read Letter Dated the
Ultimo from the Sessions Judge of Nor
forwarding with reference to his Letter of
the 11th instant, the Report B required for
the Magistrate of Cuddapah for March
1848.
/Have Entered File. No. 1005 of 1848/

Read Calendar of Case
No. 21 of 1848 submitted by the Sessions
Judge of Madura under date the 29th
Ultimo —
/Have Entered File. No. 1007 of 1848/

Read Calendar of Case
No. 11 of 1848 submitted by the Sessions
Judge of Bellary under date the 26th
Ultimo —
/Have Entered File. No. 1008 of 1848/

Read Calendar of Case
No. 11 of 1848 submitted by the Sessions
Judge of Chittoor

5th May, 1848.

the 19th ultimo —
/Have Entered File. No. 1009 of 1848/

Read Calendar of Case
No. 16 of 1848 submitted by the Sessions
Judge of Combaconum under date the
27th Ultimo —
/Have Entered File. No. 1011 of 1848/

Read Calendar of Case
No. 20 of 1848 submitted by the Sessions
Judge of Madura under date the 25th
Ultimo —
/Have Entered File. No. 1012 of 1848/

Read Account dated the
1st Ultimo submitted by the Subordinate
Judge of Combaconum showing the
amount realized by the Sales of the
Prisoners in the 1st Quarter of 1848. —
/Have Entered File. No. 1016 of 1848/

Read Letter dated the 22d
Ultimo from the Sessions Judge of
Tellicherry returning the death Warrant
issued by the Court of Sessions in
Udalut in Case No. 2 of 1848 on the

5th May, 1848.

to the Sessions Judge of Combaconum
Sessions and Gaudaloor
/Submd. No. 512/

Read Letter Dated the
Ultimo from the Sessions Judge of Tan
forwarding with Reference to his Letter
the 11th Inst. the Report & recommend
the Mgistrate of Combaconum for
1848.

/Have Enter'd Fld. No. 1005 of 1848/

Read Calendar of Cases
No. 24 of 1848 submitted by the
Sessions Judge of Combaconum under
the 29th Ultimo.

/Have Enter'd Fld. No. 1007 of 1848/

Read Calendar of Cases
No. 11 of 1848 submitted by the Sessions
Judge of Bellary under Date the 26th
Ultimo.

/Have Enter'd Fld. No. 1008 of 1848/

Read Calendar of Cases
No. 11 of 1848 submitted by the Sessions
Judge of Cuddapah

5th May, 1848.

the 19th Ultimo.

/Have Enter'd Fld. No. 1009 of 1848/

Read Calendar of Cases
No. 16 of 1848 submitted by the Sessions
Judge of Combaconum under Date the
27th Ultimo.

/Have Enter'd Fld. No. 1011 of 1848/

Read Calendar of Cases
No. 20 of 1848 submitted by the Sessions
Judge of Madura under date the 25th
Ultimo.

/Have Enter'd Fld. No. 1012 of 1848/

Read Account Dated the
1st Ultimo submitted by the Subordinate
Judge of Combaconum showing the
amount realized by the Labor of the
Prisoners in the 1st Quarter of 1848.

/Have Enter'd Fld. No. 1016 of 1848/

Read Letter Dated the 22d
Ultimo from the Sessions Judge of
Tellicherry returning the death Warrant
issued by the Court of Sessions on
Adalat in Case No. 2 of 1848 on the

5th May 1848

5th May 1848 Calendar of the Supreme Court, and proceedings had in relation thereto —

(Hora Entered Fdo. No. 1018 of 1845)

Read Calendar of Cases No. 18 of 1848 submitted by the Supreme Judge of Salem under Date the 26th Ultimo —

(Hora Entered Fdo. No. 1022 of 1845)

End 7th

J. 96.

Saturday,

6th May 1848. Mess Court of the Forjetures Malabah.

Present

The Hon. L. J. Hooper Esqre — 1st Puisne Judge

L. D. Thompson Esqre — 2nd Puisne Judge

W. T. Morehead Esqre — 3rd Puisne Judge

Read Letter dated the 20th

February from the Settlers Judge of — Malacca requesting that sanction may be granted for committing the several Prisoners in confinement awaiting their trials to the Calendar of the Special Sessions held at Vizianagaram in 1833 under the Provisions of the Charter Order of the Court of Forjetures Malabah dated the 14th February 1831.

(Hora Entered Fdo. No 540 of 1840)

The Court of Forjetures Malabah approve of the recommendation of the Settlers Judge and direct that the Prisoners Contained in Memorandum be immediately established by Order that Extract from these proceedings be forwarded to the Settlers

6th May 1848.

Judge of Manchester adams for his information and guidance.

(Circular N° 513 /—

Encl Ltr.

E 1118

May.

Monday.
8th May 1848

F. 84

At a Court of the Magistrates & Landdrost.

Present:

J. S. Hooper Esqre ——— 1st Puisne Judge
C. D. Thompson Esqre ——— 2nd Puisne Judge
W. A. Morehead Esqre ——— 3rd Puisne Judge

Read again the Miscellaneous Petition of Sylvanus Cornwallis forwarded by the Resident Landdrost of Smithfield praying the release of the 4th Prisoner in Case No 27 of 1847 of the Calendar of the Superior Court of Smithfield who was convicted of Larceny Robbery and Sentenced to Imprisonment with hard labour in Irons for fourteen years.

(Here enter Folio P. No 318 of 1847)

Read also Returns dated the 22nd March 1848 and Supplemental Returns dated the 15th ultimo from the Acting Resident Landdrost of Smithfield directing him to examine certain persons touching the circumstances connected with the apprehension &c of the 4th Prisoner in Case No 27 of 1847 of the Calendar

8th May 1848

cannot be overlooked: because had he so been
he would have been seized long before the
10th September.

5 The evidence to the stolen property
having been discovered in his house, is also
seen to merit strong suspicion as to be valueless.

6 That the Prisoners housekeeper
twice disturbed the Police Officers Report
alluded to by the Acting Sessions Judge in
his Return, distinctly allows.

7 The Court, upon a review of
the whole case are of opinion that the evi-
dence for the prosecution is not to be relied upon.

Under the authority vested in them by
Section XXXV. Act VII of 1843, they accordingly
resolve to set aside the sentence passed on
the 4th Prisoner, and direct that he be
immediately and unconditionally released

8. The Court regret to observe
that the conduct of the Head of Police of
the Terrier Taluks and of all his subordinates
who were concerned in this case is deserving
of severe animadversion. They not only exhibited
great negligence in the discharge of their

8th May 1848.

duties, but they have manifestly attempted to deceive the Courts by their written and oral statements.

9 The Head of Police entered the 5th September as the date on which the 4th Prisoner was apprehended, whereas it is known that he had been in attendance at that Officers Cutchery whether by bail or will or not is not known for many weeks previously. It was the duty of the Head of Police clearly and permanently to note this circumstance, in forwarding the case and to state why the Prisoner had been detained) on what suspicion and for [illegible]

10 It might also be as well to have distinctly stated, and without having been called upon especially by the Court to do so, how many times and when the 4th Prisoners house had been searched

11 Had the Head of Police acted with honesty and straightforwardness in this case the Prisoners would not have suffered an imprisonment of eight months for an offence on the commission of which there was no sufficient proof that he participated.

8th May 1848.

grave censure the conduct of the Moonsiff and Pottidar of Rerampore, as exhibited in the Acting Sudder Judges Return of the 27th March (paras 3 and 4): and the Court direct the Acting Session Judge to forward a copy of that Return and of these remarks to the Acting Magistrate of Trichinopoly who will be pleased to administer a solemn warning to all the Native Officers above mentioned and at the same time intimate to them that the Foujdaree Adalut have had under their serious consideration, the propriety of ordering their dismission from their respective offices, and have abstained from doing so, only in the hope that the leniency shown to them on this occasion will have the effect of deterring them from the like misconduct in future, and exciting them to a more zealous discharge of their public duties. They must all be forewarned especially the Head of Police, be distinctly warned that any further instance of irregularity or dereliction of duty, will be followed by their immediate removal from office.

13 The Acting Session Judge will be pleased in future to adhere strictly to the

8th May 1848.

duties; but they have manifestly attempted to deceive the Courts by their written and oral statements.

9 The Head of Police entered the 8th September as the date on which the 4th Prisoner was apprehended, whereas it is a fact that he had been in attendance at that Officers Cutcherry whether by his free will or not is not known for many weeks previously. It was the duty of the Head of Police, clearly and forcibly to notice this circumstance, in forwarding the case, and to state why the Prisoner had been detained) on what description and for [illegible]

10 It might also be here stated, and without having been called upon specially by the Court to do so, how many times and when the 4th Prisoner's house had been searched

11 And the Head of Police asked with honesty and straightforwardness in this case the Prisoner would not have suffered an imprisonment of eight months for one offence and the accumulations of which there was no sufficient proof that he participated.

12 The Court

F.C.

8th May 1848.

grave censure the conduct of the Moonsiff and Putwarlar of Kerrampore, as exhibited on the Acting Sessions Judge's Return of the 29th March (paras 3 and 4): and the Court direct the Acting Session Judge to forward a copy of that Return and of these remarks to the Acting Magistrate of Trichinopoly who will be pleased to administer a solemn warning to all the Native Officers above mentioned and at the same time intimate to them that the Foujdaree Adalut have had under their serious consideration, the propriety of ordering their dismission from their respective offices, and have abstained from doing so, only in the hope that the leniency shown to them on this occasion will have the effect of deterring them from the like misconduct in future, and rendering them to a more zealous discharge of their public duties. They must tell however, and especially the Head of Police, be distinctly warned that any further instance of irregularity or dereliction of duty, will be followed by their immediate removal from office.

13 The Acting Session Judge will be pleased in future to adhere strictly to the

8th May 1848.

duties; but they have wilfully attempted to deceive the Courts by their willful and wd statements.

9 The Head of Police ordered the 6th September is the date on which the 4th Prisoner was apprehended; whereas it is a fact that he has been in attendance at that Officers Cutchery whether by his free will or not is not known for many weeks previously. It was the duty of the Head of Police, clearly and permanently to record this circumstance, in forwarding the order and to state why the Prisoner had been detained) on what suspicion and for [illegible]

10 It might also be as well to have distinctly stated, and without having been called upon especially by the Court so to do, how many times and when the 4th Prisoners hands had been handcuffed

11 And the Head of Police acted with honesty and straightforwardness in this case the Prisoner would not have suffered an imprisonment of eight months for an offence and the communications of which there is no doubt proof that he participated.

12 The Court must

8th May 1848.

give censure the conduct of the Moonsiff and Puttadar of Kurumpore, as exhibited on the Acting Sessions Judges Return of the 22nd March (paras 3 and 4): and the Court direct the Acting Sessions Judge to forward a copy of that Return and of these remarks to the Acting Magistrate of Trichinopoly who will be pleased to administer a solemn warning to all the Native Officers abovementioned and at the same time intimate to them that the Foujdaree Adalut have had under their serious consideration, the propriety of ordering their dismission from their respective offices, and have abstained from doing so, only in the hope that the leniency shown to them on this occasion will have the effect of deterring them from the like misconduct in future, and exciting them to a more zealous discharge of their public duties. They must tell however, and especially the Head of Police, be distinctly warned that any further instance of irregularity or dereliction of duty, will be followed by their immediate removal from office.

13 The Acting Sessions Judge will be pleased in future to adhere strictly to the

8th May 1848.

mode of preparing the Records of Trials pointed
in the Circular Instructions of the Tanjore
Udalut of the 11th November 1847 the non observance
of which in the present case, has entailed much
unnecessary labour and trouble on the Judges

Ordered that Extract from these
Proceedings be sent to the Acting Sessions Judge of
Trichinopoly by Dwapt returnable within seven days
from and after its receipt.

(Sent following Dwapts No 516)

Read Miscellaneous Petition presented on the 27th March 1848 by Ramsubbay
Pundaram Zillah Chinglepute

(Inventory No. Pet. No 124 of 1848)

1 The Petitioner who is the wife of
Rungiah, the 8th Defendant in Civil Suit No 24 of the Collection
Court of Chinglepute for 1847 petitions the Court of
Tanjore Udalut to order her husband's immediate
release the charge against him having been
concocted by two persons who have long owed
him grudge and have since conspired against the
same in order to effect his ruin.

2 This petition is rejected

3 The Court of Tanjore Udalut

8th May 1848

and were satisfied of the guilt of Petitioner's
husband who was sentenced to a rigorous
punishment of 10 years imprisonment with
hard labour in Irons

Ordered that Extract from
these proceedings be furnished to the Petitioner
on her application

Read Miscellaneous Petition
presented on the 17th April 1848 by Ramsubbay
Pundaram Zillah Chinglepute

(Inventory No. Pet. No 141 of 1848)

Petitioner states that she was
1 fined by the Sessions Assistant Magistrate of
Chinglepute for having forcibly carried off the
produce of certain lands that the fine was
confirmed by the Magistrate and the Sessions
Judge on appeal rejected this Petition.

Petitioner urges the Court of
2. Tanjore Udalut to cancel this fine as no produce
was forcibly carried away by him off but on the
contrary the parties who brought the complaint
against him positively refused to attend at the
threshing floor and consequently the Petitioner

manner and store the grains in his own house.

3 Petitioner is informed that no orders can be passed on this Petition until copies of the orders against which he complains, are filed for the consideration of the Court.

Ordered that Extract from these proceedings be furnished to the Petitioner on his application.

Read a Miscellaneous Petition presented on the 17th April 1848 by Pitchamma Zillah Combacanum.

(Reventer F.M. P. No 143 of 1848)

1. Petitioner reiterated the prayer of her former Petition No 34 of 1848, which was rejected by the Court of Fouzdaree Adalut on the grounds that no good reason existed to doubt the correctness of the sentence recorded against her son, one Mootien, prisoner in Cadjan No 55 of the Sessions Court of Combacanum for 1847.

2. Petitioner is referred to the order of the Court under date 20th March last and is informed that the same are final.

Ordered that Extract from these proceedings be furnished to the Petitioner on her application.

Read a Miscellaneous Petition presented on the 25th April 1848 by Appavoo Ordiar Zillah Combacanum.

(Reventer F.M. P. No 149 of 1848)

1. Petitioner reiterated the prayer of his former Petition No 291 of 1847, which was rejected by the Court of Fouzdaree Adalut on the grounds that his case had met with the fullest consideration.

2. Petitioner is referred to the Proceedings of the Court of Fouzdaree Adalut, dated the 17th January 1848, which finally disposed of the subject of this application.

3 Petition dismissed.

Ordered that Extract from these proceedings be furnished to the Petitioner on his application.

Read a Miscellaneous Petition presented on the 25th April 1848 by P. Chinna Appla charry a Merchant Vakeel on behalf of M. Annadanum pillay Chinnasada charry Zillah Manufacturers.

(Reventer F.M. P. No 152 of 1848)

1. Petitioner

8th May 1848.

measure and store the grain in his own hands.

3 Petitioner is informed that no orders can be passed on this Petition until copies of the orders against which he complains are filed for the consideration of the Court.

Ordered that Extract from the Proceedings be furnished to the Petitioner on his application.

Read a Miscellaneous Petition presented on the 17th April 1848 by Putchamma Zillah Combaconum.

(Reverter F.M. P. No 143 of 1848)

1. Petitioner reiterated the prayer of her former Petition No 34 of 1848 which was rejected by the Court of Foujdaree Adalut on the grounds that no good reason existed to doubt the correctness of the sentence recorded against her son, one Mootien, prisoner in Cadre No 535 of the Session Court of Combaconum for 1847.

2. Petitioner is referred to the order of the Court under date 20th March last and informed that the same are final.

Ordered that Extract from the Proceedings be furnished to the Petitioner on her application.

F 86.

8th May 1848

Read a Miscellaneous Petition presented on the 25th April 1848 by Appavoo Odiar Zillah Combaconum.

(Reverter F.M. P. No 149 of 1848)

1. Petitioner reiterated the prayer of his former Petition No 291 of 1847 which was rejected by the Court of Foujdaree Adalut on the grounds that his case had met with the fullest consideration.

2. Petitioner is referred to the Proceedings of the Court of Foujdaree Adalut dated the 17th January 1848 which finally disposed of the subject of this application.

3 Petition dismissed.

Ordered that Extract from the Proceedings be furnished to the Petitioner on his application.

Read a Miscellaneous Petition presented on the 25th April 1848 by P. Thomas Applachurry Mookhtar Vakeel on behalf of M. Annandummpillay Chinnavadda Chetty Zillah Manufacturers.

(Reverter F.M. P. No 152 of 1848)

1. Petitioner complains of an order

madrie and store the grain in his own hands.

3 Petitioner is informed that no orders can be passed on this Petition until copies of the orders against which he complains, are filed for the consideration of the Court.

Ordered that Extract from these proceedings be furnished to the Petitioner on his application.

Read a Miscellaneous Petition presented on the 17th April 1848 by Putchamma Zillah Combaconum.

(Reventen F.M. P. No 143 of 1848)

1. Petitioner reiterates the prayer of her former Petition No 34 of 1848, which was rejected by the Court of Fouzdaree Adalut on the grounds that no good reason existed to doubt the correctness of the sentence recorded against her son, one Mootien, prisoner in Cadre No 55 of the Sessions Court of Combaconum for 1847.

2. Petitioner is referred to the order of the Court under date 20th March last and is informed that the same are final.

Ordered that Extract from these proceedings be furnished to the Petitioner on her application.

Read a Miscellaneous Petition presented on the 25th April 1848 by Appavoo Odiaver Zillah Combaconum.

(Reventen F.M. P. No 149 of 1848)

1. Petitioner reiterates the prayer of his former Petition No 291 of 1847 which was rejected by the Court of Fouzdaree Adalut on the grounds that his case had met with the fullest consideration.

2. Petitioner is referred to the Proceedings of the Court of Fouzdaree Adalut, dated the 17th January 1848 which finally disposed of the subject of this application.

3 Petition dismissed.

Ordered that Extracts from these proceedings be furnished to the Petitioner on his application.

Read a Miscellaneous Petition presented on the 25th April 1848 by P. Chinna Appalacharya Mookhtar Vakeel on behalf of M. Annandenumpillay Chinnavadu a Chetty Zillah Masulipatam.

(Reventen F.M. P. No 152 of 1848)

1. Petitioner complains of an order

8th May 1848.

made and store the grain in his own hands.

3 Petitioner is informed that no order can be passed on this Petition until copies of the orders against which he complains are filed for the consideration of the Court.

Ordered that Extracts from these proceedings be furnished to the Petitioner on his application.

Read a Miscellaneous Petition presented on the 17th April 1848 by Putchamma Zillah Combaconum.

(Reverter F.M. P. No 143 of 1848)

1. Petitioner reiterates the prayer of her former Petition No 34 of 1848, which was rejected by the Court of Fouzdaree Adalut on the ground that no good reason existed to doubt the correctness of the sentence recorded against her son, one Mootien, prisoner in Cause No 535 of the Sessions Court of Combaconum for 1847.

2. Petitioner is referred to the order of the Court under date 20th March last and is informed that the same are final.

Ordered that Extract from these proceedings be furnished to the Petitioner on her application.

Read

F.M.

8th May 1848.

Read a Miscellaneous Petition presented on the 25th April 1848 by Appavoo Ordiar Zillah Combaconum.

(Reverter F.M. P. No 149 of 1848)

1. Petitioner reiterates the prayer of his former Petition No 291 of 1847 which was rejected by the Court of Fouzdaree Adalut on the ground that his case had met with the fullest consideration.

2. Petitioner is referred to the Proceedings of the Court of Fouzdaree Adalut dated the 17th January 1848 which finally disposed of the subject of this application.

3 Petition dismissed.

Ordered that Extracts from these proceedings be furnished to the Petitioner on his application.

Read a Miscellaneous Petition presented on the 25th April 1848 by P. Chinna Appiah Chetty a Merchant Native Inhabitant of Madras on behalf of M. Amirdenumpillay Inhabitant of Chetty Zillah Masulipatam.

(Reverter F.M. P. No 152 of 1848)

1. Petitioner complains of an order passed

8th May 1848.

passed by the Sessions Judge of Masulipatam on the 28th February last, directing him to refund the sum of Rupees 46-8 the sale proceeds of a Bandy and pair of Bullocks, delivered by their owner as compensation for the loss of certain articles on a journey to Bangalore as stipulated in a Karaarnamah previously executed by the Bandy owner aforesaid.

2. This petition is rejected the Petitioner having failed to file the orders complained against.

Ordered that Extract from these proceedings be furnished to the Petitioner on his application.

Read Criminal Reports of the Sessions Court of Honore for March 1848.

(Forwarded Ft. No. 965 of 1848)

Report B. Paras 19 and 21.

1. The same Prisoner having been concerned in each of these cases, the Court of Foujdaree Udalut observe that one sentence should have been recorded against him, the punishment due on account of the latter offence being added to that awarded for the greater.

Case No. 28.

2. With reference to the sentences passed in this

8th May 1848

this case, the Court would observe that the award of "stone" in commutation of fine is not authorized by the Regulations.

3. The Court take this opportunity of directing that in future, the Monthly Criminal Reports bear the date of their dispatch from the Sessions Court.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Honore for his information and future guidance.

(Sentence No. 517)

Read Criminal Report submitted by the Agent to the Governor in Vizagapatam for March 1848.

(Forwarded Ft. No. 966 of 1848)

B
Case No. 7

1. With reference to the small amount of Property stolen in this case the Court of Foujdaree Udalut require an explanation of the circumstances which rendered the quotation of Clause Fourth Section III Regulation VI of 1822 applicable to its punishment.

2. The Court take this opportunity of directing that in future, the Monthly

Criminal

passed by the Sessions Judge of Masulipatam on the 28th February last, directing him to refund the sum of Rupees 46-8 the sale proceeds of a Bandy and pair of Bullocks, delivered by their owner as compensation for the loss of certain articles on a journey to Bangalore as stipulated in a Karaarnamah previously executed by the Bandy owner aforesaid.

2. This petition is rejected the Petitioner having failed to file the orders complained against.

Ordered that Extract from these proceedings be furnished to the Petitioner on his application.

Read Criminal Reports of the Sessions Court of Honore for March 1848.

(Honore Inter. File No. 965 of 1848)

Report B. Nos. 19 and 21.

1. The same Prisoner having been concerned in each of these cases, the Court of Sudder Adalut observe that one sentence should have been recorded against him, the punishment due on account of the latter offence being added to that awarded for the greater.

No. 28.

2. With reference to the sentence passed in this

8th May 1848.

this case, the Court would observe that the award of "Rond" in commutation of fine is not authorized by the Regulations.

3. The Court take this opportunity of directing that in future the Monthly Criminal Reports bear the date of their dispatch from the Sessions Court.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Honore for his information and future guidance.

(Cowdin No. 570)

Read Criminal Reports submitted by the Agent to the Governor in Vizagapatam for March 1848.

(Fort enter File No. 966 of 1848)

B
Case No. 7.

1. With reference to the small Amount of Property stolen in this case the Court of Sudder Adalut require an explanation of the circumstances which rendered the quotation of Clause fourth Section III Regulation VI of 1822 applicable to its punishment.

2. The Court take this opportunity of directing that in future, the Monthly

Criminal

5th May 1848.

Criminal Reports bear the date of their dispatch from the Agents Court.

Ordered that Extract from these proceedings be forwarded to the Agent to the Governor in Vizagapatam by Receipt returnable within III days from and after its receipt.

(Entd following Receipt No 518

Read Calendar of Cases No 9 of 1848 of the Sessions Court of Chittoor

(Here enter F. No. 969 of 1848)

1. The two Prisoners in this case were charged with "Housebreaking and attempt to commit Rape".

2. The Sessions Judge, in concurrence with the Futwa of the Law Officer, convicted the Prisoners of the crime charged, and sentenced them to seven years imprisonment with hard labor in irons.

3. In the case of the first Prisoner the Sessions Judge recommends that the term of his imprisonment be reduced to two years.

4. The Court of Foujdarry Adalut assent to the recommendation of the Sessions Judge and direct him to issue his Warrant accordingly.

The

F. No.
8th May 1848.

5. The Court request to draw the attention of the Sessions Judge to the loose defective manner in which the charges in the cases have been drawn up, and they request that in future all charges may be duly supervised by the Sessions Judge previous to the transmission of the Calendars to the Foujdarry Adalut.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Chittoor for his information and guidance.

(Entd No 519)

Read Calendar of Cases No 11 of 1848 of the Sessions Court of Cuddapah

(Here enter F. No. 970 of 1848)

1. The Prisoner in this case was charged with having taken away the Prosecutrix daughter, aged 5 years, married her and had unlawful connexion with her.

2. The Sessions Judge, disapproving the Futwa of the Law Officer which convicted the Prisoner of the crime charged, sentenced him to 7 years imprisonment with hard labor in irons.

3. The Court of Foujdarry Adalut

are

are of opinion that the ends of justice may in this case be sufficiently attained by a mitigation of the punishment to which the Prisoner has been sentenced, and under the provisions of Section XXXV Act VII of 1843 the Court resolve to direct that the term of his imprisonment be reduced to two years.

4. The Sessions Judge will be pleased to issue his warrant in accordance with the foregoing resolutions.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Nellore by Precept returnable within 15 days from and after its receipt.

(Sent following Precept No 520/

Read Criminal Reports of the Sessions Court of Chicacole for March 1848.

/Borrowed P.C. No 991 of 1848/

Vizagapatam. Report 8 Cases.

1. The Court of Foujdaree Adawlut observe that the offence committed by the Prisoners in this case falls under the head of 'Cheating' and as such, should have been committed for trial before the Sessions Court.

2 The Court of Foujdaree Adawlut require an explanation of the delay of 16 days which occurred

occurred in the transmission of the Precept from the Sessions Court of Chicacole dated 6th April 1848 to the Principal Sudder Ameen of Vizagapatam.

3. The Sessions Judge will at the same time be pleased to explain the cause of the 4 days delay in the dispatch of the Statements now under review to the Foujdaree Adawlut. The Court consider any irregularity in the transmission of the Monthly Criminal Reports to be highly objectionable, and they direct that in future the date on which the Reports are dispatched from the Sessions Court may be distinctly entered on the back of the Statement.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chicacole by Precept returnable within 15 days from and after its receipt.

(Sent following Precept No 521/

F. 86.

Tuesday,
9th May 1848.— At a Court of the Foujdaree Adalut.

— Present —

Hon'ble G. S. Hooper Esqre —— 1st Puisne Judge.
C.P.S. C. P. Thompson Esqre —— 2d Puisne Judge.
W. W. A. Morehead Esqre —— 3d Puisne Judge.

Read Calendar of Case No. 19 of 1848.
of the Sessions Court of Cuddalore.—
(Here enter F. 86. No. 988 of 1848.)

1. The Prisoner in this case one Duchayan was charged with the crimes of Housebreaking and Theft and on conviction by the Law Officer was sentenced by the Acting Sessions Judge to the prescribed penalty under Section XXI Regulation VII of 1802.—

2. In consideration of certain palliative circumstances the Acting Sessions Judge recommends that the Prisoner be sentenced to a mitigated punishment of 4 years imprisonment with hard labor in Irons.—

3. The Court of Foujdaree Adalut approve of the mitigation proposed in this case, and under the provisions of Section fourth Regulation I of 1825 authorize the Acting Sessions Judge

Judge to issue his warrant accordingly.-

4. The Court observe that the sentence ought to have been fully recorded and the Regulation entered, under which the mitigation is sought.-

Ordered that Extract from these proceedings be forwarded to the Acting Sessions Judge of Cuddalore for his information and future guidance.

(Entd in No. 523

Read Calendar of Case No. 17 of 1848 submitted by the Acting Sessions Judge of Cuddalore under date the 26th Ultimo.-

(Hereunto P. No. 997 of 1848.)

Read letter dated the 29th Ultimo from the Sessions Judge of Guntoor forwarding copy of a Return from the Magistrate of Guntoor to the Courts Proceedings thereon his report on the state of Police for the year 1847.-

(Hereunto P. No. 1025 of 1848.)

Read letter dated the 27th Ultimo from the Sessions Judge of Bellary forwarding copy of the Magistrate's explanations in regard to certain delays and omissions on the part of the Police employed in perusing the Petty Calendars for the 4th Quarter

Quarter of 1847.-

(Hereunto P. No. 1029 of 1848.)

Read Calendar of Case No. 22 of 1848 submitted by the Sessions Judge of Madura under date the 1st Instant.-

(Hereunto P. No. 1032 of 1848.)

Read return dated the 3d Instant from the Sessions Judge of Chingleput to the precepts of the Tanjore Adalut under date the 1st Idem desiring to be informed whether sentence has yet been passed upon the 2d Prisoner in Case No. 6 Criminal Report B for March 1848.-

(Hereunto P. No. 1034 of 1848.)

Read Report dated the 1st Instant submitted by the Sessions Judge of Salem of Cases pending before him on the 30th Ultimo, for a period not exceeding 25 days, calculated from the date of commitment.-

(Hereunto P. No. 1035 of 1848.)

Read Statement dated the 1st Ultimo submitted by the Subordinate Judge of Salem shewing the amount realized by the labor of the Prisoners in the 1st Quarter of 1848.-

(Hereunto P. No. 1036 of 1848.)

Read the Criminal Report A.-

dated

dated the 1st Instant submitted by the Sessions Judge of Guntoor for the month of April 1848.

(Here enter F. No. No 1038 of 1848)

Read Report dated the 1st Instant submitted by the Sessions Judge of Guntoor of Cases pending before him on the 30th April 1848.

(Here enter F. No. No 1039 of 1848)

Read Report dated the 1st Instant submitted by the Sessions Judge of Bellary of a Case pending before him on the 31st March 1848. for longer than 25 days.

(Here enter P.C. No 1047 of 1848.)

Read Report dated the 1st Instant submitted by the Sessions Judge of Masulipatam of Cases pending on the 31st March and committed for trial during the month of April 1848.

(Here enter F. No. No 1048 of 1848)

Read letter dated the 3d Instant from the Sessions Judge of Bellary forwarding copy of the Magistrates Return to the Receipt of the Sessions Court of the 23d February last, noticing certain delays on the part of the Police in Case No 218 on the Criminal file for 1847.

(Here enter P.C. No 1051 of 1848.)

Wednesday
10th May 1848.

F. C.

At a Court of the Tonjadore Adalut

Present

S.P.R. G. P. Hooper Esqre 1st Sessions Judge
C.P.S. C. P. Thompson Esqre 2d Sessions Judge
Wdh. H. A. Morhead Esqre 3d Sessions Judge

Read Calendar of Case No. 17 of the Session Court of Caliacut for 1848.

(Here enter Jud. No. 1006 of 1848)

The Prisoner in this case was charged with the Crime of Dacoity and on conviction was sentenced by the Session Judge to be imprisoned for 4 Years with hard labor in irons under Clause 1st Section III Regulation VI of 1811.

2. The Session Judge is of opinion that the ends of justice will be met by a mitigation of the punishment recorded, to 2 years imprisonment with hard labor in Irons, and submits the case to the Court of Tonjadore Adalut for sanction under Section V Regn

10th May 1848. 1 of 1823.

3 The Court of Longdarra Udalah consider that under all the circumstances of the case, a reduction of the punishment adjudged, to one years imprisonment with hard labor in irons will sufficiently meet the ends of justice, and resolve accordingly under the authority vested in them in Section XXXV Act VII of 1843 to authorize the Session Judge to issue his warrant accordingly.

Ordered that Extract from these Proceedings be sent to the Session Judge of Calicut for his information and guidance.

(Sent in No 525

Read Return dated the 29th ultimo from the Session Judge of Combaconum, to the Precept of the Court of Sudder Udalut under date the 26th April 1848 returning the Calendar of Case No 11 of 1848 of the Session Court with instructions to enter on the usual Abstract the grounds on which he had

10th May 1848. resolved to refer that trial for the final judgment of the Sudder Udalut.

(Sent under Sec. No 1017 of 1848)

The Session Judge would appear to have misunderstood the meaning of the Circular Order of the 6th October 1832, which merely requires that in the Calendars of Cases referred, the "precise ground" of the reference should be entered. In the first instance he merely stated the fact and not the ground of the reference. He has now given an elaborate analysis of all the evidence. At the close of that Abstract, he states that "the case will be referred under Clause 2nd Section II Regulation XX of 1803" and as the Session Judge concurs with the Jury in the conviction, the Court of Sudder Udalut infer that the case is referred because he deems the punishment which, under that Provision of the Law he is himself competent to inflict, inadequate to the degree of guilt established against him

10½ May 1848. him: and this is what should have been stated in the Calendar, and is all that is required by the Circular Order above cited.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Combaconum for his information and future guidance.

(Sent in No. 526)

Read again Calendar of Cases Nos. 24 and 25 of 1847 of the Sessions Court of Chingleput.

(Vide also Jud. Cons. Nos. 359 and 360 of 1848)

The Court of Sudder Adawlut having discovered that by a clerical error the name of the 8th Prisoner in the above Case, for whom a mitigated sentence of 10 years imprisonment was recommended by the late Acting Sessions Judge, was omitted in their Proceedings under date 10th April last, now resolve to intimate to the Sessions Judge that they approve the mitigation recommended, and according by authorize the Sessions Judge to issue Warrant

J. C.
10th May 1848.

Warrant for the imprisonment of the Prisoner "Rungiah" for the period of 10 years with hard labor in irons.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chingleput for his information

(Sent in No. 527)

Read Calendar of Case No. 2 of the Sessions Court of Bellary for 1848.

(Vide also Jud. Cons. Nos. 998 of 1848)

The Prisoner Pothula Sirnchoragadoo was charged with the crime of "Culpable Homicide."

The Law Officer convicted the Prisoner, and the Sessions Judge approving of the Verdict sentenced him under Clause second Section XV Regulation XII of 1802 to be imprisoned with hard labor in irons for three years.

The Court are of opinion that a Sentence of six months imprisonment with hard labor in Irons will be sufficient to meet the ends of Justice and release

10th May 1848. the authority vested in them in Section XXXV
Act VII of 1843, to mitigate the punishment
awarded by the Sessions Judge, to that
extent.

The Sessions Judge will be
pleased to issue a fresh warrant in con-
formity with the foregoing resolution

Ordered that Extract from
these Proceedings be sent to the Ses-
sions Judge of Kellore for his information
and guidance.

(Sent in No. 528)

End VIII

EMS.

Saturday
13th May 1848. } At a Court of the Zillah Adalut.

Present.

G. A. Cooper Esqre — 1st Puisne Judge.
G. D. Thompson Esqre — 2d Puisne Judge.
W. A. Morehead Esqre — 3d Puisne Judge.

Read Extract from the
Proceedings of the Sessions Judge of Masu-
lipatam under date the 19th April 1848.
Communicating the final observations of
the Sessions Judge in regard to Case
No. 8 of 1848 of Register A of the Criminal
File of the Principal Sudder Ameen
for the months of March
(Vide Order F. No. 976 of 1848)

The Sessions Judge having,
in Para 13. of his Proceedings, expressed
his approval of the sentence passed by
the Principal Sudder Ameen, considered
it necessary to point out to the Magistrate
that all contracts for such services
should be made and regulated through
the Agency of the Heads of Districts &c.

instead of the Villagers themselves which will prevent similar affrays in future.

2. The Court of Tongalarre Udalutk are of opinion that the Sessions Judge has gone beyond his province in recording that opinion. The mode in which Contracts of the nature referred to should be effected, must be left to the discretion of the Chief Authority of the District namely the Collector and Magistrate. The remark of the Sessions Judge, if it was intended to be any thing more than a hasty suggestion, must have the effect of unduly fettering the acts of all concerned, without producing any commensurate advantage.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Manaldpatam for his information.

(Sent in A. 532)

Read a Letter dated the 11th Ultimo from the Subordinate Judge of Salem, applying for sanction to

to offer a conditional pardon to the 3d and 4th Prisoners in Case A. 49 of the File of the Subordinate Criminal Court of the present year.

(Here enter S. C. A. 875 of 1848.)

Read also Return dated the 1st Instant from the same Officer to the Precept of the Court of Tongalarre Udalutk under date the 20th April 1848 calling for further information in regard to Criminal Case A. 49 of 1848 with reference to the application for sanction to offer a Conditional pardon to the 3d and 4th Prisoners in that Case.

(Here enter S. C. A. 1030 of 1848)

With the information now before them, furnished in the Return above recorded and the Papers which accompanied it, the Court of Tongalarre Udalutk, resolve in exercise of the power vested in them by Section XII Regulation XIII of 1832 to authorize the Subordinate Judge of Salem to offer a pardon to

Dansyyan

and

Venkataramanan

the

instead of the Villagers themselves which will prevent similar affrays in future.

2. The Court of Tongalarre Udalutk are of opinion that the Sessions Judge has gone beyond his province in recording this opinion. The mode in which Contracts of the nature referred to should be effected, must be left to the discretion of the Chief Authority of the District namely the Collector and Magistrate. The remark of the Sessions Judge, if it was intended to be any thing more than a passing suggestion, must have the effect of unduly fettering the acts of all concerned, without producing any commensurate advantage.

Ordered that Extracts from these Proceedings be forwarded to the Sessions Judge of Chingleput for his information.

(Sent in a/c 532)

Read a/so Letter dated the 11th Ultimo from the Subordinate Judge of Salem, applying for sanction to

to offer a conditional pardon to the 3d and 4th Prisoners in Case No. 49 of the File of the Subordinate Criminal Court of the present appeal.

(Here enter S. C. No. 875 of 1848.)

Read also Return dated the 1st Instant from the same Officer, to the Precept of the Court of Tongalarre Udalutk under date the 20th April 1848 calling for further information in regard to Criminal Case No. 49 of 1848 with reference to the application for sanction to offer a Conditional pardon to the 3d and 4th Prisoners in that Case.

(Here enter S. C. No. 1030 of 1848.)

With the information now before them, furnished in the Return above recorded and the Papers which accompanied it, the Court of Tongalarre Udalutk, resolve in exercise of the power vested in them by Section XII. Regulation XIII of 1832 to authorize the Subordinate of Salem Judge to offer a pardon to

Dansigayan

and

Venkataramanan

the

instead of the Villagers themselves which will prevent similar affrays in future.

2. The Court of Singapore Malacca are of opinion that the Assistant Judge has gone beyond his province in recording this opinion. The mode in which Contracts of the nature referred to should be effected, must be settled by the Legislature.

In Case No. 1 of 1848 on the Calendar of the Session Court for 1848.

(Sent Inter. P. Co. at 1087 of 1848)

Mr Dalrymple
Mr Whitehead

The Court of Singapore Malacca, on a deliberate consideration of all the circumstances of the case as evidenced before them, being of opinion that the Prisoners

Butler Dalrymple

is not convicted on sufficient proof, or on the evidence of credible witnesses, or on his own confession, of the crime charged, do acquit them thereof and direct that the

to offer a conditional pardon to the 3d and 4th Prisoners in Case No. 1 on the File of the Subordinate Court of Singapore that if the present Prosecutor (Here the Court state the facts as clearly shows on whatever acts the parties were engaged, when discovered by the said two witnesses. they were so engaged of their own free will and consents. and the Court have therefore acquitted the Prisoner and ordered his release.

Ordered that Extracts from these Proceedings be forwarded to the Assistant Judge of Malacca for his information.

(Sent following letter at 534)

Ent

13th May 1848.

the 3rd and 4th Prisoners in Case No. 49.
on the terms and conditions specified in
Section XX Regulation VIII of 1802.

Ordered, that Extract from
these Proceedings, be forwarded to the
Subordinate Criminal Judge of Salem,
for his information.

(Sent his letter No. 533)

Read Letter dated the 6th
Instant from the Assistant Judge of Gantoor,
forwarding for the final Judgment of the
Sudder Court the Proceedings held by the said
Assistant Judge in the Case No. 13 on the Calendar of the
Sessions Court for 1848.

(Vide Letter No. 86 dated 12th May 1848)

Mr Secretary Cooper
(and)
Mr Welsh attended

The Court of Sudder
Adawlut, on a deliberate consideration
of all the circumstances of the case as
tendered before them, being of opinion that
the Prisoners

Butlee Pelagaundee

is not convicted on sufficient proof,
either by the evidence of credible witnesses,
or on his own confession, of the crime charged
do acquit them thereof and direct that
they

No. 1172

Entd

No. 49.

13th May 1848.

be set at liberty.

It appears to the Court that
the evidence of the 1st and 2nd Witnesses
totally fails either to prove a rape
or assault, in fact it clearly shows
that in whatever act the parties
were engaged, when discovered by the
said two witnesses, they were so
engaged of their own free will and
consent, and the Court have therefore
acquitted the Prisoner and ordered
his release.

Ordered that Extract from
these Proceedings be forwarded to the
Sessions Judge of Guntoor for his
information.

(Sent following letter No. 534)

No. 1172

Entd

J. U.

Monday
15th May 1848. At a Court of the Fouzdaree Udalut

Present.

Mr. G. A. Hooper Esqre 1st Puisne Judge
P.R. C. P. Thompson Esqre 2d Puisne Judge
Vice W. A. Morehead Esqre 3d Puisne Judge

Read Form A in Criminal Case No. 19 of the Sessions Court of Guntoor for 1848.

(Here enter Fee No. 1003 of 1848)

The Court of Fouzdaree Udalut direct that the Magistrates Report upon this Case may be forwarded for their consideration with the least practicable delay

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Guntoor by Precept returnable within x days from and after its receipt.

(Sent following Precept No. 539)

Read letter dated 13th ultimo from the Sessions Judge of Salem submitting for the final Judgment of the Fouzdaree Udalut the record of the

Case

15th May 1848. Case No 15 of 1848 of the Calendar of the Session Court.

Mr G. Hooper
and
Mr W.A. Morehead

(Here enter Fee Rs 10 of 1848)

The Court of Foujdaree Adawlut on a deliberate consideration of all the circumstances of the case in evidence before them being of opinion that the proof against the prisoner Tandal Marooden is sufficient to convict him of the crime charged, do convict him thereof and sentence him to be transported to such place or places beyond sea as the Governor in Council shall appoint to be imprisoned and kept to hard labour in irons on the public roads or other public works for and during the period of his natural life.

(Sent following letter No 540)

Read Miscellaneous Petition presented on the 10th ultimo by Ramasawmy Sankara Zellah Madura

(Here enter Pet. No 151 of 1848)

With reference to his former Petition No 108 of 1848 the Petitioner submits at some length certain other facts and arguments omitted in his former application

15th May 1848. application, from a consideration of which he trusts the case of his relatives the 2d and 3d Prisoners in Criminal No 1 of the Session Court of Madura for 1848 may be favorably regarded by the Court of Foujdaree Adawlut and themselves forthwith released out of Custody.-

2. Petitioner is referred to the orders of the Court of Foujdaree Adawlut under date the 10th Ultimo which finally disposed of the subject of this application.-

3 Petition dismissed.

Ordered that Extract from these Proceedings be granted to the Petitioner upon his application.-

Read Miscellaneous Petition of J. Chinna Venkataredy Zillah Rajahmundry forwarded by the Session Judge of that Zillah.

(Here enter P.C. No 156 of 1848)

The Petitioner appeals against an order passed by the Session Judge of Rajahmundry on the 29th January 1848 confirming the sentence passed by the Subordinate Judge in

No

15th May 1848 No 110 of 1847 in which the Petitioner was charged with and convicted of the Crime of having sold a portion of a quantity of arrack which he posseſsed without a valid permit and 2dly with having "caused a differnce in the measurement" of the same. The Subordinate Judge sentenced the Petitioner to pay a fine of Rupees 200 under Section XV Regulation I of 1820.

2 The Petitioner objects to this sentence first on the grounds of the inapplicability of the Section above quoted which he contends refers only to arrack in process of transmission, and not in store and 2dly because the Board of Revenue would not accede to the Collectors proposition regarding the confiscation of the Arrack but directed in their proceedings of the 7th February last that it should be restored to the owner, on Ven. contadavoy, thus plainly shewing that in their opinion no fraud had taken place in the transaction.

3 The Court of Foujdaree Udalut see no reason whatever to doubt the correctness of the sentence passed by the Subordinate Judge in this case and resolve

F.W.

15th May 1848 resolve accordingly to leave undisturbed the order of the Sessions Judge which confirmed it.

4. The Court further observe that the order of the Board of Revenue to the Collector directing the restoration of the Arrack to the owner does not affect the cause as regards this Petitioner.

Ordered that this Petition be rejected and that Extract from these Proceedings be sent to the Session Judge of Rajahmundry for Communication to Petitioner.

(Sent in No 541)

Read Miscellaneous Petition presented on the 7th February 1848 by Sundyahgrunden Villah Lakshmi

(Here enter Sm. D No 50 of 1848)

The Petitioner prays the Court of Foujdaree Udalut to interfere and order the liberation of his son one Dariapien who has been unjustly accused of the crime of Gang Robbery and sentenced by the Session Judge of Salem to 14 Years imprisonment with hard labor in Irons.

15th May 1848. 2

The Court of Tongdarar Udalat observe that Petitioner has omitted to mention the number of the Trial in which his Son was a Prisoner, and that in consequence no orders can be passed on this Petition.—

3 Petition dismissed

Ordered that Extract from these Proceedings be granted to the Petitioner on his application.—

Read letter dated 27th Ultimo from the Sessions Judge of Nellore transmitting the Magistrates Report B. for March last.

(Here enter Rec. No 999 of 1848)

Case No 7

The Court of Tongdarar Udalut observe that the date on which Sentence was passed in this case should have been entered in the Report and the Court direct that the Magistrate will be careful in future that the Reports of his office are forwarded to the Sessions Court in sufficient time to ensure their transmission with the Monthly Criminal Reports to the Sessions Judge.

Ordered that Extract

15th May 1848. from these Proceedings be forwarded to the Sessions Judge of Nellore for his information and for communication to the Magistrate for the future guidance of that Officer.

(Sent in Pce. 5 1/2)

Read letter dated 25th Ultimo from the Sessions Judge of Cuddapah submitting for the final judgment of the Tongdarar Udalut the record in Case No 6 of 1848 on the Calendar of the Session Court.

(Here enter Rec. No 1013 of 1848)

Mr. Joll Hooper
Mr. C. P. Thompson

The Court of Tongdarar Udalut, on a deliberate consideration of all the circumstances of the case in review before them, being of opinion that the proof against the Prisoner, "Dandah Vengamnaik" is sufficient to convict him of the Crime charged, do convict him thereof, and sentence him to be transported to such place or places beyond Sea, as the Governor in Council shall appoint, there to be imprisoned and kept to hard labour in irons on the public roads or other public works for

one

15th May 1848.- and during the period of his natural life.-

(Sent following letter No. 543)

Read Circular of Case No. 21 of the Sessions Court of Madura for 1848.

(Here enter F.W. No. 1020 of 1848)

1 In this case three Prisoners were charged with "Highway Robbery" in having assaulted the 2nd Prosecutor and robbed him of ready cash to the amount of Rupees 28- 14 ½.

2 The Fiscal of the Law Officer convicted the 1st Prisoner of the crime charged, but acquitted the Second and third.

3 The Sessions Judge concurring in the above finding directed the release of the Second and third Prisoners, in this case of the first the Sessions Judge recommends that the sentence, to which he has rendered himself liable, be mitigated to five years imprisonment with hard labor in irons.-

4 The Court of Zemindary Adalut approve the recommendation of the Sessions Judge, and authorize him

F.W.

15th May 1848- him to issue his warrant accordingly.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Madura for his information and guidance.-

(Sent in No. 544)

Read Miscellaneous Petition presented on the 13th March 1848 by T. Appiah Pattar on behalf of Marua Vikrama Ellia Rajah of Calicut

(Here enter Pet. No. 191 of 1848)

1 Petitioner appeals to the Court of Zemindary Adalut against a dismissal order of the Sessions Judge of Calicut dated the 13th December 1847, in which it is declared that suspicion attaches to the Petitioner of being an accessary after the fact in a case of Theft tried by that Officer in Case No 55 of 1847, and wherein the 1st and 3d Prisoners on conviction were (the Petitioner asserts) unjustly sentenced to be imprisoned for 4 and 2 Years respectively.-

2 This Petition is dismissed, the Court of Zemindary Adalut being of opinion that there is nothing there calling for notice.-

Pr.

15th May 1848

Ordered that Extract from these Proceedings be granted to the Petitioners Vakeel on his application.

Read Miscellaneous Petition presented on the 13th March 1848 by Gopaul Son of the Tillah of Spichimoly

(Here enter Mn. P. No 101 of 1848)

1 The Petitioner represents himself to be the brotherinlaw of Seebiem the Prisoner in Case No 6 of the Calendar of the Sessions Court of Trichinopoly of 1848, who was convicted by the Acting Sessions Judge of Fraud in the management of the Grain Department of the Jail and sentenced to three Years Imprisonment with hard labor in irons.

2 The Petitioner asserts the innocence of his relation, and prays his release.

3 The Court of Sunjadaree Adalut observe that on a review of the Calendar the Court saw fit to call for the entire Record of the case, and having given it their best attention, they are satisfied of the propriety of the conviction.

4 But upon a review of all the circumstances of the case, the Court have

15th May 1848. have reduced the sentence passed by the Acting Session Judge, to one Years Imprisonment without labour or Irons.

5 No further order will be passed in this matter.

Ordered that the foregoing resolution be communicated to the Petitioner and that Extract from these Proceedings be granted to the Petitioner on his application.

Read Miscellaneous Petition presented on the 17th April 1848 by T Chinniah Moodelly Tillah Chittoor

(Here enter Pet. No 139 of 1848)

1 With reference to his former Petition No 93 of 1848 Petitioner now requests that the Court of Sunjadaree Adalut will be pleased to grant him an attested copy of that part of the Chittoor Session Calendar No 44 for 1848, which has reference to himself.

2 The Court of Sunjadaree Adalut observe that the case in question having been finally disposed

7

15 15th May 1848.. of they see no sufficient reason to grant
the prayer of the Petitioner..
3 Petition dismissed..
Ordered that Extract from
these Proceedings be granted to the
Petitioner on his application..
Read Miscellaneous Petition
presented on the 17th April 1848 by Pon
nadah and C. Sesthadree Pillah. Cud
dapah..
Here enter F.M.P. No 140 of 1848..
1 Petitioners reiterate their
prayer of their former petition No 679
1848, which the Court of Fouj
Udalut dismissed, being satisfied fr
perusal of the Calendar of Criminal
No. 55 of 1847 of the Sessions Court of
Cuddapah, that the case of the Pe
titioner did not call for their inter
ference..
Dated 18th April 1848. 2
To these orders the Petitioners
are now referred and informed that the
same are final..
3 Petition dismissed..
Ordered that Extract from
these Proceedings be granted to the
Petitioner

F.C.
15th May 1848.. Petitioner on their application..
Read again Calendar of
Case No. 12 of 1848 of the Sessions Court
of Coimbatore..
(Here enter F.C. No. 756 of 1848)
Read also Return dated
the 13th Ultimo from the Sessions Judge
of Coimbatore to the Precept of the
Court of Foujdaree Udalut under
date the 4th April 1848. directing
that a translation of the Original
Complaint given by the Prosecutor in
Case No. 12 of the Calendar of the
Sessions Court of 1848, before the Ma
gistrates, be submitted for their consi
deration, and requiring the Sessions
Judge to state, at length, his reasons
for considering the case to be one merely
of Assault, and also whether any enmi
mity were found to exist between
the Prisoner and Prosecutor..
(Here enter F.C. No 885 of 1848)
The Sessions Judge, with the
Return above recorded, submits a
translation of the Document calle
for; and states that he "considered
the case in question to be one merely of
Assault

15th May 1848.

Court: The Trial, it is observed, was closed on the 8th March: but the sentence was not passed until the 20th of that month.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Coimbatore by Precept returnable within five days from and after its receipt.

Send following Precept No. 545

Read again Calendar of Case No 10 of the Sessions Court of Coimbatore of 1848.—

(Here enter Fee No 681 of 1848)

Read also Return dated the 5th ultimo from the Sessions Judge of Coimbatore to the Precept of the Court of Tanjore Adalut under date the 29th March 1848, calling for information as to whether it appeared in evidence that the Prisoners were disguised, and further whether they were drowned by name to the Police Authorities immediately after the commission of the crime.

(Here enter D. R. No 840 of 1848)

In the Return above recorded, the Sessions Judge states

the

15th May 1848.

Assault, because the 2d Witness was the only one who spoke pointedly to the fact of the taking of prosecutor's property; the 3d and 4th having only deposed to what the prosecutor told them; and it was not easy to imagine that a Gang would go to rob a hut in a field where but little booty would be expected to reward them, and with so heavy a risk staring before their eyes." "It is true that no Enmity is proved, but the Sessions Judge still inclines to the idea that violence alone was the object of the attack."

2. Before finally disposing of this case, the Court of Foujdary Adalut resolve to call for a Translation of the Report sent to the Head of Police by the Managers, Veeracaramien and Thenevasagam, which the Sessions Judge will be pleased to submit with as little delay as possible.

3. The Court take this opportunity of asking for an explanation of the delay in the final disposal of this case by the Sessions

Court

15th May 1848 - that the Prisoners do not appear to have been disguised when they committed the crime, and that the Prosecution denounced the 3d Prisoner only by name, immediately after the Commission of the crime; the remaining prisoners having been apprehended on a description of them given by the Prosecutor.

2 The Court of Judicature Adalut are unable, with the information now before them, to dispose satisfactorily of this case: and they resolve therefore to direct the Session Judge to find out, with as little delay as possible, an English Translation of the Record, for their consideration.

3 In the mean time, the Prisoners will be detained in confinement, without Sport or Labour

Ordered that Extract from these Proceedings be sent to the Session Judge at Cannanore by Dak Post returnable within XXV days from and after its receipt

(Sent following Dak Post No 546)

No
15th May 1848

Read Miscellaneous Petition presented on the 13th March 1848 by the Vakeel T Ramachendrah on behalf of Moolanee Nimyal Ally Khan

to the Hon'ble the Judges Sinnen of the Civil and Sessions Court of Tellicherry

(Surname Mr Dundas of 1848)

1 The Petitioner prays the cancellation of an Order passed by the Civil and Sessions Judge of Tellicherry under date the 7th March 1848 suspending the Petitioner from his offices in consequence of certain information received by the Joint Magistrates of Malabar and the discovery of certain accounts in the possession of the Prisoner in Cases Nos 16 & 22 of 1847 of the Calendar of the Session Court, wherein it is set forth that certain bribes were paid to the Petitioner through one Iruyalagatha Swoolla

2 The Court of Judicature Adalut resolve to call upon the Session Judge of Tellicherry to submit an immediate Report upon the result of his enquiries (up to the present time) into the matters alleged

15th May 1848. alleged against the Petitioner, with reference to their Registrars Letter to the Sessions Judge of the 18th March 1848.

3. Immediately upon receiving the Sessions Judges Report the Court of Fouzdaree Adaulut will take this Petition into their further consideration.

Ordered that Petroat from these Proceedings be sent to the Sessions Judge of Tellicherry by Post returnable within forty eight hours from and after its receipt

(And following Resolution)

Ordered that the foregoing Resolution be communicated to the Petitioner Petroat and that Extract from these Proceedings be furnished to him on his application.

End 1 Pp.

Tuesday.

16th May 1848.

F. No.

At a Court of the Fouzdaree Adaulut

Present

G. L. Stoop Esqr. 1st Puisne Judge

E. D. Thomson Esqr. 2d Puisne Judge

W. M. H. a Morehead Esqr. 3d Puisne Judge

Read Calendar of Case No 18 of the Sessions Court of Cannanore for 1848.

(Here enter No. 1 to 3 of Proceedings)

1 The Prisoner in this Case was charged with "Highway Robbery" in having attacked the Prosecutrix on the high road, struck her with his fist, and robbed her of a Silver ring valued at one rupee.

2 The Sessions Judge convicted the Prisoner of the crime charged, but recommended, that the sentence to which he is liable, be mitigated to

to seven years' imprisonment with
hard labor in irons.

3 The Court of Inquiry
Adalut approve the recommenda-
tion of the Sessions Judge and
authorize him to issue his warrant
accordingly.-

Ordered that Extract
from these Proceedings be forwarded
to the Sessions Judge of Cuddapah
for his information and guidance.-

Read Calendar of cases
tried at the Sessions Court of Bellary
for 1868.

(Short Cases Nos 1 to 7)

The Prisoner
Chakan Kankagorta Ka Ankalu
was charged with the crime of Murder
&c.

The Assessors acquitted
the Prisoner and the Sessions Judge
having assented to their verdict
released and discharged him forth-
with.

(Nos

3 With reference to the
circumstances under which the
1st and 2d Witnesses retracted before
the Sessions Court their previous
statements made before the Police,
the Sessions Judge deems it incon-
-pedient to recommend the prose-
-cution of the parties for perjury.-

4 The Sessions Judge further
suggests that all female witnesses
should be re-examined before the
committing officer, whatever they
may have deposed to before the
Police.-

5 The Court of Sudder
Adalut are unable to concur with
the Sessions Judge in the expediency
of the latter recommendation; but
with regards to the opinion referred
to in Para 3 of these Proceedings, the
Court are of opinion that no further
steps should be taken against the
Witnesses.-

Ordered

16th May 1868

16th May 1868

Ordered that Extract from these Proceedings be forwarded to the Superintendent of Settlements for his information and guidance

(Section 4. 553)

Read the following Letter dated the 23rd Instant from the acting Superintendent of Cuddalore

(Here Extract Proc. dated 9th 1868)

The acting Superintendent applies for instructions as to whether it is incumbent upon him in every case of a conviction of a British subject under the provisions of Section II Regulation I of 1830, to forward to Government copies of such conviction and of all depositions and other proceedings relative thereto. The Superintendent observes that although this course has been hitherto observed in regard to convictions of Officers and Gentlemen in the service

16th May 1868

of Government, it appears to have been omitted in the case of the European Prisoners, amongst whom, by reason of their number, numerous petty assaults are likely to occur, full information of which cannot, the Superintendent thinks, be required by the Government.

2 The Court of Kingsdown observe that copies of all the proceedings must in all cases be sent up to Government. Section CVI of the 53d Geo 3d Cap. 155 allows of no discretion in that respect. It enacts that in all cases of a conviction of a British subject under the provision hereinbefore contained, the Magistrate before whom such conviction shall take place shall forthwith transmit copies of such conviction and of all depositions and other proceedings relative thereto, to the Government to which the place wherein the offence was committed is or shall be

16th May 1848

Ordered that Extract
from these Proceedings be forwarded
to the Superintendent of Settlements
for his information and guidance

Sentence [p. 553]

Read the following
Letter dated the 22d Ultimo from
the acting Superintendent of Cuddalore.

[Stamp: Fort St. George Rec. 29 May 1848]

The acting Superintendent
Judge applies for instructions as
to whether it is incumbent upon him
in every case of a conviction of
a British subject under the provisions
of Section II Regulation II of 1820, to
forward to Government copies of
such conviction and of all depo-
sitions and other proceedings relative
thereto. The Superintendent Judge observes
that although this course has been
hitherto observed in regard to convictions
of officers and Gentlemen in the service

P

of Government, it appears to have been
omitted in the case of the European
Pensioners, amongst whom, by reason of
their number, numerous petty affrays
are likely to occur, full information of
which cannot the Superintendent Judge thinks
be required by the Government.

2 The Court of Sudder
Adawlut observe that copies of all
the proceedings must in all cases
be sent up to Government. Section CVI of
the Act of the 53d Geo 3d Cap. 155 allows of
no discretion in that respect. It
enacts that in all cases of a con-
viction of a British subject under
the provision herein before contained
the Magistrate before whom such
conviction shall take place shall
forthwith transmit copies of such
conviction and of all depositions
and other proceedings relative thereto,
to the Government to which the place
wherein the offence was committed is or shall

2

to Subordinate.

Ordered that Extract from these Proceedings be forwarded to the acting Sessions Judge of Cuddalore for his information.

(Sent in No 564.)

Cuddalore 19th April 1847.

Read a Letter from the Sessions Judge of Trichinopoly forwarding a Petition to the Court of Foujdaree Adawlut from Annaviengar 1st Prisoner in case No 6 of the Criminal Court of Salem for 1846 - and also a petition from one Saviery Iyengar son of the said Annaviengar.

(Here Entered No 1186 / 1847.)

The object of these Petitions is to induce the Court of Foujdaree Adawlut to reconsider the sentence passed by them on one Annaviengar the 1st Prisoner in the case aforesaid, and to order his release out of Custody, inasmuch as the case was entirely got up by the Prosecutor &

16th May 1848.

the instigation of a Mr Fischer and the Sabedar of Rajah Poram Sabook viz. the Salem Zillah who are personally hostile to the Prisoners.

2 The Court of Foujdaree Adawlut have attentively perused these Petitions and reconsidered the whole of the Records of the trial of the case in question as well as that have been urged on behalf of the 2 Prisoners by himself and others, and are of opinion that no sufficient grounds exist to doubt the propriety of his conviction and that of the 2d and 3d Prisoners or the justness of the sentence finally passed by this Court on the said Prisoners respectively.-

3 The Court observe that independent of the alleged recognition of the Prisoners by the Prosecutor and several witnesses, there exists ample

evidence herein, for the conviction of the Prisoners.

The Court further remark that several Petitions formerly presented by relatives of the Prisoners were rejected by this Court on explanation furnished by the Sessions Judge of Salem, by which it was satisfactorily shewn that the allegations contained therein were deserving of no consideration whatever.

On these grounds the Court of Conjeveram Adalut resolve to reject the prayer of these applications, and to intimate to the Petitioners that no notice will be taken of any further Petitions on the same subject

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Trichinopoly for communication to the Petitioners

/Sentence No. 555./

Read again the Calendar

of Case No 5 of 1868 of the Sessions Court of Trichinopoly

/Here enter Proc No 61 of 1868./

Read also again Return dated the 22d March from the acting Sessions Judge of Trichinopoly to the Precept of the Court of Conjeveram Adalut under date the 17th March 1868. calling for additional information in regards to case No 5 of 1868 of the Calendar of the Sessions Court.

/Here enter Proc No 769 of 1868/

Read also Return dated the 28th ultimo from the acting Sessions Judge of Trichinopoly, to the Precept of the Court of Conjeveram Adalut under date the 6th April 1868. calling for an English Translation of the Records of Case No 5 of 1868 of the Calendar of the Sessions Court

/Here enter Proc No 1075 of 1868/

The Court of Conjeveram Adalut having carefully considered the

the observations and explanations of
fered by the acting Superintendent in
his Return of the 22d March 1868 and
the Records of the trial submitted with
his Return of the 25th ultimo, are unsa
tisfactory of the propriety of the
Conviction of the Prisoner in the case
in question.

2 On a perusal however, of
all the circumstances of the
case, the Court are of opinion that
the sentence passed on the Pris
oner may with due reference to the
ends of public justice, be mitigated
and under the authority vested in
them by Section XXXV Act VII of 1865
they accordingly direct that the
punishment be reduced to one month
Imprisonment in the Jail, without hard
or Labor.

3 The evidence offered by the
Defendant that from ignorance he failed
to

to detect the imposition, is wholly inad
missible. His conduct is deserving
of the severest animadversion, and
the Court direct that he be distinctly
warned by the acting Superintendent
that any future instance of de
reliction of duty on his part will be
visited with immediate dismission from
office.

4 The Court of Sessions
would observe that the conduct
of the Jailor, in regards to this
transaction, is no less culpable than
that of the other parties: and as
he has proved himself utterly
unfit for his situation, they direct
that immediately upon the receipt
of these instructions, he be removed
from the office of Jailor.

Ordered that Extract
from these Proceedings be forwarded
to the Acting Sessions Judge of Backergunge
by Precept returnable within Three
days

days from and after its receipt.

/Sent following Precept No 536/

Read Return dated the 28th February 1848 from the Acting Sessions Judge of Trichinopoly, to the Precept of the Foujdaree Adalut under date the 22nd February 1848 directing that as no Magistrate's or Jailor's Report is to be found in the Records of the case, to call upon the Magistrate to report for their information the cause why this Court has not happened that such Report was called for in Calendar of case No 28 of 1847

/Ref Cater Rec No 533 of 1848/

Read Letter dated the 25th February 1848 from the Sessions Judge of Tinnevelly, submitting an Extract from the Proceedings of his Court under date the 23rd Instant together with copys of the two letters from the Magistrate on the subject

subject of the escape of two Convicts from a working party employed under the orders of the Magistrate on the high road to Madura

/Ref Cater Rec No 537 of 1848/

Read Letter dated the 4th March 1848 from the Acting Sessions Judge of Chingleput stating copy of a letter from the Magistrate in reply to a letter from this Court calling for a report and investigation of certain charges made against the Head of Police of Sydapet of Talook by the Prisoner in Criminal Case No 115 of 1847 of the file of the Principal Sudder Ameen.

/Ref Cater Rec No 546 of 1848/

Read Letter dated the 28th March 1848 from the Sessions Judge of Rajahmundry submitting at the request of the Magistrate of Rajahmundry certain correspondence on the subject of the disposal

P

days from and after its receipt.

/Sent following Precept No 556/

Read Return dated the 28th February 1848 from the Acting Sessions Judge of Trichinopoly, to the Precept of the Joint Magistrate under date the 22nd February 1848 directing that as no Kazamamah or Inquest Report is to be found in the Records of the case, to call upon the Magistrate to report for their information the Circumstances that this Court has not happened that an Inquest was held in Calendar Case No 28 of 1847

/Ref Cater File No 533 of 1848/

Read Letter dated the 25th February 1848 from the Sessions Judge of Tinnevelly, submitting an Extract from the Proceedings of his Court under date the 23rd Instant together with copys of the two letters from the Magistrate on the subject

subject of the escape of two Convicts from a working party employed under the orders of the Magistrate on the high road to Madura

/Ref Cater File No 537 of 1848/

Read Letter dated the 15th March 1848 from the Acting Sessions Judge of Chingleput submitting copy of a letter from the Magistrate in reply to a letter from this Court calling for a report and investigation of certain charges made against the Head of Police of Egmore of Talook by the Prisoner in Criminal Case No 118 of 1847 of the file of the Principal Sudder Ameen.

/Ref Cater File No 546 of 1848/

Read Letter dated the 28th March 1848 from the Sessions Judge of Rajahmundry submitting at the request of the Magistrate of Rajahmundry certain correspondence on the subject of the disposal

case No 7 of 1848 on the Session Roll file.

/Here Enter Fee No 790 of 1848/

Read Letter dated the 25th March 1848 from the Acting Sessions Judge of Chittoor submitting for orders a copy of the Periodical Report from the Jail Surgeon dated 27th Instant regarding the state of the health of Ramaswamy Prisoner on Calendar No 13 of 1845.

/Here Enter Fee No 791 of 1848/

Read Return dated the 29th March 1848 from the Sessions Judge of Salem to the precept of the Tongadoor Assistant under date the 24th March 1848 on perusal of the Criminal Reports of the Subordinate Judge submitted thro' the Sessions Court for February last and calling for explanation in Cases No 22 & 23 and the Copy of the Report A of the Jail case.

/Here Enter Fee No 792 of 1848/

Read

Read Calendars of Cases Nos 2, 3, 4, and 5 submitted by the Sessions Judge of Mangalore under date the 28th March 1848.

/Here Enter Fee Nos 793, 794, 795 & 796 of 1848/

Read Calendar of Case No 9 of 1848 submitted by the Sessions Judge of Combaconum under date the 25th March 1848.

/Here Enter Fee No 797 of 1848/

Read Statement submitted by the Sessions Judge of Mangalore under date the 18th April 1848 of the actual Produce of the Labor of the Prisoners, and the application of the Fund arising therefrom, from 1st January to 31st March 1848

/Here Enter Fee No 95A of 1848/

Read Calendar of Case No 4 of 1848 submitted by the Sessions Judge of Calicut under date the 19th April 1848.

/Here Enter Fee No 984 of 1848/

Read Calendar of Case No 21

J

16th May 1848.

of 1848. submitted by the Sessions Judge
of Cuddalore under date the 24th April 1848.
(Here take file No 959 of 1847)

End H.

1118

F. 21.

Friday 19th May, 1848.

At a Court of the Foujdaree Adalut.

Present

G. S. Hooper Esqre. ____ 1st Puisne Judge
E. P. Thompson Esqre. ____ 2nd Puisne Judge
W. A. Morehead Esqre. ____ 3rd Puisne Judge.

Read Report of Cases pending before the Session Court of Nellore during the month of April 1848.—

(Here enter F. 21. No. 1045 of 1848).

Case No. 8 of the Session Court for 1848.

With reference to the explanation of the delay which has occurred in disposing of this case by the Session Court, the Court of Foujdaree Adalut require to be informed why the record of the Proceedings held in a Case applied for by the Session Judge on the 24th February, was not forthcoming until the 1st April, being an interval of upwards of a month.—

Ordered that Extract from these Proceedings be sent to the Session Judge of Nellore by Precept returnable within III days from and after its receipt.—

(Sent following Precept No. 560)

Read Calendar of Case No. 9 of the Session Court of Chingleput for 1848.—

(Here enter F. 21. No. 1066 of 1848).

The

19th May 1848.

1. The prisoners in this Case
1st Valan
and
2nd Veeran
were charged with the crime of Highway Robbery

2. The Law officer convicted the prisoners, and the Sessions Judge concurring sentenced them to be imprisoned for 14 years each with hard labor in Irons under Clause third Section IV Regulation XV of 1803.—

3 With reference to certain palliating circumstances the Sessions Judge recommends that the sentence be mitigated to imprisonment with hard labor in Irons for 6 months.—

4 The Court of Foujdaree Adalut—
approve of the mitigation recommended in this Case and authorize the Sessions Judge under Clause third Section III, Regulation I of 1825 to issue his warrant accordingly.—

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Chingleput for his information and guidance.—
(Sent in No. 561)

Read Letter dated the 15th Ultimo from the (late) Acting Sessions Judge of Cuddapah, referring for the final Judgment of the Foujdaree Adalut, the Records of Case No. 7 of the Calendar of the Session

19th May 1848.

Court of 1848.—

(Here enter F. C. No. 1116 of 1848.)

Mr. E. P. Thompson
and
Mr. W. A. Morehead.

The Court of Foujdaree Adalut, on a deliberate consideration of all the circumstances of the Case, in evidence before them, being of opinion that the Prisoner

"Yakary Anoogonda Rungadoo"

is not convicted on presumptive proof, or on the evidence of credible witnesses, or on his own confession of the Crime charged, do acquit him thereof, and direct that he be set at liberty.—

(Sent following letter No. 562).

1. The Court of Foujdaree Adalut are unable to concur with the (late) Acting Sessions Judge, in the conviction of the Prisoner. The Court totally discredit the evidence so far as it has reference to the prisoner.—

2. The only circumstance against him is his admission before the Subordinate Court: but respecting that admission, besides that it is not supported by any corroborative evidence, it is to be observed that the dates show that the prisoner upon being brought up to the Court, was immediately questioned as to his Police confessions no other Proceedings in regard to the Trial, being upon that day, gone into.—

The

3. The Prisoner was not cautioned by the Subordinate Judge that whatever he might say, would be taken down and used against him - and the Court are not satisfied that the admission was altogether free and voluntary.—

4 The Court resolve to direct the Sessions Judge to explain upon what evidence the Subordinate Court required the 2nd. Prisoner Chennoogandoo - and the 3rd. Prisoner Chinna Ramoodoo to furnish security.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Cuddapah by Precept returnable within [illegible] days from and after receipt.—

(Sent following Precept No. 562)

Read letter dated the 12th. Instant from the Sessions Judge of Bellary, submitting the record of the trial in Case No. 6, on the Calendar of the Sessions Court for 1848.—

(Here enter F: Cs: No. 1143 of 1848).

Mr. E. P. Thompson

The Court of Foujdaree Adalut, on a deliberate consideration of the circumstances of the case in evidence before them, being of opinion that the proof against the prisoners

6th. Hoossain Saib.
7th. Bundagy Saib.
8th. Venkah,
and
9th. Sashadry.

is sufficient to convict them of the crime of receiving

stolen

F. Cs:
19th. May 1848.

stolen property, knowing that such property had been obtained in the perpetration of Robbery, by open violence, do convict them thereof; and under the Provisions of Clause Second Section IV, Regulation VI of 1822, sentence the prisoner

6th. Hoossain Saib.

to be imprisoned and kept to hard labor in irons on the public roads or other public works, for and during the period of fourteen (14) years - and the prisoners

7th. Bundagy Saib
8th. Venkah,
and
9th. Sashadry

to be imprisoned and kept to hard labor in irons on the public roads or other public works, for and during the period of seven (7) years; the sentences of all the prisoners being calculated from the 1st. January 1847.—

(Sent following letter No. 563)

Read letter dated the 13th. May 1848.

from the Sessions Judge of Calicut submitting the record of the trial in Case No. XVIII on the Calendar of the Sessions Court for 1848.—

(Here enter F: Cs: No. 1130 of 1848).

Mr. E. P. Thompson
and
Mr. W. A. Morehead.

The Court of Foujdaree Adalut, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that

that the proof against the prisoner

"Moondyib Coonjen Jnoolam"

is sufficient to convict him of the crime of wilful Murder, do convict him thereof; and under the provisions of Section X. Regulation VIII of 1802, sentence him to suffer death by being hanged at the usual time and place of Execution.—

(Sent following letter No. 564).

Read report dated 1st Instant submitted by the Sessions Judge of Calicut of Cases pending on the 31st March and Committed for trial during the month of April 1848.

(Here enter F: R: No. 1052 of 1848).

Read return dated the 4th Instant from the Sessions Judge of Guntoor to the precept of the Foujdaree Adalut under date the 1st May 1848. mitigating the sentence passed by the Sessions Judge upon the Prisoners in Case No. 8 of 1848. to 3 Years, and requiring him to issue his Warrant accordingly.—

(Here enter F: R: No. 1055 of 1848).

Read return dated the 3d Instant from the Subordinate Judge incharge of the Sessions Court of Rajahmundry to the precept of the Foujdaree Adalut under date the 26th Ultimo directing him to report whether the confessions alleged to have been given by the Prisoners before the Subordinate Court

Court in Case No. 14 of 1848 on the Rajahmundry Sessions Courts file were dictated in detail by them or whether they merely assented to the Police statements on such being read over to them.—

(Here enter F: R: No. 1058 of 1848).

Read report dated 1st Instant submitted by the Deputy Superintendent of Police of Madras of persons apprehended in the Collectorate of Madras and delivered to the Superintendent of Police during the Month of March 1848.—

(Here enter F: R: No. 1064 of 1848).

Read Calendar in Case No. 15 of 1848. submitted by the Sessions Judge of Mangalore under date the 1st Instant.—

(Here enter F: R: No. 1065 of 1848).

Read Calendar in Case No. 12 of 1848. submitted by the Sessions Judge of Tinnevelly under date the 3d. Instant.—

(Here enter F: R: No. 1067 of 1848).

Read return dated the 6th May 1848. from the Acting Sessions Judge of Cuddalore to the Precept of the Foujdaree Adalut under date the 2d. Instant directing him to state whether the Prisoner who was concerned in Criminal Cases Nos. 22 and 23. entered in the Principal Sudr. Ameens B Report was acquitted or convicted of the crime charged against him in the former case, and whether the

the 2nd Prisoner in Criminal Case No. 26. was deemed liable to suspicion in this Case.

(Here enter F. 86. No. 1067 of 1848).

Read return dated the 6th May 1848. from the Sessions Judge of Guntoor to the Precept of the Foujdaree Adalut under date the 2d Instant, held upon the Criminal Reports of the Sessions Court of Guntoor for March 1848.

(Here enter F. 86. No. 1072 of 1848).

Read Calendar in Case No. 17 of 1848. submitted by the Sessions Judge of Cuddapah under date the 6th May 1848.

(Here enter F. 86. No. 1074 of 1848).

F. 86

Saturday 20th May 1848.

At a Court of the Foujdaree Adalut.

Present

G. A. Hoapes Esqr 1st Puisne Judge
C. P. Thompson Esqr 2d Puisne Judge
W. A. Morehead Esqr 3d Puisne Judge

Read letter dated the 12th Instant from the Agent to the Governor in Vizagapatam, submitting for the final Judgment of the Foujdaree Adalut the Record of Case No. 9 of 1848, on his Calendar

(Here enter No. 1151 of 1848)

The Court of Foujdaree Adalut, on a deliberate consideration of all the circumstances of the Case in evidence before them, being of opinion that the proof against the prisoner

Mr. W. A. Morehead

"Wuddy Tevvatumah"

is sufficient to convict him of Manslaughter, for which the penalty of Imprisonment is awardable under the existing Penal Law as declared in Future of this Law applying to convict him thereof; and under the provisions of Clause Second, Section XV. Regulation VII. of 1802 and Section XXXIV. Act VII. of 1843, sentence him to be imprisoned in the Jail of the Zillah of Vizagapatam for and during the period of (3) three years.

In accordance with the suggestion of the Agent in para. 5 of his letter - the Court of Foujdaree Adalut direct that the imprisonment in this case be with rigorous hard labour at

20th May 1848.

20th May 1848.

Governor in Council for his information

Sent in N.o 566)

Read letter dated 17th Ultimo from the Sub Criminal Judge in charge of the Session Court of Chittoor, submitting copy of the Acting Magistrate's return of 13th Instant together with the translation of the order issued by him in answer to the Chief of the Police Cheroe of Vellore in Criminal Case N.o 25 of 1848 contained in the Reports A and B for the month of February 1848.

(Here enter N.o 701)

Ordered that Extract of this proceedings be sent to the Agent in Egmore for his information.

(Sent following letter N.o 567)

Read the following letter from the Governor of Fort St George in Council

(Here enter N.o 1071)

Sir

I am directed to acquaint you with the decision of the Lords of the Privy Council on the petition of the undermentioned prisoners, submitted to them by the Right Honble Sir Henry Pottinger, Bart. for a commutation of the sentence of death passed upon them by the Court of Sessions at Trichinopoly, and to request that you will cause the sentence to be carried into execution.

Name of Prisoners

Crime

Sentence

Remarks

Kistna

Murder

Death

Recommended for commutation to transportation for life

Kistna

Murder

Death

Recommended for commutation to transportation for life

I have the honor to be Sir Your most obedient humble Servant

(Signed) H. Pottinger Bart.

Secretary to the Government of India

Secret Department

Fort William the 15th March 1848

Ordered that Extract of this proceedings be forwarded to the Agent to the

20th May 1848.

20th May 1848.

Governor in Council for his information

Sent in N° 566)

Read letter dated 17th Ultimo from the Sub Criminal Judge in charge of the Sessions Court of Colombo, submitting Copy of the Acting Magistrate's return of 13th Instant together with the translation of the order issued by him in answer to the Petition of the Police Peon of Ellore in Criminal Case N° 25 of 1848 contained in the Reports A and B for the month of February 1848.

(Here enter N° 701.)

Ent 1848

Ent 1848

at the disposal of the Lieut Governor and that the expiration of the sentence the Accused appellant be required to satisfy whether the state of the mind he now is in be such as to admit of his being set at liberty without danger to the community.

Ordered that Extract of these proceedings be sent to the Agent in Jaffna for his information.

(Sent following letter N° 567)

Read the following letter addressed to the 3rd Lieutenant from the Agent to the Governor of Batticaloa Dragoon Regiment

(Here enter N° 1071)

Ent

Same to the Agent in connection with the case of the N° of the rules framed for the administration of Criminal Justice by the Ayomia, submitting a memory of the various guilt in prisons charged with "Kejiling Robbery" between for a conviction, and the sentence to be passed.

2

Ent

Having maturely considered all the circumstances stated in the foregoing communication, under the provisions of Clause third and fifth, Section IV. Regulation XV of 1809, to confirm the sentence of the years imprisonment with hard labor passed upon the prisoner,

Governor thereby

Ordered, that Extract of these proceedings be forwarded to the Agent to the

Tuesday. F.C.

23rd May 1848. At a Court of the Fougdaree Cutcherry.

Present

J.K. J.S. Hooper Esqre ——— 1st Puisne Judge

C.P.S. E.C. Thompson Esqre ——— 2d Puisne Judge

W.M. W.A. Morehead Esqre ——— 3d Puisne Judge

Read the following letter dated the 4th instant from the Sessions Judge of Salem.-

(Vide Enter F.C. No 1050 of 1848)

The Sessions Judge forwards a Copy of a Warrant addressed to him on the 21st August last by the Agent to the Governor of Fort St George in Ganjam, for the execution of the Sentence of the Court of Fougdaree Cutcherry on certain prisoners in Case No 9 of 1847, before the said Agent.-

2 The Sessions Judge submits his opinion that as the Agent has no authority whatever over him, he should rather have sent him a Copy of the Sentence of the Fougdaree Cutcherry, with a letter from himself informing him of the dispatch of the prisoners in

obedien

disposed to such sentence.

3. The Court of Foujdaree Adawlut observe that the mere taking of the matter by the Sessions Judge of Belgaum is correct.

4. The Court have not authority to issue the warrant in question to the Sessions Judge, the same being in the form of an authoritative and peremptory requisition.

5. The Court should have sent a copy of the sentence of the Foujdaree Court, accompanied by a separate Letter, to the Sessions Judge, requesting him to receive and carry the sentence into effect.

6. The Court will be pleased to pursue this course in future.

Ordered that Extract of these proceedings be sent to the Agent of the Governor in Canara for his information and future guidance.

(Sent in a Ltr. 869

Ordered also, that Extract from these proceedings be sent to the Sessions Judge of Belgaum for his information.

(Sent in Ltr. 3470

Read

Read the following Letter dated the 29th ultimo from the Sessions Judge of Honore.

(Here enter S.R. No 1056 of 1848)

1. The Sessions Judge, adverting to the Extract from the Proceedings of the Foujdaree Adawlut under date the 29th March, directing the remission of Honorariums awarded by the Sudder Ameen in Case No 11 of the Criminal Report of February 1848, states that the Irons have been removed as directed, and taking into consideration the circumstance of the Prisoners having been subjected to the degradation of working in chains for 39 days previous to the receipt of orders from the Higher Courts - he recommends that the Sentence of four months Imprisonment awarded them by the Sudder Ameen be reduced to three months.

2. The Court of Foujdaree Adawlut are unable to assent to this recommendation.

3 The Court did not declare the Sentence of "Irons" to be illegal, but only that in this particular case, that part of the Sentence might with propriety be remitted.

The Original Sentence of Imprisonment

mus

the Calendar of the Sessions Court was sentenced by him.—

(Here Enter F & Ro 1101 of 1848)

Read Criminal Reports B dated the 1st Instant submitted by the Sessions Judge of Bellary for the Month of April 1848.—

(Here Enter F & Ro 1106 of 1848)

Read Calendar of Cases No 15 of 1848 submitted by the Sessions Judge of Guntoor under date the 10th Instant.—

(Here Enter F & Ro 1109 of 1848)

Read return dated the 10th Instant from the Sessions Judge of Mangalore to the precept of the 2d May 1848 calling for an information as to whether the Prisoner in Case No 3 on the Criminal Report for March 1848 was convicted or acquitted of the offence.—

(Here Enter F & Ro 1113 of 1848)

End III

Read letter dated 7th April 1848 from the Sessions Judge of Honore forwarding for the information of the Judges translation of an Arzee from the Sudder ameen at Sirsy reporting that he has employed two additional Peons for the security of the Jail under

23d May 1848.

his charge in consequence of the number of Prisoners having increased to 31, and the fixed guard of 6 Peons not being sufficient for that duty, but that the Peons so employed shall be discharged when the number of Prisoners decreases.—

(Here Enter F & Ro 881 of 1848)

Read letter dated 2d Instant from the Sessions Judge of Honore forwarding translation of an Arzee from the Sudder ameen of Sirsy reporting that he has again employed two additional Peons for the security of the Jail, and a statement of the pay disbursed to the two Peons employed for the said purpose from 15th February to 31st March for the sanction of the Judges.—

(Here Enter F & Ro 1084 of 1848)

F U.

Thursday 25th May 1848.

At a Court of the Foujdaree Udalut

Present.

G. S. Hooper Esqr 1st Puisne Judge
E. D. Thompson Esqr 2d Puisne Judge
W. A. Morehead Esqr 3d Puisne Judge.

Read Letter dated the 6th instant from the Session Judge of Mangalore, referring for the final judgment of the Foujdaree Udalut the Record of Case No 13 of the Calendar of the Session Court of 1848.

(Recorded F U No 1090 of 1848)

The Court of Foujdaree Udalut

Mr E D Thompson

list, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the prisoner,

Ps Naraina

is sufficient to convict him of the crime of Wilful Murder, do convict him thereof, and under the provisions of Section X Regulation VIII of 1802, sentence him to suffer

25th May 1848

1.

In the opinion of the Lord
of Longdare Medalist, the whole circumstan
of this case as they appear in evidence on
Record, conclusively show that the offen
which the Prisoner committed, was Wilf
Murder, and not Culpable Homicide, as
is moved by the Defence Judge -

2. Had it been clearly proved
that the Prisoner had given the first blo
he must have been sentenced to suffer the
extreme penalty of the Law; but as that
fact has not been substantiated on the Tri
the Court have deemed themselves justi
in sparing his life.

3. It is however, much to be
regretted that no question was put to the
witness who was present at the Murder f
the purpose of eliciting the truth in regar
to that important point. The Defence Judge
observes that "deemed must have been
proved for" - but this is one we may found
to entertain certain irregularities observed
in the conduct of the Trial.

4

5

It is quite

F. W.

25th May 1848.

prisoners to interrupt the witnesses in the
middle of their depositions, and to insert
in the body of their statements a long
explanation of the reasons - The Prisoners
were at liberty to cross-examine the wit-
nesses; but any statements they may
have to make, should be reserved for the
defence. -

6. Again - one of the Prisoners
in this case, when arraigned, after enter-
-ing his plea of Not Guilty, was allowed
to make a statement of (alleged) facts
connected with the case - This also is
irregular. On the arraignment the simple
Plea of "Guilty" or "Not Guilty" is to be re-
-corded. When the Prisoners are put on
their Defence, they then make any State
-ments they may think fit.

7 Most unnecessary questions,
quite irrelevant to the matter at issue, were
put to the deponents; whilst those of im-
-portance, which might have elicited
answers tending to elucidate much that
is now obscure - were omitted.

Questions 10 & 30
1st witness - fo. 26

8. The attention of the Defence

death by being hanged at the usual time and place of execution.

And being of opinion that the Prisoners,

2d Ramayachary

and

3d Timmayachary

are not convicted on presumptive proof, or on the evidence of credible witnesses, or on their own confessions, the Court do acquit them, and direct that they be set at liberty.

The Court of Foujdaree Udalut observe that the Subordinate Judge ought to have received a full confession from the 1st Prisoner, if he was desirous of making one, and not merely called upon him to acknowledge his Talook declaration. He gave two; - on the 19th and the other on the 21st February; and from the Proceedings of the Subordinate Court, it is not at all clear which of the two he acknowledged to be correct.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Mangalore for the information

formation of the Subordinate Judge. -

Sent following letter No. 576

Read letter dated 19th April and received 28d. May 1848, from the Sessions Judge of Rajahmundry submitting for the final Judgment of the Foujdaree Udalut the Record of Case No. 10 of 1848 of the Calendar of the Session Court. -

(Here enter No. 1168 of 1848)

The Court of Foujdaree Udalut, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion, that the proof against the prisoner,

1st Poddeputla Gopaulloo

is sufficient to convict him of the crime of wilful Murder, do convict him thereof, and sentence him to be transported to such place or places beyond sea as the Governor in Council shall appoint, there to be imprisoned and kept to hard labor in iron on the public roads or other public works, for, and during the period of his natural life. -

Mr. L. P. Thompson
and
Mr. W. A. Maclean

25 25th May 1848

1.

In the opinion of the Court of Judicature Adalat, the whole circumstances of this case as they appear on evidence on the Record, conclusively show that the offence which the Prisoner committed, was wilful Murder, and not Culpable Homicide, as it is viewed by the Sessions Judge -

2. Had it been clearly proved that the Prisoner had given the first blow, he must have been sentenced to suffer the extreme penalty of the Law; but as that fact has not been substantiated on the Trial the Court have deemed themselves justified in sparing his life.

3. It is, however, much to be regretted that no question was put to the witness who was present at the Murder, for the purpose of eliciting the truth in regard to that important point. The Sessions Judge observes that "clearness must have been the aggressor" - but this is in no way founded to notice certain irregularities observable in the conduct of the Trial, -

5. It is quite unusual to allow

F. N.
25th May 1848.

prisoners to interrupt the witnesses in the middle of their depositions, and to insert in the body of their statements or long explanation of the accused - The Prisoners are at liberty to cross-examine the witnesses; but any statements they may have to make, should be reserved for the defence. -

6. Again - one of the Prisoners in this case, when arraigned, after entering his plea of Not Guilty, was allowed to make a statement of (alleged) facts connected with the case. This also is irregular. On the arraignment the simple Plea of "Guilty" or "Not Guilty" is to be recorded. When the Prisoners are put on their Defence, they then make any Statements they may think fit.

7. Most unnecessary questions, quite irrelevant to the matter at issue, were put to the deponents, whilst those of importance, which might have elicited answers tending to elucidate much that is now obscure, were omitted.

Questions 10 & 30 1st witness - p. 26

8. The attention of the Sessions

Judge is required to the Circular Order of the Foujdaree Udalut of the 19th January 1835, which has not been observed in this case.

9. The Session Judge in paragh 3 of his Letter of Reference says "the 1st Prisoner has three rather severe cuts on his head which the Medical Officer certifies to have been incised wounds". No certificate accompanies the Record, and in a case such as that under consideration where it was of importance to ascertain precisely the nature and extent of the wounds, the evidence of the Surgeon ought to have been taken on oath before the Sessions Court.-

10. It is to be regretted that the translation of this case should have been allowed to occupy nearly two months.-

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Rajahmundry for his information.

(Sent following letter No 577)

Read Calendar of Cases No 33 of the Sessions Court of Cuddalore for 1858.

1. The Prisoners five in number were charged with Highway Robbery.

The Law Officer acquitted

2. the 4th Prisoner but convicted the 1st, 2d, 3d and 5th Prisoners of the crime laid to their charge.

The Acting Sessions Judge

3. convicting in the Futwa, sentenced the 1st 2d, 3d and 5th Prisoners to 14 years imprisonment each with hard labor in Irons under Clause third, Section IV Regulation XV of 1843. The 4th Prisoner was released.

In consequence of certain

4. palliative circumstances, the Acting Sessions Judge recommends a mitigation of the punishment awarded to 3 years imprisonment with hard labor in Irons.-

The Court of Foujdaree Adalut

5. do not approve of the mitigation of punishment proposed in this case and under the authority vested in them by Clause third Section III Regulation I of 1825 authorize the Acting Sessions Judge to issue his warrant accordingly.

Ordered that Extract from these Proceedings be forwarded to the Acting

25th May 1848

Acting Session Judge of Cuddalore for his information and guidance.

Suit no. No 578.

Read Calendar of Case No 13 of the Session Court of Vellore for 1848.-

(Herewith F. R. No 1110 of 1838)

1. The prisoners in this case were charged with the crime of "Robbery by open violence" and on conviction were sentenced by the Session Judge to be imprisoned for 14 years with hard labor in Irons under Clause third Section IX Regulation XX of 1803.

2. The Court of Foujdaree Adawlut are of opinion that a mitigation of the punishment adjudged in this case to 7 years imprisonment with hard labor in Irons will sufficiently meet the ends of justice and they resolve under the authority vested in them by Section XXXV Act VIII of 1843 to direct the Session Judge to issue a fresh warrant accordingly.

Ordered that Extract from these proceedings be forwarded to the Session Judge of Vellore for his information and guidance.

Suit no. No 579

Read Calendar of Case No 14 of the Session Court of Vellore for 1848.

(Herewith F. R. No 1111 of 1848.)

1. The Prisoners in this case six in number were charged with the crime of "Torturing to extort a confession"

2. The Session Judge concurred with the Law Officer in convicting the Prisoners of the crime charged and sentenced the 1st, 2d, 3d, and 4th Prisoners to receive 70 stripes each with the Cat-o-nine tails, and to be imprisoned with hard labor in Irons for 7 years under Clause seventh Section II Regulation XV of 1803.-

3. The 5th and 6th Prisoners were released.-

4. The Court of Foujdaree Adawlut are of opinion that the ends of justice will be sufficiently met by a mitigation of the punishment recorded against the prisoners in this case and resolve according ly

25th May 1848.

under the authority vested in them by Section XXXV. Act VII of 1843 to direct the Session Judge to issue a fresh warrant for the imprisonment of the 1st, 2d, 3d and 4th Prisoners for 3 years each, with hard labor in Irons.-

Ordered that Extract from these proceedings be forwarded to the Session Judge of Nellore for his information and guidance.-

(Sent in No 580

EWB

J. W.

Friday 26th May 1848. At a Court of the Foujdaree Udalut.

Present

G. S. Hooper Esqr 1st Puisne Judge
E. P. Thompson Esqr 2d Puisne Judge
W. A. Morehead Esqr 3d Puisne Judge.

Read the Calendar of Case No 14 of 1848, of the Session Court of Guntoor.-

(Remember J. W. No 1118 of 1848.)

1. This case is referred for the final Judgment of the Foujdaree Udalut. The translation of the Futwa is given at length.-

2. The Court of Foujdaree Uda- lut being anxious that the establishments of the provincial Courts should be spared unnecessary labor, resolve to point out to the Session Judge that the Circular Order of the 14th October 1822 requires that in referred Trials, an abstract only of the Futwa shall be entered in the Calendar, and that therefore it will suffice

to state that the Futwa either acquits or convicts, and if the latter the punishment to which the convicted party is liable under the Mohummudan Law.

3. With reference also to that part of the same order which directs that the "precise grounds" of the reference shall be given, the Court mark that the Sessions Judge will, in future, besides quoting the Regulation, state also distinctly that he considers the accused, either acquitted or convicted.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Guntoor for his information and future guidance.

(Instr. No. 585)

Read again Criminal Reports of the Sessions Court of Chittoor for March 1848.

(Here enter S.D. No. 997 of 1848)

Read also Return made by the Sessions Judge of Chittoor under date the 7th Instant to the Precept of the Foujdaree Adalut dated the 3rd [illegible]

their observations and orders on Cases Nos. 38. 49. 50. 51. 53. and 54. of 1848 of the Criminal Reports for March.

(Here enter S.D. No. 1089 of 1848)

1. The Sessions Judge explains

Cases No. 38. that the fact of the prisoner in this case being an old offender is the cause of the heavy punishment awarded him by the Hindoo Suddur Ameen.

2. Under the foregoing explanation, the Court of Foujdaree Adalut resolve to have undisturbed the sentence which has been recorded against the Prisoner.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Chittoor for his information.

(Instr. No. 586)

Read Calendar of Cases No. 9 of 1848 submitted by the Sessions Judge of Bellary under date the 20th Ultimo.

(Here enter S.D. No. 981 of 1848)

Read

26th May 1848.

Read Calendar of Cause No 75 of 1848 submitted by the Sessions Judge of Combaconum under date the 22d Ultimo

/Here enter F.H. No 982 of 1848/

Read Calendar of Cause No 10 of 1848, submitted by the Sessions Judge of Chittoor under date the 15th Ultimo

/Here enter F.H. No 983 of 1848/

Read letter dated the 1st instant from the Sessions Judge of Chingleput forwarding the list of Prisoners under sentence of transportation transferred from other Zillahs up to 31st April 1848.

/Here enter F.H. No 1023 of 1848/

End 74

F. H.

Saturday
27th May 1848.

At a Court of the Foujdaree Adalut.

Present

S.H.H. G. S. Hooper Esqr ——— 1st Puisne Judge.

C.P.T. C. P. Thompson Esqr ——— 2nd Puisne Judge.

W.M. W. B. Morehead Esqr ——— 3rd Puisne Judge.

Read Calendar of Cause No 76 of the Sessions Court of Cuddalore for 1848

/Here enter F.H. No 1134 of 1848/

The Prisoners five in number were charged with the crime of Petty Larceny attended with Robbery

2 The Law Officer acquitted the Prisoners on the ground that the crime was not exempt from motives of personal enmity.

3 The Acting Sessions Judge concurred in the Verdict and directed the Prisoners to be unconditionally released.

4 The Court of Foujdaree Adalut observe that the Prosecutor has in this as well as in other cases been guilty of Perjury they resolve therefore to direct the Acting Sessions Judge to draw the attention of the Magistrate of

Cuddalore

27th May 1848

Confession to the fact and to admonish the Prosecution through that officer thereupon petition of the offence will render him liable to the penalty prescribed in such cases.

Ordered that Extract from these Proceedings be forwarded to the acting Session Judge of Essequebo for his information and guidance.

(Confirming Precept No. 590)

Read Calendar of Cases No. 8 of the Session Court of Demerara for 1848

(Reference File No. 1137 of 1848)

The Prisoner

Robert Cummings Coming Co. Hy

was charged with "Robbery"

2.

The Prisoner convicted by him of the crime charged and the Session Judge approving of the verdict sentenced him to imprisonment with hard labour in irons for four years under Clause 4 with Section II Regulation XV of 1838

3

The Court of Policy concurring in opinion that as mitigation of the punishment adjudged to 2 years imprisonment with hard labour in irons will answer the ends of justice and they are also under the authority vested in them by Section XXXV

27th May 1848

to issue a fiat warrant accordingly

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Pomeroon for his information and guidance by Precept returnable within 14 days from and after its receipt.

(Confirming Precept No. 591)

Read Calendar of Cases No. 13 of 1848 submitted by the Session Judge of Demerara by under date the 11th instant.

(Reference File No. 1117 of 1848)

Read return dated the 12th instant from the acting Session Judge of Pomeroon to the precept of the Essequebo Calendar under date third instant directing that the 4th Prisoner in Case No. 270 of 1847 of the Calendar of the Session Court of Pomeroon be immediately and unconditionally released and that copies of the remarks contained in the above Letter and of the Return of the acting Session Judge dated 22nd March last be forwarded to the acting Magistrate of that Station

(Reference File No. 1119 of 1848)

Read Criminal Reports for the month of April last submitted by the Session

Judge

27th May 1848.

Judge of Mangalore under date the 11th instant.

/ Herewith F.No. 1120 of 1848 /

Read Criminal Reports for the month of April 1848 submitted by the Sessions Judges of Canara under date the 15th instant.

/ Herewith F.No. 1121 of 1848 /

Read Calendars of Cases Nos. 23 and 26 of 1848 submitted by the Sessions Judges of Madura under date the 13th instant.

/ Herewith F.No. 1123 and 1124 of 1848 /

Read Calendar of Cases No. 21 of 1848 submitted by the Sessions Judge of Salem under date the 12th instant.

/ Herewith F.No. 1126 of 1848 /

Read Letter dated the 11th instant from the Sessions Judge of Chingleput to the Precept of the Foujdaree Adawlut under date the 2nd idem, returning for amendment the Criminal Reports B for March last.

/ Herewith F.No. 1129 of 1848 /

E.M.

Read Letter dated the 12th instant from the Sessions Judge of Salem referring for the final Judgment of the Foujdaree Adawlut the Record of Case No. 17 of 1848 of the Calendar of the

F.No.

27th May 1848.

Mr. G. L. Hooper
and
Mr. W. Motherhead.

the Sessions Court.

/ Herewith F.No. 1187 of 1848 /

The Court of Foujdaree Adawlut on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the Prisoner

Govindu

is sufficient to convict him of the crime of wilful murder do convict him thereof; and under the provisions of Section X Regulation VIII of 1802 sentence him to suffer death by being hanged at the usual time and place of execution.

(See following Letter No. 592)

2nd F.No.

F. C.

Monday 29th May 1848

At a Court of the Sirajdaree Adalut

Present

W.H. C. S. Hooper Esqre 1st Pensne Judge.
C.P. C. D. Thompson Esqre 2d Pensne Judge
W.R. W. R. Morehead Esqre 3d Pensne Judge

Read again Miscellaneous

Petition presented on the 8th November 1847 by the Vakeel S. Tirumalacharry on behalf of Paupa Reddy the Shrottadar of Nameul in the Zillah of Salem and Nullappa Reddy the Goomastah

(Here enter Mi. P. No. 284 of 1847)

Read also Return dated the 26th January 1848 from the Session Judge of Salem to the Precept of the Sirajdaree Adalut under date the 10th January 1848 directing him to submit for their consideration, copies of any Proceedings he may have held in the matter of the Petitioners Paupa Reddy and Nullappa Reddy of Salem, and any explanation it may occur to him to offer on the same subject

(Here enter F. C. No. 243 of 1848)

The Session Judge, with the

Monday 29th May 1848.

At a Court of the Sirajdaree Adalut.

Present

W.H. G. S. Hooper Esqre 1st Puisne Judge.
E.P. C. P. Thompson Esqre 2d Puisne Judge.
W.H. W. A. Morehead Esqre 3d Puisne Judge.

Read again Miscellaneous

Petition presented on the 8th November 1847 by the Vakeel S. Tirumalacharry on behalf of Papee Reddy the Moottadar of Nameul in the Zillah of Salem and Nullapa Reddy his Gomastah.

(Here enter Mi. P. No. 254 of 1847)

Read also Return dated the 26th January 1848, from the Sessions Judge of Salem, to the Precept of the Sirajdaree Adalut under date the 10th January 1848 directing him to submit for their consideration, copies of any Proceedings he may have held in the matter of the Petitioners Paupee Reddy and Nullapa Reddy of Salem, and any explanation it may occur to him to offer on the same subject.

(Here enter F. C. No. 243 of 1848)

The Sessions Judge, with the

Return

29th January 1848.

Return above recorded, submits a copy of the order passed on the Petition presented by the Vakeel of the Mottadar, and which shows that there appeared no grounds for interference in the sentence of the Joint Magistrate, passed in consideration of the enmity and ill feeling existing between the parties. The Sessions Judge likewise submits copies of the sentence of the Joint Magistrate and of a Letter from that Officer.

2. The Court of Foujdaree Adaulut on a consideration of the Papers above referred to, are of opinion that the sentence of the Joint Magistrate is not open to objection, and that the order of the Sessions Judge on the application of the Petitioners is correct.—

Ordered that the Prayer of the Petition be rejected and that Extracts from these proceedings be furnished to the Petitioners' Vakeel on his application.—

Read again Miscellaneous Petition presented on the 6th December 1847 by T. Ramachendrah Vakeel on behalf of Ramatha Mannally late Nazir of the Sessions Court of Tellicherry.—

(Here enter F. M. D. No. 315 of 1847.)

Read also Letter from the Sessions Judge of Tellicherry under date 24th February 1848—

reporting that the foregoing Petitioner was dismissed from his situation on the 22d November 1847 and that no report was submitted in his case.—

(Here enter F. M. D. No. 541 of 1848.)

Petitioner is informed that he should if he sees fit so to do, proceed to file a copy of the Sessions Judge's order dismissing him from the situation of Nazir in the Sessions Court when such orders will be passed on his Petition by the Court of Foujdaree Adaulut, as may seem called for in the case.—

Ordered that Extract from these Proceedings be furnished to the Petitioner's Vakeel on his application.—

Read again Miscellaneous Petition presented on the 13th March 1848 by Tyanottah and another Zillah Sheristadars.—

(Here enter F. M. D. No. 105 of 1848.)

Read also Return made by the Acting Sessions Judge of Cuddapah under date the 8th Instant to the Precept of the Foujdaree Adaulut of the 25th April 1848 directing that Officer to call up the entire record of Case No. 7 of the Principal Sudder Ameens Court for 1848 and after due consideration to pass such orders as

the

the circumstances of the case may seem to call for reporting the result of the enquiry for the information of the Court of Sudder Adawlut.—

(Here enter F. 66. N.1096 of 1848.)

1. The Acting Sessions Judge reports that after giving the case in question a careful consideration, he cannot see reason to doubt the propriety of the sentence passed by the Lower Court.—

2. The Petitioners are informed that the Court of Foujdaree Adawlut decline to interfere in the manner requested in their application, which is accordingly rejected.—

Ordered that Extract from these proceedings be furnished to the Petitioners on their application.—

Read Miscellaneous Petition presented on the 20th Instant by Pavoorka Pillay Zillah Madura.—

(Here enter F. 66. P. No. 115 of 1848.)

1. Petitioner reiterates the prayer of his former Petition No. 7 of 1848 which was rejected by the Court of Sudder Adawlut in their Proceedings of the 6th Instant last.—

2. To these Proceedings the Petitioner is referred.—

Petition

F. 66.
29th March 1848.—

3. Petition dismissed.—

Ordered that Extract from these proceedings be furnished to the Petitioner on his application.—

Read Miscellaneous Petition presented on the 20th Instant 1848 by Mohammed Nyiar Zillah Madura.—

(Here enter F. 66. P. No. 117 of 1848.)

1. Petitioner alleges that he, as the son of one Nangoor Meera, the 4th Prisoner in Case No. 43 of the Madura Sessions Court for 1846, is entitled to succeed to the Office of Village Munsiff and Police Ambalam in the Talook of Oberamum lately vacated by the death of the party aforesaid.—

2. He prays the Court's interference in his behalf.—

3. The Court of Foujdaree Adawlut observe that the Petitioner should present his application to the Collector of Madura who will issue such orders as appear to be called for.—

Ordered that Extract from these proceedings be furnished to the Petitioner on his application.—

Read Miscellaneous Petition presented on the 27th Instant 1848 by T. Appiah

Vathiar

29th Inany 1848.-

Vakeel on behalf of Coomdy Parawer Sydul Borogh Zillah Tellicherry.-

(Here enter F. M. P. No 119 of 1848)

1. The Petitioner reiterates the prayer of his former petition No 116 of 1848, the object of which was to induce the Court of Foujdaree Udalut to order his release out of custody on the grounds that he had been unjustly convicted and punished by the Sessions Judge of Tellicherry in Criminal Nos 101 and 102 of that Court's file for 1847.-

2. Petitioner is referred to this Court's proceedings of the 17th April last, finally disposing of the subject of the present application.-

3. Petition dismissed.-

Ordered that Extract from these proceedings be furnished to the Petitioner's Vakeel on his application.-

Read Miscellaneous Petition of Soobramanien Pillay Zillah Tinnivelly forwarded by the Sessions Judge of that Zillah.-

(Here enter F. M. M. P. No 126 of 1848)

1. Petitioner appeals against an order of the Civil Judge of Tinnivelly referring him to a civil action, for the recovery of property which was stolen from his (Petitioner's) house by one

29th Inany 1848.-

Tungamootoo - the case being of a criminal nature was (he states) the subject of an inquiry before the Head Police of Goodoorsaly who unjustly liberated the offender - and the Magistrate on appeal merely confirmed this decision without further investigation.-

2. As orders can be passed on this Petition until the Petitioner produces an attested copy of the order passed by the Sessions Judge against which this appeal is made.-

3. The Court of Foujdaree Udalut resolve to intimate to the Sessions Judge that Petitions of this nature were not contemplated by the Circular Order No 138 which was intended to embrace only Petitions from parties deeming themselves aggrieved by sentences of the Courts.-

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Tinnivelly for communication to Petitioner.

(Sent in No 593

Read Miscellaneous Petition presented on the 17th April 1848 by Chinnarajah Zillah Chingleput.-

(Here enter F. M. P. No 138 of 1848)

1. The Petitioner reiterates the prayer

29th May 1848.-

prayer of his former Petition No. 113 of 1848 and urges the Court of Foujdaree Udalut to order the release of his younger brother Nurrarajah the 2d Prisoner in Criminal No. 1 of the Sessions Court of Chingleput for 1848.-

2. This Petition is rejected.-

3. The Petitioner is referred to the orders of the Court of Foujdaree Udalut under date the 10th April 1848, and is informed the same are final.-

Ordered that Extract from these proceedings be furnished to the Petitioner on his application.-

Read Miscellaneous Petition presented on the 17th April 1848 by Vyrasoory Venkien of Zillah Coimbatoor.-

(Here enter F.G. M.P. No. 113 of 1848.)

1. Petitioner prays a reconsideration of the Court's Orders passed on his Petition No. 269 of 1847, rejecting his prayer that a fine of Rupees 50 imposed upon him by the Magistrate of Tanjore might be remitted, and that he might be restored to the situation of Duffadar, from which he had been removed.-

2. Petitioner is referred to the orders of the

F.G.

29th May 1848.-

the Foujdaree Udalut dated 15th November last, and informed that they are final.-

Ordered that the prayer of this Petition be rejected and that Extract from these proceedings be given to the Petitioner on his application.-

Read Miscellaneous Petition presented on the 8th May 1848 by Ammiah Naiken of Zillah Chingleput.-

(Here enter F.G. M.P. No. 154 of 1848.)

1. The Petitioner submits an attested copy of the Order of the Sessions Judge of Chingleput as directed by the Court in their Proceedings under date the 20th March last. He reiterates the substance of his former Petition No. 295 and again prays the interference of the Court of Foujdaree Udalut.-

2. The Court of Foujdaree Udalut observe that the copy of the Sessions Court's Proceedings of the 3d September 1847 now presented, was formerly given in with Miscellaneous Petition No. 295 of 1847 and is of no avail to the Petitioner who is accordingly referred to the orders of the Court dated 13th December 1847 and 20th March 1848.

Ordered that the prayer of this Petition

29th May 1848.-

Petition be rejected and that Extract from these Proceedings be given to the Petitioner on his application.-

Read Miscellaneous Petition presented on the 8th May 1848 by Sydawamy Naiken Zillah Chingleput.-

(Here enter P. M. P. No. 15 of 1848.)

1. With reference to the Proceedings[x] of the Court of Foujdaree Adalut on his former Petition No. 5 of 1848 the Petitioner now submits a copy of the Sessions Judges order, the cancellation of which was the object of that application.-

2. Petitioner is informed that the copy of the Lower Courts proceedings must be an "authenticated" Extract, which the document now filed is not.-

Ordered that Extract from these Proceedings be furnished to the Petitioner on his application.-

[x] Dated 13th March 1848.-

Read Criminal Reports of the Sessions Court of Chittoor for April 1848.-

(Here enter P. M. No. 1107 of 1848.)

Statement No. VII. 1. Among the number of Persons released from the Zillah Jail, the Court of Foujdaree Adalut observe one, who was charged before the Joint

29th May 1848.-

Joint Magistrate with "contempt of Police Authority." The Court desire to be informed of the nature of the offence committed by this individual, and also in what manner he was punished.-

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Salem by Precept returnable within x days from and after its receipt.-

(Sent following Precept No. 594)

Read Criminal Reports of the Sessions Court of Rajahmundry for April 1848.-

(Here enter P. M. No. 1125 of 1848.)

The Court of Foujdaree Adalut desire to be informed of the cause of one Peon having been employed in excess of the prescribed number in guarding the convicts worked outside the jail during the period under review.-

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Rajahmundry by Precept returnable within III days from and after its receipt.-

(Sent following Precept No. 595)

Read Criminal Reports of the Sessions Court of Guntoor for April 1848.-

(Here enter P. M. No. 1133 of 1848.)

The

29th May 1848.-

The Court of Fouzdaree Adalut direct that, in future, the date, on which the Criminal Reports are despatched from the Sessions Court, be duly endorsed on the back of the Statement previous to its transmission to them.-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Guntoor for his information and future guidance.-

(Sent in No. 396

Read Criminal Reports of the Sessions Court of Cuddalore for April 1848.-

(Here enter F. H. No. 1138 of 1848.)

Report B. Case No. 30.

1. The Court of Fouzdaree Adalut, seeing reason to question the propriety of the disposal of this case, resolve to direct the Acting Sessions Judge to call up the record of the same, and, after its perusal, to pass such orders thereon as may to him seem proper, reporting the result for the information of the Fouzdaree Adalut.-

Report A. Correct. See para 2.

2. The Court observe that the submission of Report A in these cases was unnecessary, and they direct that, in future, when the remarks elicited from the Sessions Court are of the trifling nature of those in the cases now under reference, they may be submitted in the form of a Memorandum appended

29th May 1848.-

appended to the foot of the case in Report B.-

Ordered that Extracts from these Proceedings be forwarded to the Acting Sessions Judge of Cuddalore for his information and guidance.

(Sent in No. 397

Read Criminal Reports of the Sessions Court of Combaconum for April 1848.-

(Here enter F. H. No. 1140 of 1848.)

Report B. Case No. 41.-

1. The same Prisoner was charged in this, and the preceding number with "Theft", but whether he was convicted, or acquitted of the "Theft" charged against him in the latter number, the Court of Fouzdaree Adalut are unable to learn.

2. The Court direct that, in future, when the same Prisoner stands charged with two or more offences, his acquittal or conviction upon each separate charge may be distinctly stated for their information.-

3. The Court further direct that the name of the Police Officer by whom each Case is committed, be in future duly entered in the usual column opened for that purpose.-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Combaconum for his information

and

29th May 1848.-

and future guidance.-

(Sent in No. 598

Read Criminal Reports of the Sessions Court of Madura for April 1848.-

(Here enter J. C. No. 1141 of 1848.)

Report B.-
Case No. 63.-

1. That Prisoner in this case was charged with "False Complaint", and on conviction, was sentenced to 3 months simple imprisonment with hard labor in irons under Section II Regulation IX of 1832.-

2. The Court of Sungdaree Adalut observe that the award of "Irons" is not authorized by the enactment quoted in support of the sentence passed in this case; the Sessions Judge will accordingly be pleased to direct their remission.-

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Madura for his information and guidance.-

(Sent in No. 599

Read again Miscellaneous Petition presented on the 13th March 1848 by Veerapatchy Dorakaraloo of Tillah Shittoor.-

(Here enter J. C. M. P. No. 62 of 1848.)

Read also Return dated 3rd Instant sent by the Acting Magistrate of North

29th May 1848.-

Acct to the Receipt of the Sungdaree Adalut dated 25th Ultimo requiring the Acting Magistrate to report the circumstances under which the above Petitioner has been deprived of his rights and property after he had been declared by the Court of Sungdaree Adalut in their Proceedings dated 25th October last to be innocent.-

(Here enter J. C. No. 1060 of 1848.)

1. The Acting Magistrate in his Return states that he "is of opinion that as, by "his acquittal on appeal, the Petitioner is reinvested "with all the rights which he held previously to "his conviction, it is only just to recall the order "directing the termination of another against an "Inhabitant of Lutchumanaickenpatty, and remove all "official impediments in the way of Petitioner's "resuming the duties of the office and enjoying its "emoluments as formerly" and adds "should the "Court of Sungdaree Adalut consider this course "proper the Acting Magistrate will be prepared in his "Revenue Capacity to solicit the sanction of the "Board of Revenue for the recall of the former order "which was issued under their instructions".-

2. The Court of Sungdaree Adalut approve the Course suggested by the Acting Magistrate,

and

and direct that it be carried into effect.-

Ordered that Extract from these Proceedings be forwarded to the Acting Magistrate of North Arcot for his information and guidance.-

(Sent in No 600

Ordered also that Extract from these proceedings be furnished to the Petitioner on his application.-

1. The Register lays before the Court the following Statement drawn up in his office from the Returns received thro' the Sessions Courts, exhibiting the operations of the Village and District Police, and the Magistracy & Subordinate Criminal Courts and of the Courts of Sessions respectively; he also submits an abstract of the operations of the Faujdaree Adalut from the 1st of July to the 31st December 1846, according to the forms approved by Government.-

(Here enter Nos 1 to 7)

Statements Nos 1 & 2.- Village Police.

2. Statement No 1 with the details in No 2 exhibits the number of Persons summoned before the Village and District Police and the Magistracy, for Petty Offences punishable by themselves together with the number of Acquittals and Convictions, and the nature of the punishments inflicted.-

F. 90.

29th May 1848.-

inflicted.-

3. The total number of persons brought before the Village Police, together with the number acquitted or convicted of Petty Offences, as compared with the preceding half year, or from the 1st of January to the 30th June 1846 is as follows.-

	Persons summoned	Persons Acquitted after Investigations.-	Persons Acquitted without investigation or Recognizance &c	Persons Punished
From the 1st January to the 30th June 1846	3796	794	975	2027.-
From the 1st July to the 31st December 1846	4522	915	1169	2438.-

4. Of the 2438 persons punished by the Village Police, 189 were confined in the Village Choultry, and 54 in the stocks.-

5. Out of 4522 persons brought before them, 3693 were charged with Petty Offences or Affrays and 818 with Petty Thefts; of the former 1736 were punished, of the latter 695.-

6. In the Districts of Ganjam and Vizagapatam, the Village Police do not appear to have exercised during the half year under review, their Judicial powers in petty Criminal cases.-

District Police.- 7. The total number of Persons brought before the District Police from the 1st July to

to the 31st December 1846, for Petty Offences punishable by themselves, was 68,960; besides whom there were also 850 persons whose cases were not disposed of at the date of the last report, forming a total of 69810.-

8. The number of persons summoned in the preceding half year and those under examination before the District Police at its commencement, was 63715.-

9. Of the 68910 persons brought before the District Police during the half year under review, 22899 were acquitted, against 16 of whom the charge was considered to be wilfully false and malicious, and 22392 were discharged on a mutual settlement of their dispute, or without investigation, for default or other cause.-

10. The total number of persons convicted and punished by the District Police was 20816, without reference to the Magistracy; and 1593 after reference to that authority, making a total of 22439 and 1178 are entered as under examination at the close of the report.-

11. Of the persons punished by the District Police, 16521 were fined, 3622 confined in the Chunitry with or without labor, 136 in the stocks, and

29th May 1848.-

and 160 were flogged by order of the Magistrate on reference made to that authority, under the provisions of Clause Second, Section IV, Regulation IV of 1821.-

12. The sum remitted to the Magistracy on account of the 16521 persons fined by the District Police was Rupees (12692-3-10) twelve thousand six hundred and ninety two, annas three and pice ten.-

Magistracy- 13. Before the Magistracy there were brought for Petty Offences, in the period under review, 3819 persons, and there were also before them 14 whose cases had not been disposed of at the close of the last report, making a total of 3833; Of these 1790 were acquitted; against 16 of whom the charge was considered wilfully false and malicious; 395 were discharged on a compromise of their differences; 1612 were convicted and punished, 978 by fine, 493 by imprisonment, 141 by flogging; and 36 were under examination at the close of the report.-

14. During the half year under review, 284 persons being Police Officers, were charged with abuse of authority; there were also 11 before the Magistracy whose cases had not been

disposed

29th January 1848.—

disposed of at the close of the last report, making a total of 208, of whom 144 were acquitted, against of whom the charge was considered wilfully false and malicious; 64 punished, 57 by fine, and 7 by imprisonment.—

Crimes and Misdemeanors.

Statements Nos 3 and 4.— 15. The Statements Nos 3 and 4 exhibit the operations of the District Police and Magistracy with respect to all crimes and misdemeanors not punishable by themselves, but by the superior tribunals.—

16. By the first of these Statements it appears that the number of Crimes committed during the six months under review was 6153, in which 21533 persons are supposed to have been concerned, being 801 cases more than in the preceding six months.—

17. Of the 21533 persons supposed to have been concerned in the cases ascertained to have occurred during the period under review, 11001 individuals, it is calculated have escaped apprehension; the number is thus 100 more than are supposed to have eluded apprehension during the previous half year.—

18. It will also be seen that the total

No. 110.

29th January 1848.—

total number of cases brought before the Magistra during the half year under observation, is 32 including 915 persons, of which 42 cases and 9 persons were disposed of by the Magistrates under Section LIV Act VII of 1843.—

19. In the Districts of

Bellary.
Cuddapah.
Guntoor.
Masulipatam.
and
Vizagapatam.—

no cases were disposed of by the Magistracy under the authority vested in Magistrates by the Act above mentioned.

Statements Nos 5 and 6.— 20. Statement No 5 with the details in No 6, exhibits the operations of the Subordinate Courts from the 1st July to 31st December 1846.—

Subordinate Courts.—

21. The total number of cases brought before those tribunals during the above period, inclusive of those not disposed of at the close of the preceding report, is 2356 including 4964 prisoners.—

22. In the preceding half year the total number of cases brought before the same tribunals

tribunals was 2079 including 1475 prisoners, being an increase in the half year under review of 377 cases and 249 prisoners.—

23. Of the cases brought and depending before the Subordinate Courts, 176 were cases of Murder, 37 of Culpable Homicide, 11 of Robbery and Murder, 4 of Poisoning, 67 of Housebreaking and Housebreaking, 113 of Assault, 11 of Rape, 5 of Procuring abortion, 108 of Gang Robbery, attended with aggravating circumstances, 192 of Gang Robbery without aggravating circumstances, 19 of Robbery by a single individual, 15 of Arson, 84 of House breaking by day, 446 of House breaking by night, 79 of Cattle stealing, killing or houghing, 362 of Theft, 151 of Receiving stolen goods, 21 of Forgery, 22 of Perjury, 90 of False and malicious accusations, 6 of Resistance to legal process, and 120 of a Breach of Revenue Laws, 1 of Treason and Rebellion.—

24. Of the 4984 prisoners brought before the Subordinate Criminal Courts.—

25. The cases adjudicable by these Authorities.

938 Were released unconditionally.
Against 5 of whom the charge was considered wilfully false and malicious.—
86 Were released on security.—
100 Were detained on demand of security.—
1561 Were convicted and punished in Cases cognizable by the Subordinate Criminal Courts.—
26.— In Cases cognizable by the Superior Courts.—

658. Were released by the Subordinate Courts.
Against 1. of whom the charge was considered wilfully false and malicious.—
29. Were released on security.—
76. Were detained on demand of security.—
1262. Were committed for trial.—
248. Were under examination.—
6. Died.
4984.

27.— Of the 1561 persons who were convicted and punished by the Subordinate Courts.—
1018 were imprisoned.—
371 were fined.—
12 were flogged.—
34 were imprisoned and fined.
126. were imprisoned and flogged.—
1561.—

28. The number of persons convicted and punished by the Subordinate Courts in the preceding half year was 1292, the number committed was 1428 and the number unconditionally released in cases either punishable by themselves or the Courts of Session was 1615.—

29 The reports required in para 4 of the

29th May 1848.-

the Governor of Government under date the 24th October 1839, No. 853, and submitted by the Sessions Judges regarding the manner in which the Zillah Courts have exercised the Criminal Jurisdiction conferred upon them by Regulation III of 1838, shew that generally they have exercised their duties as Criminal Judges satisfactorily.-

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Statements No. 7 and 8.- Courts of Session.

30 The Statements Nos. 7 and 8 exhibit the operations of the Sessions Courts from 1st July to 31st December 1846.-

31. The cases of every description which came before these Courts during the six months under review were 568, including 1540 persons less than were brought before the Sessions Courts during the 1st half of the year 1846.-

32. Of the 1540 persons who were committed for trial 479 were released unconditionally, of whom 23 were considered to have been falsely and vexatiously accused, 155 were released on security, 428 were convicted and punished.-

33 Of these latter

5 were flogged and imprisoned for a term exceeding 7 years.-
12 Do. ..... Do. ... for a term not exceeding 7 years.-
198 were imprisoned for a term exceeding 7 years without flogging.-

29th May 1848.-

211 were imprisoned for 7 years and under, without flogging.-
1 was fined and imprisoned.-
1 was fined and discharged.-

34- There were 7 Cases including 236 prisoners referred to the Foujdaree Adalut. 56 cases containing 207 prisoners remained undisposed of by the Sessions Courts at the close of this report, 29 prisoners were returned to the Subordinate Criminal Courts to be there disposed of, 1 prisoner was discharged from the list, and 5 prisoners died.-

35- The greatest number of Cases brought before the Sessions Courts during the period under observation was at

Salem ——— 66. of which 6. Cases were referred to the Foujdaree Adalut.
Coimbatore ——— 58. ——— Do. ——— 13. ——— Do. ——— Do. ———
Bellary ——— 57. ——— Do. ——— 3. ——— Do. ——— Do. ———
Vizagapatam ——— 51. ——— Do. ——— 1. Case was referred. ——— Do. ———
Cuddapah ——— 38. ——— Do. ——— 5. Cases were referred. ——— Do. ———
Combaconum ——— 37. ——— Do. ——— 6. ——— Do. ——— Do. ———
Chittoor ——— 28. ——— Do. ——— 3. ——— Do. ——— Do. ———
Madura ——— 28. ——— Do. ——— 1. ——— Do. ——— Do. ———
Cuddalore ——— 27. ——— Do. ——— 2. ——— Do. ——— Do. ———
Bellary ——— 25. ——— Do. ——— 6. ——— Do. ——— Do. ———
Vellore ——— 25. ——— Do. ——— 1. ——— Do. ——— Do. ———
Tinnevelly ——— 24. ——— Do. none was referred. ——— Do. ———
Tanjore ——— 21. ——— Do. ——— 1. was referred. ——— Do. ———

36. Of the 7 Trials referred to the Foujdaree

Fingalarce Adalut by the Sepoy Courts, the Sub-
-was delivered by their Law Officers were encurred
in by those tribunals in 40 Trials, but the -
nature of the offences made the trials of monthly reports
liable, and 38 Cases were referred because the Sepoy
Judges did not approve of the Sentences of their
Law Officers.-

Statement No. (9) 37.
Fingalarce
Adalut.- operations of the
half of the year
38.

Statement No. 9 exhibits the
Fingalarce Adalut during the 2d
1848.-

It shews that at the date of the
last report, there were
which had not been disposed of, and that there were
received during the half year 92 Trials, including
277 prisoners, making together 99 Trials and 338
prisoners, whereof 40 were Trials for Murder, 4
Cases of Culpable Homicide, 6 Cases of Murder and
Robbery, 4 Cases of Maiming and Wounding, 1 Case
of Assaults (serious), 3 Cases of Rape, 16 Cases of
Gang Robbery, attended with aggravating circum-
stances, 9 Cases of Gang Robbery, without aggra-
vating circumstances, 1 case of Robbery by a single
individual, 1 Case of House breaking by night, 2
Cases of Theft, 1 Case of Theft and Receiving Stolen
Goods,

goods, 1 Case of Forgery, 1 Case of Perjury, 1 Case of
subornation of Perjury, 1 Case of Affray (extensive)
1 Case of Affray attended with Homicide, 1 Case of
severe wounding with intent to kill, 1 Case of
Conspiracy, and 6 Cases of Treason and Rebellion,
attended with Murder and Robbery.-

39. Of the 99 Trials, 86 were disposed
of within the half year under review, leaving 13
cases undisposed of at the close of the Report and in
2 cases the Prisoners died before the Fingalarce
Adalut had disposed of the cases.-

40. Of the 86 Cases containing 237
prisoners in which the Court of Fingalarce
Adalut proceeded to Judgment.-

53 Prisoners were released unconditionally } Of these 65 Prisoners 37
12. were ordered to be released on Security - } were considered convicted
by the Session Judge.-

162. were convicted and sentenced to pu- } Of whom 3 Prisoners were
-nishment - - - - - - - - - - } considered not convicted by
the Session Judge.-

11. Died.-
237.

41. Of the 162 prisoners convicted

11. Were sentenced to suffer death.-
21. Transported without flogging.-
3. Imprisoned for life without flogging.-
2. Flogged and Imprisoned for more than 7 and not more than 14
years.-
59. Imprisoned for more than 7 and not more than 14 years with-
-out flogging.-
55. Imprisoned for 7 years and under, without flogging.-
5. Released in consideration of the imprisonment already undergone.-
162.

42.

In conformity to the instructions contained in the 22d para of the Extract from the Minutes of Consultation under date the 8th of August 1834, the Judges beg leave to explain that out of the 42 cases referred to the Tongdaree Udalut because the presiding Judge disapproved of the Futwa of the Law Officer, or the finding of the Assessors, the decision of the Sessions Judge was affirmed by the Tongdaree Udalut in 33 cases.-

43.

The subjoined Statement exhibits the information required by the Honorable the Court of Directors in the 41st Para of their General Letter under date the 29th March 1833 as to the number of sentences passed by each Judge of the "Tongdaree Udalut whether sitting singly or whether "more than one Judge be present."-

Singly — Conjointly — attached to the Court

G. J. Waters Esqr. 1st Judge	10	17	From 1st July to 29th Oct. 1846	
H. Lewis Esqr. 2d "	"	8	13	From 1st July to 29th Oct. 1846
J. E. J. Birkett Esqr. 3d "	"	8	16	From 1st July to 27th Sept. "
G. L. Hooper Esqr. 4th "	"	1	11	From 1st July to 21st Oct. "
E. P. Thompson Esqr. 2d "	"	4	26	From 23d Oct. to 31st Dec. "
W. A. Morehead Esqr. 3d "	"	3	27	From 2d Sept. to 31st Dec. "

44

A Statement is also transmitted shewing the number of trials disposed of by the Tongdaree

S. D.C.
29th January 1848.-

Tongdaree Udalut within the period under review and the average number of days delay in the disposal of those Trials, as required by the 33d para of the General Letter from the Honorable the Court of Directors dated 20th of March 1833.

45. With reference to the instructions contained in para 8 of the General Letter from the Honorable the Court of Directors dated 19th February 1840, the Judges beg to submit two Statements marked A and B shewing the extent to which the Magistrates have themselves discharged the Police duties, and how far it has been delegated by them to their Assistants, and in accordance with the Honorable Courts further instructions conveyed in Para 1 of their letter dated 30th December 1840 the Judges beg also to forward a Statement marked C. shewing the extent and degree of the supervision and control exercised by the Magistrates over the Proceedings of their Assistants.-

46. The Statement marked D.- shewing the number of cases forwarded to the Criminal Courts by each Head of Police, and the manner in which they were disposed of is also submitted, in obedience to the orders conveyed in Para: 20 of the Extract from the

Minutes

Minutes of Consultation dated 30th June 1848.

47. I accompany the Statements submitted for the consideration of Government will be found Statements in abstract exhibiting the state of crime during the 2d half of 1848 in the separate tracts of the Guntoor and Vizagapatam Districts, and in the Districts of Kurnool & Cuddapah placed under the jurisdiction of the Commissioner Agents.—

48. The Statement marked B exhibits the labors individually performed by the Judges of this Court during the [illegible] under review.—

To ascertain the causes of the delay in the disposal of the civil cases noticed in the Statement showing the average number of days delay in the disposal of suits by the respective Judges of the Court have caused the Records to be referred to and find that in the case marked A further evidence was called for and after that was received, it was found necessary to refer the opinion of the Civil Judge.—

50. There is no particular reason for the delay in the disposal of cases marked B. The two Judges who first took it up, appeared to have pondered over it for a considerable time, &

Record was voluminous.—

51. The cases marked C. and D. are those in which certain Government Servants in Rajahmundry were attacked and opposed by a gang of Spectators. There was a difference of opinion between the late Judges of the Court and the cases could not finally be disposed of until the present Judges had taken their seats. Hence the delay.—

52. Of cases marked E and E, it seeming sufficient, at this distance of time to remark that they were the Tinnevelly cases which occasioned so much misunderstanding at the time they were under consideration and were not (and could not be finally disposed of, until the present Judges had resumed charge of their offices.

Ordered that Extract from these proceedings, together with copies in triplicate of all Statements connected therewith, be forwarded to the Secretary to Government in the Judicial Department, for the purpose of being laid before the Right Honorable the Governor in Council.—

(Sent in No 601)

Read Calendar of Cases No 15 of the Sessions Court of Nellore for 1848.—

(Here enter F. Co. No 1112 of 1848.)

29th May 1848.-

1.

The three Prisoners in this case were charged with "Robbery by Violence" in having attacked the Prosecutrix on the highway, and stolen 6 tolas of her, undrilled but of the gold fields worn on her person to the value of Rupees 10.9.-.-

2.

The Sessions Judge in communicating with the Futwa of the Law Officer annexed the Prisoners of the crime charged, and sentenced them respectively to Seven years' imprisonment with hard labor in irons.-

3.

On the absence of any note of violence, or other aggravating circumstances in the commission of the crime, the Court of Sudder Adalut are of opinion that the ends of justice may be attained by a Sentence of 5 years imprisonment; and under the provisions of Section XXXI Act VII of 1843 the Court resolve to mitigate their Sentences to that extent, and to direct the Sessions Judge to issue his Warrants accordingly.-

Ordered that Extracts from these Proceedings be forwarded to the Sessions Judge of Nellore by Precept returnable within [illegible] days from and after its receipt.-

(Sent following Precept No. 602)

Read

F. 86.

29th May 1848.-

Read again Calendar of Case No. 14 of the Sessions Court of Cuddapah for 1848.-

(Hereunder F. 86. No. 1010 of 1848.)

Read also Return made under date 15th May 1848 by the Sessions Judge of Cuddapah to the Precept of the Sunglance Adalut dated 10th May 1848 requiring that Officer to put a 3rd Question to the Law Officer, and enjoining him to apply for a mitigation of punishment if the Sentence prescribed by Section XXI Regulation VII of 1802 should in his opinion be too severe.-

(Hereunder F. 86. No. 1148 of 1848.)

A third question having been put to the Law Officer, the latter has pronounced them liable to Hud, or amputation of the right hand.-

2.

The Sessions Judge concurring in the Futwa sentenced the 1st and 2d Prisoners to Imprisonment with hard labor in Irons for 7 years and the 3d Prisoner to Imprisonment for a like period without Irons under Section XXI Regulation VII of 1802.-

3.

In consideration of certain palliative circumstances the Sessions Judge proposes a mitigation of the punishment awarded to 4 years Imprisonment with hard labor in Irons as regards the

29th May 1848.—

the 1st & 2d Prisoners and to 2 years Imprisonment in the case of the 3d.—

to The Court of Inquiry. Ordered approved of the mitigation proposed in this case and authorize the Sessions Judge under Section IV Regulation I of 1826. to issue his warrant accordingly.—

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Cuddapah for his information and guidance.—

(Vide in No. 603)

End 4th.

Read communication from the several Judicial Officers transmitting the Criminal Returns for the 2d Half year 1846.—

(Vide under Nos. 284, 653-673-828-872-896-904-917-919-943-1019-1056-1111-1136-1142-1143-1150-1180-1345-1367-1404-1801-1827-2054-2174-& 1849)

F. No.

Tuesday, 30th May 1848.— At a Court of the Foujdaree Udalut.—

Present

G. A. Hooper Esqre _____ 1st Puisne Judge.
E. D. Thompson Esqre _____ 2d Puisne Judge.
W. A. Morehead Esqre ___ 3d Puisne Judge.

Read letter dated the 27th Instant from the Sessions Judge of Chingleput submitting for the final judgment of the Foujdaree Udalut the Record of Case No 8 on the Calendar of the Sessions Court for 1848.—

(Here enter F. No. 12 of 1848.)

Mr E. D. Thompson

The Court of Foujdaree Udalut, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the Prisoner

"Moorooga pundarum"

is not convicted on presumptive proofs, or on the evidence of credible witnesses, or on his own confession of the crime charged, do acquit him thereof: but considering that strong suspicion the rest amounting to conviction, attaches to him, they direct that he be required under Clause sixth, Section II, Regulation XV of 1803, and Section XXXIV, &c

30th May 1818.—

Act XII of 1813 to find two sureties in 40 Rupees each surety, for his good behaviour and appearance when required within three (3) years, or in default thereof that he be detained for (3) three years in confinement.

(Sent following letter No 604

Read Letter dated 13th Instant from the Acting Superintendant of Police, submitting for the final judgment of the Magistrate, a Report of Case No 17 of 1818 of the Calendar of the Supreme Court—

(Here enter No 1139 of 1818)

Mr. G. S. Hooper.
and
Mr. W. B. Bradshaw.

The Court of Magistrate deliberately considering all the circumstances of the case and evidence before them, being of opinion that the Prisoner

Thomas

is not convicted on sufficient proof, or on the evidence of credible witnesses, or on his own confession of the crime charged, do acquit him thereof, and direct that he be set at liberty—

The Court of Magistrate deliberately cannot give credit to the testimony of the 1st and 2nd witnesses for the prosecution, as they, as the Superior Judge observes, the charge (unsupported)

30th May 1818.—

not only because they gave no information to any body, not even to their own relations, of what they professed to have witnessed, till several days after, but because their statements are in themselves inconsistent and contradictory.—

2. The circumstance of the 1st Witness having been silent so long, and then volunteering to reveal what he had seen, to the 4th Witness, for no apparent reason, is too improbable for belief. It bears the appearance of having been concerted in order to account for the examination of the 1st Witness, and it does not appear at all, how the Police came to be informed that the 2d Witness knew any thing about the matter:—

3. Again, the evidence with regard to the nature and extent of the wounds on the body of the deceased is so vague and unsatisfactory as to render it doubtful that any wounds, or at all events such as those described by the witnesses. The 4th Witness, the Village Moonshy, first stated before the Superior Court that he did not examine the wounds himself, but afterwards described to them width and depths, as from his own personal observation!—

4. Upon the whole, it seems to the Court

30th May 1848.—

Court to be by no means clear that a Murder was committed; but that the deceased may have fallen down in a fit, and been suffocated in the water and mud of the brook in which he was fishing;—and suspicion having fallen upon the Prisoner, in consequence of the enmity that had existed between him and deceased and his relations, they were determined to fix the crime upon him; and, as it appears to the Law Officer, instructed the 1st and 2d Witnesses to depose that they had seen him commit it.—

And it is obvious moreover that a determination on the part of the witnesses for the prosecution existed throughout to view every circumstance in the most unfavorable light towards the Prisoner, and to assert as positive fact, what they could not possibly know, but only conjecture.—

The Prisoner himself in the most positive manner denies the crime throughout, and the Court are of opinion that his statements bear the appearance of truth.—

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Ruddalore for his information.—

(Sent following Letter No. 605

J.W.

Wednesday 31st May 1848.

J.W.

At a Court of the Fongdaree Adalet

Present

G. L. Harper Esqr ——— 1st Punsee Jooj

C. P. Thompson Esqr ——— 2d Punsee Jooj

W. K. Morehead Esqr ——— 3d Punsee Jooj

Read again from dail

Reports submitted by the Agent to the Governor in Wagapatam for March 1848.

(Here enter Dis No 966/1848)

Read also Return made under date the 17th instant by the Agent to the Governor at Vizagapatam pursuant to the Precept of the Fongdaree Adalut dated the 8th May 1848 requiring to know why Regulation XI of 1822 was applicable in a case of Theft (No 7) where the property stolen amounted only to Rupees 4 in value

(Here enter Dis No 873/1848)

the

31st May 1848

The Agent to the Governor explained that the Prisoner in the case alluded to is a notorious offender in the Golconda Zemindary, and that in consideration of this fact it was considered expedient to place him on trial for theft and punish him under the enactment provided though it might have been possible to have established the graver charge of "Rebellion" against him.

2 The Court of Foujdaree Adalut observe that this information should have been supplied in the Report now under remark.

Ordered that Extract from these Proceedings be forwarded to the Agent to the Governor at Vizagapatam for his information and future guidance.—

(Sent pa No 607)

Read Calendar of Cases

31st May 1848

Case No 20 of the Sessions Court of Cuddapah for 1848

(Vide Extract Mins No 1465/1848)

1 The Prisoners, 3 in number, were charged with the crime of "Having Robbery by open violence"

2 The Law Officer convicted the Prisoners of Dacoity and declared them liable to amputation of one limb.—

3 The Sessions Judge concurred in the Futwa and sentenced the Prisoners to 7 years imprisonment with hard labor in irons under Section XXI Regulation VII of 1802

4 With reference to the remark of the Sessions Judge that "the circumstances proved against "the Prisoners do not establish the "crime of Robbery by open Violence", the Court of Foujdaree Adalut observe that the charge which is incorrectly headed as such, should have been

described

31st May 1848

described as "Theft"

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Cuddapah for his information and future guidance.

(Sentence No 608)

Read Calendar of Case No 6 of the Sessions Court of Trichinopoly for 1848

(Vide Entry No. 1169 1848)

1 In this case two Prisoners were charged with Housebreaking by day

2 The first Prisoner was acquitted and released: the Second was convicted, and sentenced to Seven years' Imprisonment with hard labor in irons.

3 The Acting Sessions Judge now recommends that in consideration of the youth of the 2nd Prisoner and of his previous good character the sentence recorded against him be

31st May 1848

be mitigated to 3 years' imprisonment

4 The Court of Foujdaree Adawlut approve the mitigation recommended by the Acting Sessions Judge, and authorize him to issue his Warrant accordingly.

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Trichinopoly for his information.

(Sentence No 609)

Read Criminal Reports of the Sessions Courts of Malabar for April 1848.

(Vide Entry No. 1169 1848)

5 In his Letter submitting the above Reports, the Sessions Judge solicits the instructions of the Foujdaree Adawlut "as to whether it is intended that the Memorandum of previous convictions, called for by the Extract from these Proceedings of the 7th December 1847, should be

entered

30th June 1848

3rd May 1848

entered in the Reports A only, or in the Reports B also, which are usually submitted to the Court of Foujdaree Adalut.

2 The Court of Foujdaree Adalut observe that such remarks should be entered in Report B

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Cuttack for his information.

(Sent Precept No 610.)

Read Criminal Reports of the Session Court of Ghuttack for April 1848.

(Rec'd Exhibit No 466/1848)

Report A Case No 57

1 The Court of Foujdaree Adalut desire to be informed why this case, in which aggravating circumstances are apparent, was not disposed of by the Subordinate Judge under Clause Sixth Section 8 Regulation XI of 1822.

Entered

3rd May 1848

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Cuttack for his information, Precept returnable within 7 days from and after its receipt —

(Sent following precept No 611)

Read Criminal Reports of the Session Court of Cuddapah for April 1848

(Rec'd Exhibit No 1145/1848)

Report B Case No 6

1 The 1st Prisoner in this case was charged with uttering "base Coin" and, on conviction was sentenced by the Subordinate Judge to pay a fine of Rupees 200, in default to be imprisoned for 6 months under Section VII Regulation II of 1832.

2 The Court of Foujdaree Adalut observe that the sentence thus passed is illegal, and must be immediately cancelled. The enactment quoted in support of the punishment awarded empowers

the

31st May 1848.

the Magistrate alone to punish offences of this description, and to direct the case must now be returned for disposal.—

Case No. 80. 3 The Court of Foujdaree Adalut desire to be informed of the aggravating circumstances in this case, which rendered the 2d and 3d Prisoners in the opinion of the Subordinate Jusp deserving so severe a punishment.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Cuddapah by precept returnable within 7 days from and after its receipt.

/Sent following precepte No 612/

Read again Calendar of Case No 6 of the Session Court of Rajahmundry for 1848.

/Here take File No 833/1848/

Read also Return made by the Session Judge of Rajahmundry under date

The

No

31st May 1848. the 3d instant to the Precept of the Foujdaree Adalut dated the 15th April 1848 directing the Sessions Judge to submit an English Translation of such portions of the Records as have reference to the 1st 3d and 4th Prisoners in the foregoing Case.—

/Here take File No 1078/1848/

The Court of Foujdaree Adalut having carefully perused the Records now submitted with the foregoing Return are satisfied of the propriety of the conviction of the 1st 2d 3d 4th and 13th Prisoners but being of opinion that the ends of justice will be sufficiently met by a mitigation of the punishment awarded, to 3 years' imprisonment each with hard labor in Irons as regards the 1st 3d 4th and 13th Prisoners they passable under the authority vested in them by section XXXIII Act VII of 1843 to direct the Session Judge to cause a

fresh

…day 1848.

fresh warrant accordingly.

The sentence recorded against the 2d Prisoner who is an old offender must be allowed to stand.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Rajahmundry for his information and guidance.

(Sentence No 613 /-)

Ends FH.

Thursday
1st June 1848.

F. Ha.

At a Court of the Foujdaree Adalut.

Present.

G. S. Hooper Esqr. ——— 1st Puisne Judge.
C. D. Thompson Esqr. ——— 2nd Puisne Judge.
W. A. Morehead Esqr. ——— 3rd Puisne Judge.

Holly

Read again Letter dated the 4th March 1848 from the Sessions Judge of Salem, forwarding for the consideration of the Foujdaree Adalut various Papers received from the Magistrate of Salem, relative to the conduct of Timmapeiow the Head of Police of the Hastinagherry Talook.

(Reverter F. Ha. No 682 of 1848.)

Read also Return dated the 4th Ultimo from the Sessions Judge of Salem to the Precept of the Foujdaree Adalut dated the 5th April 1848 calling for a Report from the Magistrate of the manner in which Timmapeiow the Head of Police of the Hastinagherry Talook has generally performed his Police duties during the latter part of the year 1847.

(Reverter F. Ha. No 1059 of 1848.)

The Court of Foujdaree Adalut

have

have carefully considered the Papers submitted by the Magistrate together with the Report furnished by that Officer in pursuance of the requisition conveyed in their Precept of the 4th April. The Court are satisfied that Timmapiew has been guilty of culpable negligence in the discharge of his duties; and his misconduct appears to have been persisted in notwithstanding frequent warnings administered to him by his immediate official superiors. The Court have had under their serious consideration, the propriety of dismissing him from his situation; but being desirous of affording him another opportunity of retrieving his character, they have resolved to adopt the more lenient course of suspending him from his office of Head of Police, and from its pay and allowances for the period of six months from the date on which he may give over charge of his office under the instructions to be communicated to him to that effect by the Magistrate, who will also be desired in carrying this order into effect. At the expiration of the six months he will be restored; but the Magistrate will be pleased distinctly to warn him that any further instance

instance of misconduct or neglect of duty will be followed by immediate dismission from his situation.

2. The Court of Fouzdaree Adalut observe that the Acting Head Assistant to the Magistrate of Salem in his Letter to the Magistrate dated the 24th April 1848, relative to a case of Robbery committed some time before the 9th August 1847 in the ranges of the Subordinate Police Officer Stationed at Cavery puttanam, Station (paragraph 4) that he has "allowed the parties to return to their villages, demanding a small security of 5 Rupees each from the said Dom Nayee and the 2nd and 3d Prisoners for their appearance when called for, for the space of one year."

3. The Court requires to be informed on what grounds and under what Regulations, this demand of security was made from the parties in question, with reference especially to the previous observations of the Acting Head Assistant Magistrate touching the case.

Ordered that Extract from the

Proceedings

1st June 1848.

Proceedings be forwarded to the Sessions Judge of Salem by Precept returnable within one month from and after its receipt. 614

Sent following Precept &c.

Read Criminal Reports for the month of April 1848 submitted by the Sessions Judges of Tellicherry under date the 13th Ultimo.

/Reverter Fle. No 1144 of 1848/

Read Criminal Reports for the month of April 1848 submitted by the Sessions Judge of Masulipatam under date the 15th Ultimo.

/Reverter Fle. No 1147 of 1848/

Read Calendar of Cases No 75 of 1848 submitted by the Sessions Judge of Chittoor under date the 10th Ultimo.

/Reverter Fle No 1149 of 1848/

Read Letter dated the 13th Ultimo from the Sessions Judge of Tellicherry returning the Decision passed by the Court of Foujdaree Adawlut in Case No 3 of 1848 on the Calendar of the Sessions Court of Tellicherry and reporting his reasons thereof.

/Reverter Fle. No 1150 of 1848/

C 1115 Read Criminal Reports of the Sessions

2.

Fle.

1st June 1848.

Sessions Court of Chicacole for April 1848.

/Reverter Fle. No 1186 of 1848/

The Court of Foujdaree Adawlut observe that the above Reports, which are dated the 6th were not received by them until the 23d ultimo. The Sessions Judge will be pleased to explain the cause of one day's delay in their transmission, and he must be careful to observe that the instructions conveyed in the Court Proceedings of the 8th ultimo in regard to the date of dispatch being entered in the Report, are in future duly attended to.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chicacole by Precept returnable within 10 days from and after its receipt.

Sent following Precept No 615.

Read Letter dated the 6th Ultimo from the Sessions Judge of Guntoor referring for the final Judgement of the Foujdaree Adawlut the Record of Cases No 9 and 12 of 1848 of the Calendar of the Sessions Court.

/Reverter Fle No 1075 of 1848/

The Court of Foujdaree Adawlut,

Mr. G. L. Harper.
Mr. E. D. Thompstard.
and
Mr. W. A. Morehead.

on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the Prisoner

1st Shoogholatoo Color

is sufficient to convict him of the crime charged, do convict him thereof; and sentence him to be transported to such place or places beyond sea, as the Governor in Council shall appoint there to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of his natural life

And being of opinion that the Prisoner

2nd Bhoorkya Bhayman

and

3rd Bunnoo Dayman

are not convicted on presumptive proof or on the evidence of accomplices witnesses, or on their own confessions the Court do accordingly acquit them and direct that they be set at liberty.

It is with pleasure acquitted that the Court of England & Ireland are constantly the absence of any sufficient evidence on the Record to acquit the 2nd & 3rd Prisoners in Court they have they are morally convinced that the Prisoners are

were actively concerned in the brutal murder which forms the subject of this Trial; and they are satisfied that the charge might have been brought home to them had the Police and Magistracy exercised care in preparing the case, and the Sessions Judge patience and attention in examining the witnesses.

2 The evidence, so far as it regarded some of the Prisoners, was confined chiefly to the discovery of certain arms and money of the murdered men on the persons of the accused. This evidence was hurriedly demanded at a minute patient and searching examination. Unhappily the examination by the Sessions Judge was superficial and altogether incomplete. He was content with putting one and in some instances two questions to the most important witnesses, leaving the discrepancies in their respective depositions unexplained.

3 His superficial examination is peculiarly discernible, and equally to be regretted, in regard to the alleged discovery of Rupees 573. in the 2nd Prisoner's Gunny Bags and of the bloody Spear in the Prisoners person.

The

The same may be said of the articles N° 2 and 3, respecting which it is alleged that some of the prisoners pointed out the places where they were buried. It is not too much to say that the conviction of the accused hinged in a great measure, upon the ascertainment of these important, though circumstantially points: yet the unsatisfactory examination of the Session Judge has left all these points in doubt and uncertainty.

4. The Court of Inquiry should not would be wanting in their duty were they to refrain from recording their opinion that it is owing to the very unsatisfactory manner in which this trial was conducted by the Session Judge that the guilty have escaped the punishment they richly merited and the ends of Public Justice been defeated.

Ordered that Extracts from these proceedings be forwarded to the Solicitor of Gambier for his information.

Case N° 12 of 1848.

Mr G. L. Hooper
and
Mr Nicholas Moreland

The Court of Inquiry should on a deliberate consideration of all the circumstances of the case as evidenced before them, being of opinion that

F.16.

1st June 1848.

that the proof against the Prisoner,

"Shooghoolatoo Dawsoo"

is sufficient to convict him of the crime charged, to convict him thereof, and sentence him to be transported to such place or places beyond sea as the Governor in Council shall appoint, there to be imprisoned and kept to hard labour in Irons on the public roads or other public works, for and during the period of his natural life.

(Sent following) Letter N° 616

Read Criminal Reports of the Session Court of Bathurst for April 1848.

(Reference F.16. N° 1160 of 1848)

Report
Case N° 12

In this case three Prisoners were charged with Housebreaking and Rape. The evidence against them was, in the opinion of the Acting Subordinate Judge, inadequate for their conviction, but as grounds for suspicion existed, the Prisoners were called on for their defence, in order, as the Acting Subordinate Judge observed, that they might, on failing to establish their innocence, be sentenced to provide security in conformity with the Regulations."

Thom

1st June 1848

1st June 1848

2

From the Proceedings held by the
Assistant Judge on the 20th of March last
it appears to the Court that the
Judges of the Court proceed by the Acting Assistant
Judges on the ground that by the present State of the
Law they do not allow the Committing Magistrates
discretion under any circumstances to take notice
for the defence in Cases of Commitable Crimes

3

Whereas to the Court of Opinion
that that the Assistant Judges ought in pursuance
this former Law and Practice & Circular Order dated 20th June 1844
to have taken
Recognizances for the appearance of the Prisoners
on failure of sufficient proof of the charge offered against
the power of Committing Magistrates to discharge
on the ground of doubt of identity former Practice
in Cases of only Misdemeanor which the Court
Judges consider of minor importance should be
or only by the higher Tribunal. To secure
the possibility of Convicting the identity of the
Prisoner, it is manifestly due to him that he
should be called upon for his defence, either
by himself or some other person by his Witnesses
he is about to be called upon to furnish

1st June 1848

or to suffer imprisonment, is without foundation.

Ordered that Extract from
this Proceedings be forwarded to the Session
Judges of Bellary for their information.

(Sent in No 617)

End 7th

Friday
2nd June 1848.

F. Ho.

At a Court of the Foujdaree Adalut.

Present

S/ G.S.K. G. S. Hooper Esqre ——— 1st Puisne Judge
C.P.T. C. P. Thompson Esqre ——— 2nd Puisne Judge
W.R.M. W. R. Morehead Esqre ——— 3rd Puisne Judge.

Read letter dated 25th Ultimo from the Sessions Judge of Guntoor, submitting for the final Judgment of the Foujdaree Adalut the Record of Case No 7th of 1848 of the Calendar of the Sessions Court.

/Vide enter F. Ho. a No 201 of 1848/

Mr. G. S. Hooper
and
Mr. W. R. Morehead:

The Court of Foujdaree Adalut on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the prisoner

'Collaparah Baupanuckah'

is not convicted on presumptive proof or on the evidence of credible witnesses or on her own confession, of the crime charged, do acquit her thereof; and direct that she be set at liberty.

The Court of Foujdaree Adalut observe that the evidence for the prosecution

in this case, is contradictory and not to be depended on. The 1st Witness's Statement differs materially from that of the Prosecutor and the other two as to what the Prisoner actually did, and the effect it had upon the Prosecutor at the time.

2. The Prisoner delayed making any complaint for three days after the ground took place.

3. The 4th Witness the Hospital Dyer states in his Deposition before the Sessions Court that no injury (remaining) of a really serious permanent injury) had been done when the Sessions Judge, in his Letter of Reference states that the Patient injured is disfigured and has gone up into the ground. There is nothing on the Record to show on which ground the Statement is made.

4. The Proceedings exhibit a discrepancy in regard to the date on which the assault is alleged to have taken place. In the Sessions Judge's Letter the 8th instant is the date given, but in the Calendar and Police Report of the 15th April 1848 it is mentioned and in the

2nd June 1848.

omitting) the Tamil Date as appears on the first complaint given by the Prosecutor to the Police officer on the 13th April and on the Report addressed by the Head of Police to the Head Assistant Magistrate, dated the 14th April, the 11th Chitra Sowthsum on 14th April 1848, it entered.

5. The Court entertaining grave doubts of the Prisoner's guilt, have given her the benefit of those doubts; and have accordingly acquitted her and ordered her release.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Guntoor for his information.

Sent following Letter N° 618

Read Criminal Reports of the Sessions Court of Nellore for April 1848.

(Register F. No. N° 1185 of 1848)

Reports of the Sudder Ameen of Cuddapah N° 33.

1. The Prisoner in this case was charged with "Cattle Stealing" and on conviction was sentenced by the Sudder Ameen of Cuddapah to one month's imprisonment with hard labor in irons under Clause fourth Section III Regulation VI of 1822.

2. The Court of Foujdaree Adawlut

2nd June 1848.

observe that Section VII. Regulation X. of 1816 should have been quoted in support of the sentences passed in this case, that being the only Regulation under which a Sudder Ameen appointed under Section XLVI. Act VII. of 1843 is authorized to punish offences of this description.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Tinnevelly for his information and for communication to the Sudder Ameen of Satoor.

Sent in. N° 619

End 1st

J. U.

Saturday 3d June 1848.

At a Court of the Zoujdaree Adawlut

Present

Sir H. G. S. Cooper Esqre 1st Puisne Judge

E. G. Thompson Esqre 2d Puisne Judge

W. A. Morehead Esqre 3d Puisne Judge

Read again Calendar of Case No. 13 of the Sessions Court of Combatore for 1848.

/ Here enter J. U. No. 774 of 1848 /

Read also Return made under date the 22d ultimo by the Sessions Judge of Combatore, to Excerpt of Zoujdaree Adawlut of the 6th April 1848, calling for an English translation of the Records of Case No. 13 of 1848.

/ Here enter J. U. No. 1190 of 1848 /

1. With the information now before them the Court of Zoujdaree Adawlut approve of the mitigation of punishment recommended by the Sessions Judge as respects the 1st 2nd and 4th Prisoners, and under the authority vested in them by Clause third,

Section

Section III, Regulation I of 1825, authorizes him to issue his warrant for their imprisonment for 10 years with hard labor in irons.

2. The Court of Foujdaree Adalut are unable to concur in the propriety of the recommendation for a similar mitigation of punishment as regards the 3d Prisoner, whose offence was aggravated by the fact of his being the Talliary of the Pannaiyan's Village. The Sentence as originally passed on this Prisoner must be allowed to take its course.

Ordered, that Extract from these Proceedings be sent to the Sessions Judge of Coimbatore for his information and guidance.

(Sent in No. 622)

Read again Calendar of Cases No. 2 of the Sessions Court of Coimbatore for 1848.

(Were enter F.H. No. 198 of 1848)

Read also Return dated 23d May 1848 made by the Sessions Judge of Coimbatore to the Precept of the Foujdaree Adalut dated 15th May 1848 calling for a translation of the Report forwarded by the Monigars Vuseteraman

Vuseteraman, and Seenivasengar to the Head of Police in the above case, and demanding an explanation of the delay which occurred between the date of the close of the trial of the Case in question and that of Sentence.

(Were enter F.H. No. 1191 of 1848)

On perusal of the document now submitted for their consideration, the Court of Foujdaree Adalut are satisfied of the justness of the Prisoners' conviction of the Sentence passed upon them; but the delay in the final disposal of the Case has not, in the opinion of the Court been satisfactorily accounted for.

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Coimbatore for his information.

(Sent in No. 623)

Read letter dated 23d Ultimo from the Sessions Judge of Cuddapah, submitting for the final Judgment of

the

2nd June

3d June 1848.

the Poojdaree Adalut, the Record of Case No. 15 of 1848 of the Calendar of the Session Court.

(Here enter Decree of 1848)

The Court of Poojdaree Adalut

E. Stokes Esq. on a deliberate consideration of all the
C.P. Thompson Esqr circumstances of the case in evidence before them, being of opinion that the proof against the Prisoner

"Veeaya alias Veegie"

is sufficient to convict him of the crime of wilful murder, do convict him thereof; and under the provisions of Section X Regulation VIII of 1803, sentence him to suffer death, by being hanged at the usual time and place of execution.

The Court of Poojdaree Adalut regret that they can discover on the record of this case, no palliating circumstances which would justify them in exempting the Prisoner from the extreme penalty of the Law.

Ordered, that Extract from these Proceedings be sent to the Sessions

Judge

3d June 1848.

Judge of Cuddapah for his information.

(Sent following Letter No 62)

Read Letter dated the 29th ultimo from the Sessions Judge of Chittoor submitting, for the final Judgment of the Poojdaree Adalut the Record of Cases Nos 6 and 7 of 1848 of the Calendar of the Sessions Court.

(Here enter P.C. No. 1282 of 1848)

The Court of Poojdaree Adalut E.P. Thompson Esqr on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the Prisoner,

"Pauparloo"

is sufficient to convict him of the crimes charged, do convict him thereof; and under the provisions of Section XXXIV Act VII of 1838 and clause seventh, Section II Regulation XV of 1803, sentence him to be transported to such place or places beyond sea, as the Governor in Council shall appoint, there to be imprisoned and kept to hard labor in irons on

the

3d June 1848.

the Foujdaree Adalut, the Record of Case No. 15 of 1848 of the Calendar of the Sessions Court.

(Here enter No. 1202 of 1848)

G. S. Cooper Esqr.
C.P. Thompson Esqr.

The Court of Foujdaree Adalut on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the Prisoner

"Venkayah alias Venoje"

is sufficient to convict him of the crime of wilful murder, do convict him thereof; and under the provisions of Section X Regulation VIII of 1802, sentence him to suffer death, by being hanged at the usual time and place of execution.

The Court of Foujdaree Adalut regret that they can discover on the record of this case, no palliating circumstances which would justify them in exempting the Prisoner from the extreme penalty of the Law.

Ordered, that Extract from these Proceedings be sent to the Sessions Judge

3d June 1848.

Judge of Cuddapah for his information.

(Sent following Letter No. 624)

Read Letter dated the 29th ultimo from the Sessions Judge of Chittoor submitting, for the final Judgment of the Foujdaree Adalut the Record of Case Nos. 6 and 7 of 1848 of the Calendar of the Sessions Court.

(Here enter F.A. No. 1202 of 1848)

The Court of Foujdaree Adalut

E.P. Thompson Esqr. on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the Prisoner,

"Paupadoo"

is sufficient to convict him of the crimes charged, do convict him thereof, and under the provisions of Section XXXIV Act VII of 1843 and clause seventh, Section II Regulation XV of 1803, sentence him to be transported to such place or places beyond sea, as the Governor in Council shall appoint, there to be imprisoned and kept to hard labor in irons on

the

3d June 1848.

the public roads or other public works, for
and during the period of his natural life.

The Court of Coimbatore Circuit
observe that the Sessions Judge has omitted
to state whether he concurs in the conviction
of the Prisoner in Case No 3 or not.

Ordered that Extract from the
Proceedings be sent to the Sessions Judge
of Chittoor for his information.

(Sent following letter No 629)

Read Calendar of Cases tried at the
Sessions Courts of Coimbatore for Nov
(Received under P.M. Report of 1848)

Read also Return made on
date the 19th ultimo by the Sessions Judge
of Coimbatore to Precept of the Provincial
Court of the 6th April last calling for
English translation of such part of the
Record of the foregoing case as related
to the 3d and 5th Prisoners as well as
all the Police Reports relative to their
apprehension.

(Received under P.M. Report of 1848)

Read

3d June 1848.

The Court of Coimbatore Circuit having carefully perused the Records now submitted are of opinion that the evidence does not warrant the conviction of the 3d 4th and 5th Prisoners in the foregoing case. The names of the Prisoners were not known to the Prosecutor and his witnesses and when they gave their evidence before the Taluk Police in the first instance, they only deposed in a general way that they recognized certain persons who had absconded. The Court resolve accordingly to direct the Sessions Judge, to issue orders for the immediate and unconditional release of the Prisoners aforesaid under the authority vested in them by Section XXXIII Act XII of 1843.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Coimbatore by Precept returnable within III days from and after its receipt.

(Sent following Precept No 626)

Read

5th June 1848.

Read Calendar of Case No 22
of 1848 submitted by the Sessions Judge
of Cuddapah under date the 27th May 1848.

(Here enter F.H. No 1215)

Read return dated 29th ultimo
from the Sessions Judge of Cuddapah to the
Precept of the Foujdaree Adalut under date
the 19th May 1848 calling on the Sessions Judge
to explain upon what evidence the Subordinate
Court acquitted the 2nd and 3rd Prisoners in
Case No 7 of the Calendar for 1848 to give
Security.

(Here enter F.H. No 1222)

Read Calendar of Case No 11
of 1848 submitted by the Sessions Judge of
Chingleput under date the 27th May 1848.

(Here enter F.H. No 1224)

Read Calendar of Case No 7
of 1848 submitted by the Acting Sessions
Judge of Cuddalore under date the
30th May 1848.

(Here enter F.H. No 1226)

F.H.

Monday
5th June 1848.

At a Court of the Foujdaree Adalut

Present

G.S. Hoope Esqre — 1st Puisne Judge
C.D. Thompson Esqre — 2d Puisne Judge
H.C. Morehead Esqre — 3d Puisne Judge

Read Calendar of Cases
No 16 of the Sessions Court of Tinnevelly
for 1848.

(Here Enter F.H. No 1213 of 1848)

The Prisoner
Effaul Cavadee
was charged with "Theft"

The Law officer convicted
the Prisoner and the Sessions Judge
concurring in the Futwa sentenced
him to 7 years imprisonment with hard
labor in irons under Section XXI
Regulation XII of 1802.

The Sessions Judge in
consideration of certain palliative
circumstances

circumstances recommends a mitigation of the prescribed punishment to 3 years' imprisonment with hard labor in irons.

2d The Court of Foujdaree Adawlut approve of the mitigation proposed in this case, and authorize the Session Judge under Section II Regulation I of 1825 to issue his warrant accordingly.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chingleput for his information and guidance.

/Sent in No 628/

Read Criminal Reports submitted by the Acting Sessions Judge of Trichinopoly under date the 16th Ultimo, for the month of April 1868.

/Here Enter Ftn No 1155 of 1868/

Read Report submitted by the Agent to the Governor at Vizagapatam under date the 15th Ultimo forwarding a petition of persons apprehended in the Separate Tracts of Vizagapatam and delivered to the agency for the month of April 1868.

/Here Enter Ftn No 1159 of 1868/

Read Calendar of Case No 19 of 1868 submitted by the Sessions Judge of Calicut under date the 16th Ultimo.-

/Here Enter Ftn No 1162 of 1868/

Read Calendar of Case No 9 of 1868 submitted by the Sessions Judge of Ronore under date the 12th May 1868.

/Here Enter Ftn No 1163 of 1868/

Read Calendar of Case No 10 of 1868 submitted by the Sessions Judge of Bellary under date the 16th Ultimo.-

/Here Enter Ftn No 1166 of 1868/

Read Calendar of Case No 19 of 1868 submitted by the Sessions Judge

Judge of Salem under date the 12th Ultimo

(Here Enter No. 170 of 1848)

Read Calendar of Case No 16 of 1848 submitted by the Sessions Judge of Tinnevelly under date the 17th Ultimo.—

(Here Enter No. 117 of 1848)

Read Report submitted by the Sessions Judge of Mangalore under date the 17th Ultimo of persons apprehended in the Taluk of Cavara and delivered to the Magistracy in the Month of April 1848

(Here Enter No 172 of 1848)

Read Return dated the 19th May 1848 from the Acting Sessions Judge of Trichinopoly to the Precept of the Foujdaree Adalut under date the 16th Inst. directing that the punishment awarded against the Prisoner in Calender of Case No 5 of 1848

1848 on the Session Court of Trichinopoly be reduced to 1 years imprisonment in the Jail without hard labor. that the Sheristadar be distinctly warned that any future instance of dereliction of duty on his part will be visited with immediate dismissal from office and that the Jailor be removed from his office.—

(Here Enter No. 176 of 1848)

Read Return dated the 17th May 1848 from the Sessions Judge of Chicacole, to the precept of the Foujdaree Adalut under date the 8th Inst. directing him to give explanation of the delay occasioned in transmitting his precept to the Principal Sudder Ameen of Vizagapatam on the review of his Court Report, and also in the transmission of the Criminal Reports to the Foujdaree Adalut.—

(Here Enter No 178 of 1848)

Read

6th June 1848

Read Letter from the Acting Superintendent of Vaccination Reporting the death in the Jail of the 6th Prisoner Kaliyan in the Vaccination Superintendent Case No 87 of 1848 who was recommended for the undergoing three months of 2 years

(Here take Rule Nisi of 1848)

Read Calendar of Cases

No 16 of 1848 submitted by the Superintendent of Coimbatore under date the 31st May

(Here take File No 1195 of 1848)

Read Calendars of Cases

21 22 & 23 of 1848 submitted by the Superintendent of Salem under date the 16th May 1848 -

(Here take File Nos 1197, 1198 & 1199 of 1848)

Read Calendar of Cases

No 18 of 1848 submitted by the Superintendent of Coimbatore under date the 22nd May 1848

(Here take File the Rule Nisi of 1848)

Read

6th June 1848

Read Calendar of Cases

No 11 of 1848 submitted by the Superintendent of Police under date the 20th May 1848 -

(Here take File in No 1207 of 1848)

Read Calendar of Cases

No 35 of 1848 submitted to the Acting Superintendent of Coimbatore under date the 26th May 1848

(Here take File in No 1304 of 1848)

Read Calendars of Cases

Nos 30 and 31 of 1848 submitted by the Superintendent of Coimbatore under date the 18th April 1848

(Here take File Nos 1309 and 1310 of 1848)

Read Calendars of Cases

Nos 13 and 15 of 1848 submitted by the Superintendent of Bellary under date the 23rd May 1848

(Here take File Nos 1311 and 1313 of 1848)

Read

Tuesday
6th June 1848

F. VII.

At a Court of the Foujdaree Udalut

Present

J. S. Cooper Esqre — 1st Puisne Judge
H. P. Thompson Esqre — 2nd Puisne Judge
W. A. Morehead Esqre — 3rd Puisne Judge

Read Criminal Reports submitted by the Agents to the Governor at Kurnaul for April 1848.

(Here enter F. VII. - No. 1219 of 1848)

Report A
Case No. 18

1. The Prisoner in this case was charged with "grievous Woundings," and on conviction was sentenced by the Assistant Agent to six months imprisonment with hard labor in irons, and one hundred lashes of the Cat, to be inflicted under Section VII Regulation X of 1810.

2. The Court of Foujdaree Udalut observe that the infliction of stripes was not authorized by the Regulation quoted in support of the sentence passed in this case, and they direct that the Assistant to Agent be cautioned against similar illegality of proceeding.

Ordered

6th June 1848.

Ordered that the Proceedings be forwarded to the Agent to the Governor of Fort St. George at Chingleput for his information and for communication to the Acting Agent for the future guidance of that Officer.

(Section &c.)

Read a general Annual Report of the Indictments for Perjury in the Court of Session for the Year 1848.

(Vide Index File &c. Nos. 1 to 30 of 1848)

Read the Return made under date the 22nd Ultimo by the Subordinate Judge in charge of the Sessions Court of Rajahmundry in the Zillah of the Singleton District dated the 19th May 1848 requiring an explanation of the nature of the circumstances which led to the sentence passed by the Court on Prisoner No. 1 in Case No. 37 of the Calendar for the Session of April 1848.

(Vide Index File &c. Nos. 1 to 30 of 1848)

The Court of Sessions

Ordered

6th June 1848.

Ordered that the Proceedings be forwarded to the Acting Sessions Judge of Rajahmundry for his information and guidance.

(Section &c.)

Read the following Letter dated the 19th Ultimo from the Acting Sessions Judge of Trichinopoly.

(Vide Index File &c. No. 1177 of 1848)

The Acting Sessions Judge submits a copy of a Letter from a Mr. Charles Boyle, in which he requests the

the

the questions "whether it is competent for him to send up a party to the Principal Sudder Ameen's Court for perjury not committed before himself, but before the Acting Collector of Trichinopoly, touching a matter which has come under his cognizance in an enquiry he has been deputed here by Government to make, and vested for that purpose with the powers of a Sub. Collector and Joint Magistrate."

2. In illustration of the case Mr. Bird forwards Extracts from a letter addressed by him under date the 18th March last to the Secretary to the Board of Revenue in the Department of Public Works; and he observes that he has no doubt that "wilful Perjury of a very malicious character was committed before the Acting Collector, and this case appears to him a very fitting one to make an example of. But is doubtful whether Section III. Regulation VIII of 1829, does not prohibit the prosecution without at least the concurrence of the Acting Collector before

before whom the false evidence was given?"

3. The Court of Sungalore Udalut are of opinion that Mr. Bird, in his capacity of Sub. Collector and Joint Magistrate, is legally competent to send up the case. The Court have ruled that the Successor of an Officer before whom Perjury may have been committed, is competent to institute a prosecution thereon.

Ordered that Extracts from these Proceedings be sent to the Acting Sessions Judge of Trichinopoly for his information.

(Sent in a P.)

Read a Return dated the 22nd Ultimo from the Sessions Judge of Coimbatore, to the Precept of the Court of Sungalore Udalut under date the 4th April 1848, calling for an English Translation of the Record of Case No 11 of 1848, of the Calendar of the Sessions Court.

(Here enter P. No. 1189 of 1848.)

The

6th June 1848.

1.

The Court of Sessions Malabute deem it necessary to call for an English Translation of the warrant issued for the apprehension of the Prisoners in this case and numbered 8 in the List of Papers not translated also of the Returns to that warrant.

See page 8 Police Proceedings

2.

The Sessions Judge will likewise be pleased to state whether the date on which the report written by the Mudaliar of Canby County to the Head of Police, was received by the Police Officer, as noted on that Report and what is the distance of the Village in which the Robbery was committed from the station of the Police Officer.

Ordered that Extracts from these Proceedings be forwarded to the Sessions Judge of Combatoor by Peon to be returned within four days from and after its receipt.

(Sent following proceedings

Read letter dated 27th Ultimo from the Sessions Judge of Calicut submitting for the final Judgment

6th June 1848.

Judgment of the Singalese Malabute.

The Record of Case No. 62 of 1847 of the Calendar of the Session Court

(Here-enter No. 1229 of 1848)

The Court of Singalese

Malabute on a deliberate consideration

Mr G. S. Hopkin and Mr W. C. Morehead

of all the circumstances of the case as evidenced before them being of opinion that the plea of against the Prisoner,

"Error Chirooman Rooce"

is sufficient to convict him of the crime charged do convict him thereof and sentence him to be imprisoned and kept to hard labor in irons on the public roads or other public works for, and during the period of (3) three years.

The Court of Singalese

Malabute direct that the attention of the Magistrate be called to the omission on the part of the Head of Police to hold an inquest in this case in view to the latter being warned against any similar neglect in future.

Ordered that Extracts from these Proceedings, be sent to the

Sessions

6th June 1848.

Sessions Judge of Cuddapah for his information and guidance.

Sent following letter &c.

Read letter dated 20th April and received 30th May 1848 from the Sessions Judge of Rajahmundry submitting for the final judgment of the Sanglaree Odalut the Records of Case No. 12 of 1848 of the Calendar of the Sessions Court.

(Vide letter No. 1215 of 1848)

Mr. G. A. Wenyss and Mr. R. P. Thompson

The Court of Sanglaree Odalut after a deliberate consideration of all the circumstances of the case as detailed before them, being of opinion that the proof against the Prisoner,

"Umbatee Pachhauk"

is sufficient to convict him of the crime charged, do convict him thereof, and sentence him to be transported to such place or places beyond Seas as the Governor in Council shall appoint, there to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of his natural life.

The

F. 86.

6th June 1848.

The Court of Sanglaree Odalut observe that before examining the 3rd witness the Sessions Judge should have pursued the course laid down in regard to persons of tender age in the Circular Order of the 12th July 1825. B.

Ordered that Extracts from these Proceedings be forwarded to the Sessions Judge of Rajahmundry for his information and future guidance.

(Sent following letter &c.)

End 14.

Lyth

Wednesday
7th June 1848.

Ct. No.

Trial Court of the Tongalarra Islands

Present.

Hon. G. S. Cooper Esqre — 1st Puisne Judge
E. P. Thompson Esqre — 2nd Puisne Judge
W. S. Moreton Esqre — 3rd Puisne Judge

Read the letter dated 19th May 1848 from the Supreme Judge of Coimbatore, submitting for the final Judgment of this Tongalarra Islands Court the Record of Case No. 4 of 1848 on the Calendar of the Supreme Court (Hay Index No. 1158 of 1848)

The Court of Tongalarra Islands, on a deliberate consideration of all the circumstances of the case as evidenced before them, being of opinion that the Prisoners

1st Engen
2nd Bogen
and
4th Badooga Madgen

are not convicted on sufficient proof or on the evidence of credible witnesses,

or

Wednesday
7th June 1848.

S. C. No.

At a Court of the Sangolarre Udalut

Present

Jas. S. Hooper Esqre — 1st Puisne Judge
C. P. Thompson Esqre — 2nd Puisne Judge
W. A. Morehead Esqre — 3rd Puisne Judge

Penal Letters dated 17th
May 1848 from the Sessions Judge of
Cumbalore, submitting for the final
Judgment of this Sangolarre Udalut
the Record of Case No. 4 of 1848 on the
Calendar of the Sessions Court
(Berry Index No. 1138 of 1848)

Wm. S. Hooper.
and
Wm. H. Morehead.

The Court of Sangolarre
Udalut, on a deliberate consideration
of all the circumstances of the case
as evidenced before them, being of opinion
that the Prisoners,

1st Eryen P
2nd Rogen
and
4th Padeaya Madyen

are guilty of the presumptive proof
as on the evidence of credible witnesses

on

or on their own confession of
of the crime charged to against them
thereof and direct that they be set
at liberty.

1. The Court of Forgiveness
Volante cannot enjoin on the conviction
of any of the Prisoners, on the evidence
adduced.

2. The proof against the
Prisoners Peter Peterkin upon the al-
leged recognizance of them by the
Prosecutor Peter Peterkin and the 3rd and 4th Witness
both the evidence on this point as well
as on other points cannot be known
as not the grounds of the Charge to be
vague and contradictory to the plaintiff
as stated

3.
For instance before the
Police, the recognizance would also be
by them to have been made for the
and for by the terms of the Privileged Warrant
but before the Sheriff Court they
declared that they recognized the

Ordered

Prisoners by the light of Torches
also which each of the Prisoners held
in his hand: a fact a word about torches
having been mentioned by any one of
these witnesses before the Police

4. And, in conclusion, not
a particle of plundered property was discovered
upon any of the Prisoners, who, one and
all, deny their guilt throughout.

5. The Court of Forgiveness
Volante are of opinion that the Petition
Pledge should have examined the two
Page 16. Police proceedings
individuals named Hastamont and
Bellay, who went by the orders of
the Prosecutor to report to the Police
Office, the Murders and Robbery,
and who stated to that Officer that
they were not known by whom these crimes
were committed; which circumstance
seems to the Court to be irreconcilable
with the subsequently alleged know-
ledge of the Prosecutor and his wit-
nesses of the guilty parties.

Ordered that Extracts from
these

7th Inst

7th June 1848

Have Recommended for Commutation

Before Judge of Circuit Court

Court following letters No 1231

Friday

9th June 1848

At a Court of the Tay'daree Adalat

Present

W.W. G. L. Hooper Esqre — 1st Puisne Judge

C.P. C. P. Thompson Esqre — 2d Puisne Judge

W.M. H. A. Morehead Esqre — 3d Puisne Judge

Read Calendar of Case

No 116 of the Sessions Court of Chittoor

for 1848.

Vide Cutcherry No 1231/1848.

1 The five Prisoners in this case were charged with "Gang Robbery attended with aggravating circumstances"

2 The Sessions Judge, in conformance with the Futwa of the Law officer, convicted the Prisoners of the crime charged, and sentenced them to 14 years' imprisonment with hard labor in irons.

3 The Court of Tay'daree Adalut see reason to question the

[illegible]

proper Mode of disposal of this case.
and deem it necessary, therefore, to
have the entire Records submitted
for their consideration. The Sessions Judge
will be pleased to cause the same
to be translated, and forwarded
to the Foujdaree Adalut with
the least possible delay.

The Court further direct
that, pending this reference, the
Prisoners be detained in Custody &
without labor and irons.

Ordered that Extract from
these Proceedings be forwarded to the
Session Judge of Chittoor by Precept returnable within XXV days from and
after its receipt.

(Sent following precept No 642)

Read Criminal Reports
submitted by the agent to the Governor
in Kanjam for April 1848

(Herewith file No $\frac{1225}{1848}$)

The transcripts of the above
Reports

Reports having been delayed nine days
beyond the usual period, the Court
of Foujdaree Adalut resolve to call
upon the Agent for an explanation of
the same, and to direct that in
future, proper measures be taken
to insure the regular despatch of
these returns to the Foujdaree Adalut.

Ordered that Extract
from these Proceedings be forwarded
to the Agent to the Governor in
Kanjam by Precept, returnable
within three days from and after
its receipt.

(Sent following precept No 643)

Read Calendar of Cases
No 9 of the Supreme Court of Calicut
for 1848

(Herewith file No. $\frac{1225}{1848}$)

The Prisoner in this case
was charged with "having assaulted
the Prosecutor's elder Brother by striking
him with a stick, his hands, or kicking
him, and thereby caused his immediate death."

9th June 1865. 2 The Fiscal of the Law Office enrolled the Prisoner of Kulleborbah and, and declared him liable to Death.

3 The Sessions Judge concurring in the Finding, sentenced the Prisoner to 7 years' imprisonment with hard labor for one Month at the same time assigning for not referring the trial, that the proof of malice, or any design on the Prisoner's part of doing the deceased any grievous bodily harm was wanting, the fatal affray appearing to have originated when the parties were intoxicated, and, if the evidence was to be believed, the Prisoner having only warded his blows.

4 Under the attenuating circumstances represented by the Sessions Judge, the Court of Judicature Adaulat are of opinion that a further punishment in the term of the Prisoner's imprisonment may in this case with propriety be allowed

F.C.

9th June 1865. allowed, and under the provisions of Section XXXV Act VII of 1863. the Court resolve to direct that the Prisoner be kept in confinement with hard labor in irons for the period of one year, the date of the sentence being calculated from the 19th of February last, the date of his committal for trial by the Subordinate Judge.

5 The Sessions Judge will be pleased to issue his warrant in accordance with the foregoing resolution.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chittagong by Precept returnable within Three days from and after its receipt.

(Sent following precept No. 6441)

Read Calendar of Cases No. 28 of 1865 submitted by the Acting Sessions

9th June 1848

9th June 1848

Letter from the Secretary to the Board of Customs dated the 31st May 1848

(Referred to the Board of Customs)

Read Letter dated the 27th Ultimo from the Secretary to the Board of Customs forwarding a Copy of a Minute from the Lord Lieutenant for the Consideration of the Board whether the Practice of granting Certificates of Freedom should be continued or discontinued

(Referred to the Board of Customs)

Read Letter dated the 31st Ultimo from the Secretary to the Board of Customs transmitting a Copy of a Letter from the Secretary to the Treasury relative to the Expediency of granting Certificates of Freedom to Foreigners

(Referred to the Board of Customs)

Read Letter dated the 31st Ultimo from the Secretary to the Board of Customs transmitting a Copy of a Letter from the Secretary to the Treasury relative to the Expediency of granting Certificates of Freedom to Foreigners

(Referred to the Board of Customs)

9th June 1848

Statement of Cases pending on the 31st May 1848 before him for a period under 56 days Calculated from the date of Commitments

(Referred to the Board of Customs)

Read Calendar of Cases No. 1 of 1848 submitted by the Sessions for the County of Tipperary under date the 29th May 1848

(Referred to the Board of Customs)

Read Calendar of Cases No. XII of 1848 submitted by the Sessions for the County of Leitrim under date the 31st May 1848

(Referred to the Board of Customs)

Read Report, submitted by the Sessions for the County of Leitrim under date the 1st Instant, of Cases pending on the 31st April, and Committed for Trial during the Month of May 1848 before

(Referred to the Board of Customs)

Read a Return dated the 3rd Instant

6th June 1848

Extract from the Sessions Proc. of Cuddapah & the precept of the Foujdaree Adalat under date the 31st Ulto. ordering that the Sentence in Case No. 68 on the file of the Subordinate Criminal Court be cancelled, and the case remanded to the Magistrate for disposal

/Here Enter Nos. 1266 & 1267/

Read Letter dated the 5th Instant from the Principal Sudder Ameen in charge of the Sessions Court of Cuddapah to the Precept of the Foujdaree Adalat under date the 19th Ulto. requesting to be informed, with reference to the delay that occurred in disposing of Case No. 8 of 1848, why the record of the Proceedings held on a case appealed for by the Sessions Judge on the 24th February, was not forthcoming until the 1st April.

/Here Enter F.A. No. 1267 of 1848/

Ent'd W.

WMB

F.A.

Saturday,
10th June, 1848.

At a Court of the Foujdaree Adalat

Present,-

W.M.B. G. S. Cooper, Esquire. 1st Puisne Judge.
E. P. Thompson, Esquire. 2d Puisne Judge.
W. B. Morehead, Esquire. 3d Puisne Judge.

Read Letter dated the 2d instant from the Sessions Judge of Chittoor, referring for their final judgement, the Record of Case No. 12 of the Calendar of the Sessions Court of 1848.

/Here Enter F.A. No. 1255 of 1848/

Mr. G. S. Cooper.
Mr. W. B. Morehead.

The Court of Foujdaree Adalat on a deliberate consideration of all the circumstances of the Case in evidence before them, being of opinion that the proof against the Prisoner,

"G. Govindadoo"

is sufficient to convict him of the crime charged; do convict him thereof; and sentence him to be imprisoned and kept

to

9th June 1848

Instant, from the Sessions Judge of Cuddapah & the precept of the Foujdaree Adalat under date the 31st ultimo ordering that the Sentence in Case No 68 on the file of the Subordinate Magistrate Cuddapah must be cancelled, and the case remanded to the Magistrate for disposal

/Vide Order Nos 1266 of 1848/

Read Return dated the 5th Instant from the Principal Sudder Ameen in charge of the Sessions Court of Nellore to the Precept of the Foujdaree Adalat under date the 19th ultimo, requiring to be informed, with reference to the delay that occurred in disposing of Case No 8 of 1848, why the records of the Proceedings held and a case stated for the Sessions Judge on the 24th February, was not forthcoming until the 1st April.

/Vide Order No 1267 of 1848/

Ent W.

F.W.

F.W.

Saturday, 10th June, 1848.

At a Court of the Foujdaree Adalat

Present,-

G. S. Cooper, Esquire 1st Puisne Judge,-

E. P. Thompson, Esquire 2d Puisne Judge,-

W. A. Morehead, Esquire 3d Puisne Judge.-

Read Letter dated the 2d instant from the Sessions Judge of Chittoor, referring for their final Judgement, the Record of Case No 12 of the Calendar of the Sessions Court of 1848.-

/Vide Order F.W. No 1255 of 1848/-

Mr G. S. Cooper.
Mr W. A. Morehead.

The Court of Foujdaree Adalat on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the Prisoner,

"D. Govindadoo"

is sufficient to convict him of the crime charged; do convict him thereof; and sentence him to be imprisoned and kept

to

to suitable labor without Irons on the public roads or other public works, for, and during the period of his natural life.

With reference to the Provision of Act XIV of 1844, the Court of Jaffna Udalut obtains that they have sentenced the Prisoner to Imprisonment for Life, instead of Transportation, in consideration of the state of his mind.

Ordered, that Extract from these Proceedings be sent to the Sessions Judge of Chilaw for his information.

(Sent following letter No 647)

Read Jaffna Report of Criminal Case No. 19 of the Sessions Court of Gantoar for 1848.

(Have Entered File Nos. 1192 of 1848)

Read the Return to the 22nd and Supplemental Return to the 31st Ultimo from the Sessions Judge of Gantoar, to the Report of the Court of Jaffna Udalut dated the 15th May 1848 stating that the Report of

End HH.

the Magistrate in Case No. 19 of 1848 of the Criminal File of the Gantoar Sessions Court, be submitted for their consideration.

(Have Entered File Nos. 1192 and 1239 of 1848)

The Court of Jaffna Udalut resolve to call upon the Sessions Judge to submit his opinion as to the soundness of the views entertained by the Magistrate in the subject of the Talawedan's conduct, to which ends, the Magistrate's report is returned.

Ordered, that Extract from these Proceedings be sent to the Sessions Judge of Gantoar by Precept returnable within five days from and after its receipt.

(Sent following precept No 648)

End HH.

END.

Monday.

12th June 1848

F. Co.

At a Court of the Fouzdaree Udalut

Present

W. S. Hooper Esqre ——— 1st Puisne Judge

C. D. Thompson Esqre ——— 2nd Puisne Judge

W. A. Morehead Esqre ——— 3rd Puisne Judge

Read again Miscellaneous

Petition presented on the 31st January 1848 by

Abdool Kawder of Zillah Combaconum

(Reverter F. Co. No. 141 of 1848.)

Read also Return dated 4th May

made by the Sessions Judge of Combaconum

to the Extract from the Proceedings of the Fouzdaree

Udalut dated 17th April 1848, directing the Sessions

Judge to replace the Prisoners in Cases Nos. 29, 30,

33, and 34 of 1847 upon their trial in consequence

of informality in the original trials

(Reverter F. Co. No. 1103 of 1848.)

On perusal of the Proceedings

which accompanied the above Return from

the Sessions Judge the Court of Fouzdaree Udalut

are satisfied of the justness of the Prisoners

conviction

convictions, and refuses therefore to disturb the sentences passed upon them.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Combaconum for his information.

(Cost on N° 651)

Ordered also that Extract from these proceedings be furnished to the Petitioner on his application.

Read Miscellaneous Petition presented on the 7th February 1848 by K. Appachoo Chetty on behalf of Baiyan Ther Shunmoogum Zillah of Rajahmundry.

(Forwarded Petn. No 47 of 1848)

1 The Petitioner prays the Court of Sessions to direct the Judge to pass orders upon his former petition N° 30 of 1848 and to forward Proceedings to the Civil Judge of Rajahmundry directing him to confirm the orders passed by the Magistrate on the subject of that application.

2 Petitioner is referred to the orders of the Court under date the 12th May last which finally disposed of the subject of this Petition.

Ordered that Extract from these

12th June 1848.

proceedings be furnished to the Petitioner if asked on his application.

Read Miscellaneous Petition presented on the 25th March 1848 by Appatooreengar Zillah of Trichinopoly.

(Forwarded Petn. No 114 of 1848)

The Petitioner with reference to his former Petition N° 30 of 1847 now submits the orders passed by the Sessions Judge of Trichinopoly on the 9th September 1846 and prays that the Magistrate of the District may be instructed in conformity with the order passed by the late Provincial Court on the 14th December 1835 to punish the Defendants in Suit N° 130 of 1808 (of the late Zillah Court) who as formerly stated have interfered with the Muraseas privileges guaranteed to himself Petitioner and others by the Decree aforesaid.

2 The Court of Sessions declined to see reason to interfere in the manner requested.

3 The Petitioners were by the Decree in question confirmed in the possession of certain rights and privileges upon which the

then

June 1848

then parties have no right whatever to refuse.

The order passed by the Magistrate is calculated to prevent a breach of the peace, and the Court of Fouzdaree Udalut see no reason to question its propriety and correctness.

Ordered that Extract from these proceedings be furnished to the Petitioner on his application.

Read a Miscellaneous Petition presented on the 10th April 1848 by D. Kristnachary Mookhtiar Vakeel on behalf of Timmappiem Tahseldar and Head of Police of the Talooke of Krishnagherry in the zillah of Salem

/ Forwarded M. P. No 735 of 1848 /

The Petitioner states that he had for many years creditably filled various situations in the public service, but that for some time past he has fallen under the displeasure of the Magistrate of Salem and the Acting Head Assistant Magistrate, who influenced by the representations of Mr Fischer the Moollahdar of Salem whom the Petitioner describes as his "inveterate enemy" have repeatedly fined him, and have now made an unfavourable report

2 F16

12th June 1848

report of his conduct to the Fouzdaree Udalut and recommended his dismission from office.

The Petitioner urges, in general terms, the uprightness and regularity of his proceedings, and prays that he may be reinstated.

The Court of Fouzdaree Udalut observe that a special Report was called for on this matter from the Magistrate of Salem; and the Court having duly weighed the circumstances represented in the Papers submitted by that Officer, are satisfied that the charges of culpable neglect of duty have been substantiated against the Petitioner, whom they have accordingly suspended from his office and from pay and allowances for the period of six months.

Ordered that the foregoing resolution be communicated to the Petitioner, Vakeel and that Extract from these proceedings be granted to him on his application.

Read a Miscellaneous Petition forwarded by the Sessions Judge of Rajahmundry and presented on the 25th April 1848 on behalf of J. Sammiah of that zillah.

/ Forwarded F. Ct. to M. P. No 745 of 1848 /

Petitioner

12th June 1848

Petitioner complains of an Order dated 11th April 1848 passed by the Sessions Judge of Rajahmundry, confirming and of the Magistrate by which he, the Petitioner was deprived of certain lands actually in his possession, and referred to the institution of a Civil action for their recovery. Petitioner contends that the Order was unjust, and prays that they may likewise

2. That the Order passed by the Sessions Judge on the motion of Foujdaree Adalut whereby the Petition of the Petitioner to this effect that the Land in question was actually in his possession when deprived of them by the order of the Magistrate, is true, and in the premises that the circumstances the Court are of opinion that the order of the Magistrate was already given in as much as that office is not competent to decide in the matter of an claim for property

3. The Sessions Judge may likewise be pleased to cancel his order confirming that of the Magistrate, and to refer the Petitioner to such thing as they to the Defendants to the institution of a Civil Suit for the recovery of

12th June 1848

their alleged rights.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Rajahmundry for his information and guidance.

(Sent in No 652

Read Miscellaneous Petition presented on the 8th May 1848 by Venkatakrishnaiah Zillah Chittoor

(Forwarded F.M. P. No 755 of 1848)

Petitioner retracts the prayer of his former Petition No 99 of 1848 and prays the Court of Foujdaree Adalut to punish Sara Doss the Prosecutor in Case No 36 of the Chittoor Sessions Court for 1846 and to permit himself (Petitioner) to recover damages from the party in question for defamation of character and for pecuniary and other losses.

2. The Court of Foujdaree Adalut

*Dated 25th April 1848 resolve to refer the Petitioner to the Orders passed on his former petition, and to inform him the same are final.

3. The Petitioner can seek as he pleases in regard to the institution of a Civil action

12th June 1848.

Action against Swaabes and others for personal damages.

1. This Petition is dismissed.

Ordered that Extract from these proceedings be furnished to the Petitioner on his application.

Read Miscellaneous Petition presented on the 25th April 1848 by Mr Chembambiad Zillah Cuddapah.

/Rewritten F. Mn. P. No 151 of 1848/

1. The Petitioner states at some length that he was in the year 1845 the subject of a persecution the origin of which was the refusal of the Petitioner to be a party to a fraudulent transaction which one Narayana reddy wished to enter into in order to obtain possession of the estates of one Cumala Chinna Condadoo deceased. That on the 3rd Narayana reddy subjecting him (Petitioner) to annoyance and loss, a complaint was preferred to the Magisthate of the district who for 2 years and afterwards took no notice whatever of it. that at the end of that time the case was referred for investigation to the Head Police

of

4.

F.M.

12th June 1848.

of the Proteemdar Talook who however sided with his opponents, and dismissed the complaint. The Petitioner prays for the interference of the Court of Foujdaree Adalut his appeal to the Magisthate having ended in the confirmation by that Officer of the Head of Police decision.

2. The Court of Foujdaree Adalut refuse to interfere in the manner solicited.

3. The Petitioner should be if dissatisfied with the proceedings of the Magisthate make his appeal to the Sessions Court and if dissatisfied with the orders of the Sessions Judge it will then be open to him to appeal to this Court.

4. This Petition is dismissed.

Ordered that Extract from these Proceedings be furnished to the Petitioner on his application.

Read Miscellaneous Petition presented on the 8th May 1848 by C. Lakshmiah Zillah Nellore.

/Rewritten F.M. P. No 156 of 1848/

1. The object of this Petition is to induce the Court of Foujdaree Adalut to

ord

12th Jn 12th June 1848.

ordered the release of the Petitioner by Habeas
Corpus duly issued and for that purpose
Petitioner in Criminal Nº 13 of the Calabar Court
of Session for 1848 who was sentenced by that Court
to three and one years imprisonment respectively
on a charge of stealing & clandestinely removing
goods

2.

The Petitioner informed that
the Court of Session Calabar does not
doubt the correctness of the sentence recorded
against the Prisoners on the said indictment
and therefore cannot lawfully be expected this
Petition

Ordered that Certificate from this
proceedings be furnished to the Petitioner
his application

Read a Miscellaneous Petition
of Hortensius Sampson Jr. Petitioner
praying for a Writ of Habeas Corpus
directed to Hutchinson Esqr. Judge of the
Circuit Court of Fernando Po Dist. No 148 of 1848

The Petitioner prays for the
issue of a Writ of Habeas Corpus directed to the Petitioner
Judge of Regt. commanding in the Bight of Biafra and

4. F. 16.

12th June 1848.

confining that of the alleged state of the Petitioner
whereby or former order of the latter officer was
committed and the property of certain lands
belonging to the Petitioner was ordered to be
distributed between the Petitioner and his two sons

Petitioner complains of the
injustice of this proceeding and submits that
the disposal of his property during his own life
time cannot lawfully be interfered with by
other on the authority of a "Will" which it is
alleged he had executed in favor of his sons
but which "Will" he now declares is a forgery

The Court of Sovereign Adelaide
observe that the matter in dispute being purely
of a Civil Nature, they require to be informed
why the case was originally taken up by
the Magistracy and subsequently by the Petitioner
Court. The Petitioner Judge will be pleased to
supply this information.

The Court of Sovereign Adelaide
further resolve to direct the Petitioner Judge
to submit a full explanation of the nature
of the dispute between the parties, the grounds
Petition being obscurely worded and throwing
but

but little light upon the merits of the case.

5. The Sessions Judges will be pleased to forward for the information of the Court a translation of the Magistrates order of the 19th August 1847.

6. The Court of Foujdaree Adawlut resolve to intimate to the Sessions Judges that Petitions of this nature were not contemplated by Circular Order № 188 which was intended to embrace only those persons deeming themselves aggrieved by sentences of the Court.

Ordered that Extract from the proceedings be forwarded to the Sessions Judge of Rajahmundry by precept returnable within [illegible] days from and after its receipt and for communication to the Petitioner.

(Sent following precept № 253)

Read Calendar of Cases № 37 of the Sessions Court of Circuit for 1848.

(Transmitted F. Dr. № 342 of 1848)

1. The first and second Prisoners in this case were charged with Highway Robbery in having attacked the Prosecutor armed with sticks on the Highway, beaten him and robbed him

them of their ready money Cloths &c to the value of Rupees 18-14-0. The third Prisoner was charged with having received and concealed part of the stolen property knowing it to be such.

2. The Acting Sessions Judge in concurrence with the Futwa of the Law Officer convicted the 1st and 2nd Prisoners of the crime charged, and acquitted the third, who was accordingly unconditionally released.

3. On the ground that the 1st and 2nd Prisoners "do not appear to have been ever concerned in the commission of crime before and because the assault which accompanied the robbery does not appear to have been of an aggravated nature," the Acting Sessions Judge recommends that they be sentenced to the mitigated punishment of 7 years imprisonment with hard labor in irons.

4. The Court of Foujdaree Adawlut approve the recommendation of the Acting Sessions Judge and authorize him to issue his warrants accordingly.

Ordered that Extract from the proceedings

13th & 12th June 1848

proceedings be forwarded to the Acting Sessions Judge of Coimbatore for his information and guidance.

/ Certified No 634 /

End 7/8

F.16.

Tuesday 6th June 1848

In the Court of the Sessions Judge of Tinnevelly Madura

Present

The Hon'ble J. Boswell Esqr. Sessions Judge

" J. B. Thompson Esqr. 2nd Puisne Judge

" W. H. Moorhead Esqr. 3rd Puisne Judge

Read again Calendar of Cases for Trial at this Sessions Court of Coimbatore for 1848.

Nos. of this Sessions Court of Coimbatore for 1848. / Prisoner F.16. No 22 of 1848 /

Read also Petition dated 26th April 1848 addressed by the Sessions Judge of Coimbatore to the Principal Sheristadar calling for an English translation of the Proceedings of the Tinnevelly Madura Sessions Court in the case of the Prisoner F.16. No 22 of 1848 /

The Record of the above case having been called for in consequence of the Court of Tinnevelly Madura having seen reason to question the propriety of its disposal and after a careful and attentive consideration of the same the Court are satisfied that the evidence against the Prisoners is not sufficient to justify their conviction.

/ No 656

Proceedings to be forwarded to the Acting Sessions
Judge of Coimbatore for his information
and guidance

Sentence N° 634 /

End 7/8

Tuesday

13th June 1848

F. 16.

At a Court of the Fouzdaree Adalut.

Present

C. S. Hooper Esqre 1st Puisny Judge

C. P. Thompson Esqre 2nd Puisny Judge

W. A. Morehead Esqre 3rd Puisne Judge.

Read again Calendar of Case

N°15 of the Sessions Court of Coimbatore for 1848.

/ Peroratter F. 16. N° 822 of 1848 /

Read also Return dated 26th

May made by the Sessions Judge of Coimbatore

to the Precept of the Fouzdaree Adalut dated

15th April 1848 calling for an English translation

of the Record of the above case.

/ Peroratter F. 16. N° 816 of 1848 /

The Record of the above case

was called for in consequence of the Court of

Fouzdaree Adalut having seen reason to question

the propriety of its disposal and after a

careful and attentive consideration of the same

the Court are satisfied that the evidence against

the Prisoners is not sufficient to justify their

conviction.

13th June 1848.

2 The testimony borne by these 1st and 2nd Witnesses to the identification of the Prisoners by torch light appears to the Court to be open to much suspicion. They state that previous to the night in question they had no previous knowledge of the Prisoners consequently their acquaintance with the personal appearance of the Prisoners gained whilst the Robbery was going on, and by torch light, can be but little relied on.

3 The addition also made by these witnesses, that five more would commit no Robbery having with them lighted torches, and without having taken the precaution of disguising themselves, must, in the opinion of the Court be under any circumstances highly improbable, but when as in the present instance, it is made to appear that the crime was perpetrated by parties residing at no very great distance from the scene of Robbery, such addition becomes unworthy of belief. Against the 4th and 5th Prisoners there is no other evidence, or cause for suspicion.

4 Further: the murderers who broke in represented that the footsteps of the Prisoners were traced in very unsatisfactorily deposed to

13th June 1848.

no question having been put to test the value of the evidence on this point - even the distance up to which the traces were followed, does not appear on record.

5 As regards the property found with the Prisoners it appears to the Court that the evidence brought by the Prisoners to prove it to be their own is more worthy of credence than that adduced to the same point on behalf of the prosecution. The 1st Prisoners evidence depose fully to the fact of the discovered articles being his own property, and moreover assign a reason for their knowledge of the same, which could, and should have been sifted if doubted.

6 For the foregoing reasons the Court of Joydaroo Adalut being of opinion that the evidence against the Prisoners is insufficient for conviction, have resolved to direct their immediate and unconditional release.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Coimbatore by Precept returnable within 10 days from and after its receipt.

(Sd) Following Precept No 656

13th June 1848.

13th Jun

Read Calendar of Cases No 5 of the Sessions Court of Mangalore for 1848

(Number F. No. 8 Dated 1848)

1

In this case 5 Prisoners are concerned; the 1st being charged with being Robbery & the 3 last with retaining the stolen property knowing it to be such.

2

The Sessions Judge on examining with the Jurors of the Law Officer & omits the 1st and 2d Prisoners of the accusation & sentenced them to 14 years imprisonment with hard labor in irons. The 3d and 4th Prisoners were declared liable to stand surety and were required to furnish such surety each to the amount of Rupees 100 for the space of two years whereupon they were acquitted & the 5th Prisoner unconditionally released.

3

Previous to disposing of this case, the Court of Sessions deemed it requisite further information upon the following points it is observed that the Prosecutor states that he recognized the 1st and 3d Prisoners when committing the Robbery the Court likewise be informed, when the Prosecutor first pointed

F.No.

13th June 1848

his complaint against the Prisoners and also of the cause of delay which occurred in their capture.

The Sessions Judge will also be pleased to explain the cause of his attaching stronger suspicion to the 3d and 4th than to the 2, 3d and 5th Prisoners as it is observed that in the houses of the two Prisoners only one article alleged to belong to the Prosecutor was discovered whereas in the houses of the 3 latter Prisoners two articles so deposed to were found.

4

The Court further desire translations of the undermentioned documents to be submitted for their consideration viz-

1 The original Warrant issued for the apprehension of the Prisoners

2 The first complaint made by the Prosecutor regarding the Robbery.

3. The first report made on the subject by the Village authorities.

4. The List of Property found with the stolen articles attached and

5. The List given in by the Prosecutor before the discovery of the stolen Property.

5

You are hereby requested to forward the above information

13 13th June 1848.

information and documents, the Sessions Judge will also be pleased to explain the cause of the great delay which has occurred in the disposal of this case.

Ordered that a Extract from these Proceedings be forwarded to the Sessions Judge of Mangalore by Precept & returnable within X days from and after its receipt.

(Sent following Precept 3rd Inst.)

Read Calendar of Cases No 9 of 1848 submitted by the Sessions Judge of Chingleput under date the 30th Ult.

(Reverter F. No. 1230 of 1848)

Read report dated the 3rd Instant from the Sessions Judge of Madura stating that of Cases pending on the 30th April and committed for trial during the month of May 1848.

(Reverter F. No. 1256 of 1848)

Read report dated the 1st Instant from the Sessions Judge of Coimbatore of Cases pending on the 30th April and committed for trial during the month of May 1848.

(Reverter F. No. 1257 of 1848)

Read report dated the 1st Instant

23rd June 1848.

from the Sessions Judge of Bellary of a case pending on the 30th April 1848 before that Court for a longer than 25 days.

(Reverter F. No. 1258 of 1848)

Read report dated the 1st Instant from the Sessions Judge of Cuddapah of Cases pending on the 30th April and committed for trial during the month of May 1848.

(Reverter F. No. 1259 of 1848)

Read Calendar of Cases No 15 of 1848 submitted by the Sessions Judge of Tinnevelly under date the 2nd Instant.

(Reverter F. No. 1274 of 1848)

Read Calendar of Cases No 23 of 1848 submitted by the Sessions Judge of Calicut under date the 2nd Instant.

(Reverter F. No. 1275 of 1848)

Read Calendar of Cases No 8 of 1848 submitted by the Sessions Judge of Masulipatam under date the 2nd Instant.

(Reverter F. No. 1279 of 1848)

Read return dated the 3rd Instant from the Sessions Judge of Rajahmundry to the precept of the Foujdaree Adalut under date the 2nd

Williams

Uttems requiring to be informed of the cause of one person having been employed in excess of the prescribed number in guarding the convicts worked outside the Jail during the month of April 1848.

/Answered Fb. No 1280 of 1848/

Read Letter dated the 7th instant from the Acting Assistant Judge of Cuddalore forwarding an Extract from the Proceedings of that Court dated 5th idem, held on review of the case of the Criminal Caste No 30 of 1848 on the file of the Principal Sudder Ameen of that Station as directed by the Fouzdaree Adawlut in their proceedings of the 29th May 1848.

/Answered Fb. No 1282 of 1848/

Read letter dated the 7th Instant from the Acting Judge of Combaconum to the Registrar of the Fouzdaree Adawlut under date the 3rd idem directing him to issue orders for the immediate and unconditional release of the 3rd 4th and 5th Prisoners in commitment No 8 of 1848.

/Answered Fb. No 1286 of 1848/

EWS

Ent'd H.

4

F. Ct.

Wednesday 14th June 1848.

At a Court of the Fouzdaree Adawlut.

Present

W. S. Hooper Esqr ——— 1st Puisne Judge

H. P. Thompson Esqr ——— 2d Puisne Judge.

W. A. Morehead Esqr ——— 3d Puisne Judge.

Read the following letter from the Agent to the Governor of Fort St. George, in the District of Vizagapatam, under date the 30th May 1848.

/Read Entry No 1360 of 1848/

In this letter the Agent reports the trial of five prisoners on the charge of having burglariously entered through a wall, on the night of the 3d May 1848, the house of the Prosecutor Lagadu Boochiawadoo in the Village of Sompore of Vapadah Tanah, Vizianagaram Zemindary, and further with having stolen therefrom various articles of Gold and Silver and wearing apparel of the estimated value of

Rupees

14th June 1868.

Rupees 476-16-11 four hundred and seventy
six rupees fifteen and pie annas

2.

The Prisoners plead guilty
to the charges, and the Agent recommends
that they be sentenced to imprisonment
with hard labor for terms for the period
of 8 years.

3

The Court of Inquiry
after a deliberate consideration
of all the circumstances respecting
the foregoing recommendation, under the
provisions of Section XII, Regn
Section III of 1802, and Section IX, Regulation
I of 1825, to confirm the sentence to
terms of 8 years' imprisonment on the
Prisoners

1st Somana Pariyadan
2d Lankara Appiyatan
3d Mannety Narrayanen
4th Somana Kaydaraigadan
and
5 Mannety Suttayandan.

Ordered that Extracts from
these Proceedings be sent to the Agent to

14th June 1868.

the Governor in Vizagapatam for his
information.

(Sent in No. 663/7

Entd.

Entd.

F U

Thursday 15th June 1848. At a Court of the Foujdaree Udalut

Present

G. S. Cooper Esqr 1st Puisne Judge,

E. P. Thompson Esqr 2d Puisne Judge,

W. A. Morehead Esqr 3d Puisne Judge.

Read Calendar of Case No 17 of the Session Court of Chittoor for 1848.-

(Here enter F U. No 1261 of 1848)

1 The three Prisoners in this Case were charged with House breaking and Theft by night

2 The Session Judge in concurrence with the Futwah of the Law Officer convicts the Prisoners of the Crime charged, and sentenced them to seven years imprisonment with hard labor in irons.

3 In the absence of any aggravating circumstances in the commission of the crime perpetrated by the Prisoners in this case, the Court of Foujdaree Udalut are of opinion that a mitigation on their punishment may, with propriety, be allowed, and under the provisions

15th June 1848.

undergone a sufficient punishment for his offence
and that he be discharged at liberty

(Sent for following Letter No 668

Read letter dated 3d Inst from
the Assistant Judge of Tipperary in answer
to the second Inquiry of the Templetown Board
the record of Case No 7 of the Calendar
of the Session Court

Mem: refer to the Records of 1848

Mr W. S. Monsell

The Committee of Templetown Union
deliberate on the application of the Guardians
of the said Union that the Poor Rate
struck by the said Guardians at their
Easter Meeting may be allowed
to be struck at the Rate of
in the £ instead of
in the £ as directed by the Poor Law
Commissioners and that the Rate
struck at the Rate of
in the £ may be allowed to be levied
on the Electoral Divisions of
and
and that the Rate struck at the Rate of
in the £ may be levied on the

Saturday
17th June 1848

F. H.

At a Court of the Foujdaree Adawlut

Present

J.S. Hooper Esqre ——— 1st Puisne Judge
E.P. Thompson Esqre ——— 2d Puisne Judge
W.A. Morehead Esqre ——— 3d Puisne Judge

Read letter dated 9th Instant from the Session Judge of Mangalore submitting for the final Judgment of the Foujdaree Adawlut the Record of Case No 19 of 1848 of the Calendar of the Session Court.

(Here Enter Ft No 1314 of 1848)

Mr J.S. Hooper and Mr W.A. Morehead

The Court of Foujdaree Adawlut, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the Prisoner,

"Ye Doona"

is not convicted on presumptive proof, or on the evidence of credible witnesses, or on his own confession of the crime charged, do acquit him thereof; and direct that he be set at liberty.

The Court of Foujdaree Adawlut are of opinion that no reliance can be placed on

on the alleged recognition of the 1st Prisoner by the Prosecutor and witnesses when it wasfully admitted that he had his face be smeared with soot to deny and was otherwise disguised and none of them stated as a reason for not having identified others of the Robbers, that they were also disguised in the same manner and the 1st as much smeared to his (the 1st Prisoners) identity, notwithstanding his disguise; although he had never seen him before the night of the robbery.

2 In the event of law therein being Contradictions and Improbabilities in the Prosecution which at least show that the witnesses were very certain as to what they depose to.

3 Prisoner in the first part of the robbery sent to the house of Rau by the Chief of the village to state that the Encumbers nephew who came to him the next day to inform him of it, told him that the Robbers had not been recognized and that the inquiry "nobody"

4 No part of the stolen property was found with any of the Prisoners who denied their guilt throughout

Ordered that Extracts from these proceedings be sent to the Sessions Judge of Mangalore for his information -

(Sent in a No. 670

Read return dated the 23d May 1848 from the acting Sessions Judge of Tricho-nopoly to the Precept of the Tovjaree Adalut under date the 1st May 1848 directing him to levy a fine of 5 Rupees inflicted upon Avadiah Pillay Miscellaneous Petitioner in the Court of Tovjaree Adalut -

(Here Enter F.R. No 1196 of 1848) as

Read return dated the 18th Ultimo from the Sessions Judge of Mangalore to the Precept of the Tovjaree Adalut under date the 1st May 1848 calling for a further explanation of the term "Battas amens" and for information as to how they are employed in the execution of decrees as well as for a full statement of the course followed by the Dubashes Monseffs Subject to the Civil Court of Mangalore in regard to the execution of their decrees and of the manner in which the Amens are remunerated and when and by whom the prevailed

17th June 1848.

17th June 1848.

on

F. H.

Monday 19th June, 1848.

At a Court of the Fouzdaree Adalut.

Present.

G. S. Hooper Esqre. ——— 1st Puisne Judge

E. P. Thompson Esqre. ——— 2nd Puisne Judge

W. A. Morehead Esqre. ——— 3rd Puisne Judge.

Read letter dated the 12th June 1848.

from the Session Judge of Guntoor submitting the record of the trial in Case No. 31 on the Calendar of the Session Court for 1848.

(Here enter F. H. No. 1330 of 1848).

W. E. P. Thompson

The Court of Fouzdaree Adalut, on a deliberate consideration of all the circumstances of the Case in evidence before them, being of opinion that the proof against the prisoner,

"Daressingoobhaw"

is sufficient to convict him of the crime charged, do convict him thereof, and under the provisions of Section XXXIV Act VII of 1843, and Clause third, Section VII Regulation XV of 1803, sentence him to be imprisoned and kept to labour without irons on the public roads or other public works for and during the period of (2) Two Months.—

(Sent following letter No. 674)

Read

19th June 1848.

the Sessions Judge of Chingleput informing the transfer of a sick Convict named Cadasamee Venkatareddy to the Zillah of Cuddapah.—

(Here enter F: C: No. 1287 of 1848).

Read returns dated the 9th instant from the Sessions Judge of Salem to the precept of the Foujdaree Adalut under date the 29th Ultimo on review of the Criminal Reports for April 1848. and calling for the information now submitted.—

(Here enter F: C: No. 1289 of 1848).

Read Verdict in Case No. XXIV of 1848. submitted by the Sessions Judge of Madura under date the 3rd May 1848.

(Here enter F: C: No. 1291 of 1848).

Read Calendars in Cases Nos. 2728 and 2729 of 1848. submitted by the Sessions Judge of Salem under dates the 3rd and 5th instant.—

(Here enter F: C: Nos. 1294 and 1295 of 1848).

Read Calendar in Case No. 18 of 1848. submitted by the Sessions Judge of Chittoor under date the 7th instant.—

(Here enter F: C: No. 1297 of 1848).

Read letter dated the 9th instant from the Sessions Judge of Salem returning the death warrant in Case No. 17 on the Calendar of the Sessions Court of Salem for 1848. and the letter required

required by the Circular Order of the Foujdaree Adalut of the 20th September 1830.—

(Here enter F. Co. No. 1298 of 1848).

Read Calendar in Case No. XIII of 1848 submitted by the Sessions Judge of Cuttack under date the 7th instant.—

(Here enter F. Co. No. 1300 of 1848).

Read Calendar in Case No. 20 of 1848 submitted by the Sessions Judge of Guntoor under date the 10th Instant.—

(Here enter F. Co. No. 1302 of 1848).

Read Calendar in Case No. 17 of 1848 submitted by the Sessions Judge of Rajahmundry under date the 7th instant.—

(Here enter F. Co. No. 1305 of 1848).—

End F. Co.

F. Co.

Tuesday 20th June 1848.

At a Court of the Foujdaree Adalut

Present:

G. S. Hooper Esqr. ——— 1st Puisne Judge

C. P. Thompson Esqr. ——— 2d Puisne Judge

W. A. Morehead Esqr. ——— 3d Puisne Judge

Read Calendar of Cases Nos of the Sessions Court of Tellicherry for 1848

(Here enter F. Co. No. 1292 of 1848)

The Prisoner in this Case was charged with Theft in having while living in the Prosecutrix's house stolen from an unlocked box gold and silver ornaments (an) coins valued at Rupees 353-8-

2 The Sessions Judge approves the verdict of the Assessors convicting the Prisoner of the Crime charged, but deeming the prescribed punishment too severe, the Sessions Judge has recommended that the

Prisoner

June 18.

21st June 1848

Prisoner be sentenced to the ordinary term of
punishment of two years in the House of
Imprisonment with Labor in case he
shall be his own recognizance in
the Jail
3 On the ground stated
by the Sessions Judge of the Court of
Log cases Absent at Jessore the Pris
commended to the mitigation of
the punishment to which the prisoner
has rendered himself liable under
his warrant accordingly The Court
Sessions Judge observes that the
witnesses have proved the first
evidence upon the Prisoner stated
the proper Depositions in support
of the punishment recommended, and
taken non proposed

Ordered that the record
from these Proceedings be forwarded

21st June 1848

to the Sessions Judge of Tellicherry for his
information and guidance.

Sent in No. 675.

Read Calendar of Case
No 26 of the Sessions Court of Salem
for 1848

(Here Enter 200 No 1293. of 1848.)

In this case nine Prisoners
were commended, the eight first
Prisoners being charged with "Gang
Robbery by open violence" and the ninth
with having purchased and sold
part of the stolen property knowing it
to be such.

2 The Sessions Judge, in concur-
rence with the Futwa of the Law offi-
convicted the eight first Prisoners of
the crime charged, and sentenced them
respectively to 14 years imprisonment
with hard Labor in irons. The ninth
Prisoner was acquitted and unconditiona
released.

3 Previous to disposing of
the

This case the Court of Sanjdarree Adalut
desire to be informed of the nature of
the defence made by the Prisoners, and
also of the value of the stolen property
found in their possession; information
upon both of these points is deemed by
the Court to be essentially necessary
for their consideration, and they direct
that, in future, it may be invariably
entered in the Calendar.

Ordered that Extract
from these Proceedings be forwarded
to the Sessions Judge of Salem by
Precept returnable within 30 days
from and after its receipt.

(Sent following precept No 676)

Read Calendar of Cases
No 16 of the Session Court of Hattoor for 1865
(See Extra Fls No 1896 of 1865)

The two prisoners in this
case were charged with being Rabbery
2 The Sessions Judge convicting
on the finding of the Law officers acted
accordg

convicted the Prisoners of the crime
charged, sentenced them to 14 years'
imprisonment with hard labor in
irons.—

3 In the absence of any
aggravating circumstances in
the commission of the crime, the
Sessions Judge recommends that the
term of the Prisoners' imprisonment
be reduced to 8 years.

4 Before disposing of this
case the Court of Sanjdarree Adalut
desire to be informed of the nature
of the stolen property found in the
possession of the Prisoners, and also
of the nature of the defence made
by them. Information upon these points
is deemed by the Court to be essentially
necessary for their consideration, and
they direct that, in future, it be
invariably afforded in the Calendar.

Ordered that ——
Extract from these Proceedings be for-
warded

20 June 1848

Ordered that Extract
from these Proceedings be forwarded to
the Superior Judge of Chittoor for his
information and for communication
to the Subordinate Judge
(Sent in No 678) C.

End. 1/1

20 June 1848

Forwarded to the Superior Judge of Chittoor
by Precept returnable within three days
from and after its receipt.
(Sent following Precept No 679)

Read again & Examined
Reports of Case No 87 of the Superior Court
of Chittoor for 1848.
(Three Cases Nos 86 of 1848)

Read also Return dated 9th June
1848 made by the Superior Judge of Chittoor to
the Precept of the Foujdaree Adawlut
dated 31st May 1848, requiring to be informed
why the above case was not disposed
of by the Subordinate Judge
(Three Cases Nos 1352 of 1848)

With reference to the explanation
submitted by the Subordinate Judge the
Court of Foujdaree Adawlut observe
that Clause fourth Section II Regulation
XI of 1832 should have been added
in addition to the enactment quoted
by that officer as his authority for the
commitment of the case

pass

To the

Wednesday
21st June 1848 At a Court of the Sessions Adalut

Present

S.H.R. H. S. Hooper Esqre ——— 1st Pursue Judge

E.P.S. E. P. Thompson Esqre ——— 2d Pursue Judge

W. de Morehead Esqre ——— 3d Pursue Judge

W.M.

Read Calendar of Case

No 20 of the Sessions Court of Mangalore

for 1848.

Thos Cutter File No 1304 of 1848

The Prisoner in this case

was charged with "High way Robbery"

in having assaulted the Prosecutrix

on the public road, and robbed her

of an ear ornament valued at Rupees 2-

2 .

The Session Judge in con-

currence with the Verdict of the Assessors

convicted the Prisoner of the crime

charged, and sentenced him to Six

years' imprisonment with hard

labor in irons. The Session Judge

now recommends that a mitigated

sentence

to the Sessions Judge of Mangalore
for his information and guidance.

(Sent in No. 679)

Read Calendar of Cases
22 of 1848 submitted by the Sessions
Judge of Coimbatore under date the
21st April 1848.

(Here Enter Fee No. 1333 of 1848)

Read Calendar of Cases
No 26 of 1848 submitted by the Sessions
Judge of Cuddapah under date the
10th Instant

(Here Enter Fee No 1334 of 1848)

Read Criminal Reports
submitted by the acting Sessions Judge of
Cuddalore under date the 15th Instant
for the month of May 1848.

(Here Enter Fee No. 1335 of 1848)

Read Criminal Reports
submitted by the Sessions Judge of
Salem under date the 31st ultimo for
the month of May 1848.

(Here Enter Fee No. 1336 of 1848)

Read

31st June 1848.

Read Criminal Cases and Sessions Reports, submitted by the Sessions Judge of Coimbatore under date the 1st Instant for the Month of May 1848.

(Here enter Fee No 1337 of 1848.)

Read Criminal Cases and Sessions Reports submitted by the Sessions Judge of Madura under date the 13 Instant for the Month of May 1848.

(Here enter Fee No 1344 of 1848.)

Read Calendar of Cases No 30 of 1848 submitted by the Acting Sessions Judge of Cuddalore under date the 17th Instant.

(Here enter Fee No 1346 of 1848 &c.)

Read Calendar of Cases No 30 of 1848 submitted by the Acting Sessions Judge of Cuddalore under date the 17th Instant.

(Here enter Fee No 1346 of 1848 &c.)

F.C.

Saturday 24th June 1848.

At a Court of the Foujdaree Adalut

Present

The Hon'ble G. S. Harper Esqre — 1st Puisne Judge

C. D. Thompson Esqre — 2d Puisne Judge

W. A. Morehead Esqre — 3d Puisne Judge

Read again Calendar of Cases No 30 of the Sessions Court of Coimbatore of 1848.

(Here enter F.C. No 691 of 1848.)

Read also Return dated 7th Instant made by the Sessions Judge of Coimbatore to the Precept of the Foujdaree Adalut dated 15th ultimo directing an English translation of the Record of the above Case to be submitted for their consideration.

(Here enter F.C. No 1285 of 1848.)

1. The Record of this case was called for in consequence of the Court of Foujdaree Adalut having seen reason to question the propriety of its disposal, and after a careful and deliberate perusal of the same, the Court are of opinion that the evidence is not sufficient to convict any of the Prisoners of the crime charged against them.

2. The only testimony against the Prisoners is their alleged recognition at the time of

21st June 1848.

Read Criminal Calendar and
Jail Reports, submitted by the Sessions
Judge of Coimbatore under date the
1st Instant for the Month of May 1848.

(Here enter F.C. No 1337 of 1848.)

Read Criminal Calendar and Report
submitted by the Sessions Judge of
Madura under date the 13 Instant
for the Month of May 1848.

(Here enter F.C. No 1344 of 1848.)

Read Calendar of Case
No 28 of 1848 submitted by the
Sessions Judge of Coimbatore under date
the 12th June 1848.

(Here enter F.C. No 1345 of 1848.)

Read Calendar of Case
No 30 of 1848 submitted by the Acting
Sessions of Cuddalore under date the
17th Instant.

(Here enter F.C. No 1346 of 1848.)

1117

F.C.

Saturday
24th June 1848. At a Court of the Foujdaree Adalut.

Present

The Hon.ble G. A. Prosper Esqre — 1st Puisne Judge.
C. D. Thompson Esqre — 2d Puisne Judge.
W. A. Morehead Esqre — 3d Puisne Judge.

Read again Calendar of Case
No 30 of the Sessions Court of Cuddalore of 1848:-

(Here enter F.C. No 691 of 1848.)

Read also Return dated 7th Instant
made by the Sessions Judge of Cuddalore to the
Precept of the Foujdaree Adalut dated 15th ultimo
directing an English translation of the Record of
the above Case to be submitted for their consideration.

(Here enter F.C. No 1285 of 1848.)

1. The Record of this case was called
for in consequence of the Court of Foujdaree Adalut
having been pleased to question the propriety of
its disposal, and after a careful and deliberate perusal
of the same, the Court are of opinion that the
evidence is not sufficient to convict any of the
Prisoners of the crime charged against them.

2. The only testimony against the
Prisoners is their alleged recognizance at the time
of

of the Robbery. Now it appears to the Court to be highly improbable that four persons, residents of respectable Villages, would proceed to a House, the inhabitants of which were well and personally acquainted with them for many years, and there commit the crime of Robbery, not merely without an attempt to disguise themselves, but carrying with them lighted torches, thereby rendering their recognition inevitable, that the testimony upon this point is rendered in the opinion of the Court unworthy of belief.—

3. It is also the opinion of the Court that in the first Report made by the Commissioners to the Head of Police, the name of the 3d Prisoner was altogether given. Had a report been written from the statements of the three Complainants made to the Commissioners on the very night of the Robbery — as they had really proceeded a few hours before the 1st 2nd and 4th Prisoners, it appears obvious that their names would have been mentioned as well as that of the 3d Prisoner.—

4. Under these circumstances and in the absence of any thing that could justify Tongdare Habeas leave pardon to the 1st 2nd and 4th Prisoners, the Court of

24th June 1848.—

immediate and unconditional release.—

With regard to the 3d Prisoner, from the fact of his name being entered in the first Report to the Head of Police, as well as from his being an old offender, the Court are inclined to attach greater suspicion upon him than upon the other Prisoners, and resolve, therefore, to direct that he be called upon to furnish two Sureties in the Sum of Rupees 25 each for his good behaviour, and appearance when required, for one year, or in default, to be imprisoned for that period.—

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Cuddalore by Precept returnable within III days from and after its receipt.—

(Sd) Following Precept Nos 683 ..

Monday,
26th June, 1848. At a Court of the Foujdaree Adalut.

Present.

Lt. A. Cooper, Esquire 1st Puisne Judge.
E. P. Thompson, Esquire 2d Puisne Judge.
W. A. Morehead, Esquire 3d Puisne Judge.

Read Miscellaneous Petition presented on the 13th March 1848, by Kanavadoss of Masulipatam.

(Here Enter M. P. No. 94 of 1848.)

The Petitioner represents himself to be the "late Assistant Serishtadar of the late Auxiliary Court at Masulipatam," and adverts to the irregular release of a prisoner from the Jail at that station in 1836, owing, as he says, to the fraudulent conduct and machinations of certain persons now employed in responsible situations in the Courts of the Civil and Sessions Judge and Principal Sudder Ameen of Masulipatam, which machinations

&c

26th June, 1848.

be affixed, he was the chief instrument in detecting and bringing to light

2. The 8th section enacts that

if such counterfeit paper shall be found

as aforesaid, the person who

shall be found in possession thereof,

shall, on the conviction of the

Court, forfeit the sum of

Paper of the same kind

Ordered, that the foregoing

Resolution be communicated to the

Petitioner, and that Robert Grant Shaw

Proceedings be furnished to him on his

application.

26th June, 1848.

26th June, 1848.

30 ½ " 1848.

F. 06.

Tuesday 27th June 1848.

At a Court of the Fingdared Adalut.

Present.

G. S. Hooper Esqre — 1st Puisne Judge.

E. P. Thompson Esqre — 2d Puisne Judge.

H. L. Morland Esqre — 3d Puisne Judge.

Read Calendar of Case No 12 of the Sessions Court of Chingleput for 1848.—

(Referred to F. 06. No 1310 of 1848.)

The Prisoner in this case was charged with "Homicide" in having caused the death of the Mother of the Prosecutrix by striking her a severe blow on the left temple with her clenched hand.—

1.

The Sessions Judge in concurrence with the Jurors of the Law officer convicted the Prisoner of the crime charged and sentenced her to 3 months imprisonment with labor suitable to her sex.—

2.

With reference to the fatal consequences which resulted from the Prisoners violence the Court of Fingdared Adalut are of opinion that the sentence passed upon her is very inadequate punishment for her offence.—

3.

Ordered

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chittoor for his information.—

(Sent in No. 684)

Read Calendar of Cases No. 13 of 1848 of the Sessions Court of Chittoor.

(Here enter P. C. No. 1337 of 1848.)

1. The Prisoner not Committed charged with the crime of Homicide and has confessed by the Prosecutor Law Officer who declared him liable to Transportation.

2. The case is set down for reference

3. The Court of Sudder Adalut observe that the Sessions Judge has omitted to report in the usual column the previous character of the prisoner and also that he executes no note of the Evidence as prescribed in Circular Order of the Sudder Adalut of the 18th October 1822.—

4. They inform thereof the Sessions Judge will be pleased to supply, in the Calendar which is returned.—

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Chingleput by Precept returnable within 111 days

days from and after its receipt.—

(Sent following precept No. 685

Read Criminal Reports of the Sessions Court of Chittoor for May 1848.—

(Here enter P. C. No. 1338 of 1848.)

The above Reports not bearing the date of their despatch from the Sessions Court, the Court of Foujdaree Adalut resolve to call the attention of the Sessions Judge to the omission, and to direct that, in future it be duly supplied.—

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chittoor for his information and future guidance.—

(Sent in No. 686

Read Criminal Reports of the Sessions Court of Chingleput for May 1848.—

(Here Enter P. C. No. 1341 of 1848.)

The Sessions Judge will be pleased to explain the cause of three Prisoners having been employed in excess of the prescribed number in guarding the Convicts worked outside the Jail during the month under review.—

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chingleput by Precept returnable within 111

27th June 1848.

III. days from and after its receipt.—

(Sent following precept No. 687

Read Extract of Case No. 11 of the

Sessions Court of Bellary for 1848.—

(Here enter F. No. 1355 of 1848)

The Prisoners

Rain Doo

and

Sungeeva

were charged with Highway Robbery and on conviction were sentenced by the Sessions Judge to 14 years imprisonment with hard labor in Irons under Clause 3d Section IV Regulation XV of 1818.—

2. In the reference however to the trifling nature of the robbery and the absence of circumstances of aggravation the Sessions Judge recommends a mitigated sentence of 7 years imprisonment with hard labor in Irons.—

3. The Court of Sudder Adalut approve of the mitigation proposed in this case and authorize the Sessions Judge under the authority vested in them by Clause 3d Section III Regulation I of 1825 to issue the warrant accordingly.—

Ordered that Extracts from these proceedings be forwarded to the Sessions

2

No.
25th June 1848.—

Judge of Bellary for his information and guidance.—

(Sent in No. 688

Read Criminal Reports of the

Sessions Court of Combaconum for May 1848.—

(Here enter F. No. 1343 of 1848)

Report B. 1. With reference to the remarks
Case No. 59.— recorded at the foot of this case, the Court of
Sudder Adalut desire to be more particularly
informed of the nature of the instructions conveyed
to the Magistrate, as it does not appear clear to
the Court wherein the error adverted to consisted.—

Ordered that Extracts from these
Proceedings be forwarded to the Sessions Judge of
Combaconum by Precept returnable within III
days from and after its receipt.—

(Sent following Precept No. 689

Read Criminal Reports of the

Sessions Court of Masulipatam for May 1848.

(Here enter F. No. No. 1340 of 1848.)

1. The Court of Sudder Adalut
observe that one Duffadar in excess of the prescribed
number was employed in guarding the Convicts
worked outside the jail during the months under
review: the Sessions Judge will be pleased to explain

to

30 June 1848.

27th June 1848.—

the cause of this excess, and he will be pleased to observe in future that the Criminal Reports are despatched from the System Court be duly endorsed on the back of the Petition

Ordered that Extracts from these proceedings be forwarded to the Assistant Judge of Muttra for his information by Peon to be returned within III days from and after he receipts.—

Ext. following proceedings. No 690.

End 1st

J. No.

Wednesday
28th June 1848. At a Court of the Tongdaree Udalut
Present

GJK G. L. Cooper Esqre 1st Puisne Judge.
CPJ C. P. Thompson Esqre 2d Puisne Judge.
WM W. D. Morhead Esqre 3d Puisne Judge.

Read Criminal Reports
of the Sessions Court of Trichinopoly for
May 1848.

Have under J. N. No. 1356 of 1848.

Report B. 1. The Court of Tongdaree Uda-
Consult No. lut observe that the infliction of pun-
is not authorized by the enactment quoted
in support of the sentence passed in this
case. the Sessions Judge will accordingly
be pleased to direct their immediate
remission.

2. The Sessions Judge will also
in future be pleased to take care that
the Criminal Reports are despatched to
the Tongdaree Udalut on the 15th of each
month. the Reports now under review, it
is observed, were not despatched until the
16th instant.

Ordered

28th June 1848.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Trincomalee for his information and guidance.

(Sent pr. No. 693)

Read Criminal Reports of the Sessions Court of Tellicherry for May 1848.

(Here enter F.U. No. 1342 of 1848)

Report A. Case No. 832

Adverting to the Proceedings of the Sessions Court held on this case, the Court of Foujdaree Udalut observe that the regulations for Sessions made by the Sessions Judge from the Prisoners was illegal, and must be immediately cancelled, the parties being handed over to the Magistrates (who is alone competent to demand security to keep the peace) to be dealt with as that Officer may think fit

2. The Court further observe that this Report should have been addressed by the Principal Sudder Ameen to the Sessions Judge, by whom it should be countersigned previous to its transmission to the Foujdaree Udalut

28th June 1848.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Tellicherry for his information and guidance.

(Sent pr. No. 694)

Read Criminal Reports of the Sessions Court of Cuddapah for May 1848.

(Here enter F.U. No. 1351 and 1339 of 1848)

The Court of Foujdaree Udalut

Report B. Case No. 90

1. but observe that the offence committed by the Prisoner in this case would appear to be one of "Cattle Killing", and as such should have been punished under Section VIII Regulation XIII of 1832.

2. It appears doubtful to the Court of Foujdaree Udalut whether the offence charged against the Prisoner in this case falls under the Head of "Theft" or whether it was merely one of "Fraud" if the latter be the case, the Court would observe that the sentence passed by the Subordinate Judge awarding "Stripes" was illegal. The Sessions Judge will be

No. 96.

pleased

25th June 1828.

pleased to call upon the Subordinate Judge for an explanation upon this point, and he will at the same time be pleased to state more fully the nature of the offence of which the Prisoner in this case was convicted, and an account of which they were required to provide Security.—

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Vizagapatam by Despatch-able within X days from and after its receipt.

(Sent following receipt—No 695)

Read Calendar of Cases No 24 of 1828 of the Sessions Court of Vizagapatam

(Herewith T.D. No 1359 of 1828)

The Prisoner,

Nundamuri

was charged with "Perjury" and on conviction was sentenced by the Sessions Judge to 4 years imprisonment with Labor united to her sex under Clause 3d Section II Regulation III of 1826 and Section III Regulation VI of 1811.

No 107

F.D.

28th June 1828.

2. In consideration of certain palliative circumstances the Sessions Judge recommends a mitigation of the punishment adjudged to 2 years imprisonment under Section 4 Regulation I of 1825.—

3. Under all the circumstances of the case the Court of Foujdaree Udalut are of opinion that a mitigation of the punishment to six months' imprisonment with Labor united to the sex of the Prisoner, will meet the ends of justice, and they resolve, under the authority vested in them by the enactment above mentioned, to direct the Sessions Judge to issue his warrant accordingly.—

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Cuddapah for his information and guidance.—

(Sent in No 696)

Read Criminal Reports submitted by the Agent to the Governor at Burmool for May 1828.

(Herewith T.D. No 1354 of 1828)

The

F. P.

28th June 1848.

2. In consideration of certain palliative circumstances the Sessions Judge recommends a mitigation of the punishment adjudged to 2 years imprisonment under Section 4 Regulation 1 of 1825.-

3. Under all the circumstances of the case the Court of Foujdaree Udalut are of opinion that a mitigation of the punishment to six months' imprisonment with labor suited to the sex of the Prisoner, will meet the ends of justice, and they resolve, under the authority vested in them by the enactment above mentioned, to direct the Sessions Judge to issue his warrant accordingly.-

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Cuddapah for his information and guidance.-

(Sent in a No. 696)

Read Criminal Reports submitted by the Agent to the Governor at Kurnool for May 1848.

(Here enter F. P. No. 1354 of 1848)

The

28th June 1848.

pleased to call upon the Subsidiary Judge for an explanation upon this point, and he will at the same time be pleased to state more fully the nature of the offence of which the Prisoner in this case was convicted, and an account of which they were required to furnish Security.-

No. 107

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Cuddapah by Precept returnable within 4 days from and after its receipt.

(Sent following precept No. 695)

Read Calendar of Cases No. 24 of 1848 of the Session Court of Cuddapah

(Here enter F. P. No. 1359 of 1848)

The Prisoner,

Nundamiah

was charged with "Perjury" and on conviction was sentenced by the Session Judge to 4 years imprisonment with labor suited to her sex under Clause 3d Section II Regulation III of 1826 and Section III Regulation VI of 1811.

The

25th June 1828.

pleased to call upon the Subordinate Judge for an explanation upon this point and he will at the same time be pleased to state more fully the nature of the offence of which the Prisoner in this case were convicted, and an account of what they were required to provide Security.—

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Chittagong by Peon Runner to be delivered within 5 days from and after its receipt.

(Sent following receipt No 493)

Read Calendar of Cases No 239 of 1828 of the Session Court of Cuddapah

(Here enter F.N. No 1359 of 1828)

The Prisoner,

Nundanmah

was charged with "Perjury" and on conviction was sentenced by the Session Judge to 4 years imprisonment with labor united to her rep under Clause 3d Section II Regulation III of 1826 and Section III Regulation VII of 1811.

No 107

F.N.

28th June 1828.

2. In consideration of certain palliative circumstances the Sessions Judge recommends a mitigation of the punishment adjudged to 2 years imprisonment under Section 2 Regulation I of 1825.—

3. Under all the circumstances of the case the Court of Foujdaree Adalut are of opinion that a mitigation of the punishment to six months' imprisonment with labor united to the rep of the Prisoner, will meet the ends of justice, and they resolve, under the authority vested in them by the enactment above mentioned, to direct the Session Judge to issue his warrant accordingly.—

Ordered that Extract from these proceedings be forwarded to the Session Judge of Cuddapah for his information and guidance.—

(Sentence No 696)

Read Criminal Reports submitted by the Agent to the Governor at Kurnool for May 1828.

(Here enter F.N. No 1354 of 1828)

The

th June 1848.

The Court of Foujdaree Ada-
lut observe to be informed of the warrant
for execution of Case No 18 of Report B
of the above Statements

Ordered that Calendar of the
three proceedings be forwarded to the
Agent to the Governor General for
his information and guidance.

Sent per Dak

Read Calendar of Cases
No 21 of 1848 submitted by the Sessions
Judge of Chittagong under date the 8th Instant

(Here enter F. D. No 1309 of 1848)

Read letter dated the 8th
Instant from the Sessions Judge of Chittagong
transmitting the warrant issued for the
execution of the sentence of death passed
on the Prisoner in Case No 6 of 1848 on the
Calendar of the Sessions Court with the endorsement
of the Principal Sudder Ameen and copy
of the Court's Proceedings and the
report of the Sessions Judge thereon

(Here enter F. D. No 1310 of 1848)

28th June 1848

Read Criminal Reports
submitted by the Sessions Judge of
Tinnevelly for the month of May 1848.

(Here enter F. D. No 1315 of 1848)

Read Calendar of Cases
No 17 of 1848 submitted by the Sessions Judge
of Guntoor under date the 12th Instant

(Here enter F. D. No 1316 of 1848)

Read return dated the 9th
Instant from the Sessions Judge of Chicacole
in the precept of the Foujdaree Adalut
under date the 1st idem, transmitting
observations and orders on the Criminal
Reports submitted by him for the month
of April 1848.

(Here enter F. D. No 1317 of 1848)

Read letter dated the 9th In-
stant from the Sessions Judge of Calicut
transmitting the warrant issued for the exe-
cution of the sentence of death passed on
the Prisoner in Case No 18 of 1848 on the
Calendar of the Sessions Court with the
endorsement of the Subordinate Judge
and copy of his report

(Here enter F. D. No 1318 of 1848)

Read

The Court of Foujdaree Udalut
directs to be informed of the receipt
the execution of Case No 17 and Proceed
of the above Statements

Ordered that Copies of the
three proceedings be forwarded to the
Agent to the Governor at Ramnad for
his information and guidance.

Sent per Dk Stg

Read Calendar of Cases
No 21 of 1848 submitted by the Sessions
Judge of Chicacole under date the 8 Instant

(Here enter F. U. No 319 of 1848)

Read letter dated the 8
Instant from the Sessions Judge of the
transmitting the warrant issued for the
execution of the sentence of death passed
on the Prisoner in Case No 1 of 1848 on the
Calendar with the endorsement
of the Principal Sudder Ameen and copy
of the Court's proceedings and the
report of the Assistant Surgeon

(Here enter F. U. No 320 of 1848)

107

28th June 1848

Read Criminal Reports
submitted by the Sessions Judge of
Tinnevelly for the month of May 1848.

(Here enter F. U. No 1315 of 1848)

Read Calendar of Cases
No 17 of 1848 submitted by the Sessions Judge
of Guntoor under date the 12 Instant

(Here enter F. U. No 1316 of 1848)

Read return dated the 9
Instant from the Sessions Judge of Chicacole
in the receipt of the Foujdaree Udalut
under date the 1st idem, transmitting
observations and orders on the Criminal
Reports submitted by him for the month
of April 1848.

(Here enter F. U. No 1317 of 1848)

Read letter dated the 9th In-
stant from the Sessions Judge of Calicut
transmitting the warrant issued for the ex-
ecution of the sentence of death passed on
the Prisoner in Case No 18 of 1848 on the
Calendar of the Session Court with the
endorsement of the Subordinate Judge
and copy of his report

(Here enter F. U. No 1318 of 1848)

Read

28th June 1828

Read letter dated the 6th Inst. from the Sefton Judge of Mangalore transmitting the warrant issued by him for the apprehension of the parties charged upon the 1st Prisoner in Case No 12 of 1828.

/ Hercunto F.H. at 3/4 of 1828

Read letter dated the 11th Inst. from the Sefton Judge of Cuddapah reporting the apprehension of the Prisoner in Case No 15 of the Calendar for 1828.

/ Hercunto F.H. at 1/32 of 1828

Read Committal Reported submitted by the Sefton Judge of Chittoor for the month of May 1828

/ Hercunto F.H. at 1/32d of 1828 /

Ayh

30 June 1828.

Present

Tuesday 30th June 1828

Present

C.J. Cooper Esqr ——— 1st Puisne Judge

C.F. Thompson Esqr ——— 2d Puisne Judge

J.G. Blanchard Esqr ——— 3d Puisne Judge.

Read letter dated the 21st Inst. from the Agent of the Governor Record reporting for the final disposal of the Prisoner Vedalut the Records in Case No 20 of the Calendar of 1828.

/ Hercunto F.H. at 1/32d of 1828 /

In the Court of Fujdaree Udalut

The circumstances of the Case in which before them being of opinion that the Prisoner Vedalut a deliberate consideration of

Mr J. P. Thompson to be a Murder

Vedalut Vengaya Pottavaraz

have Appeared

a sufficient Presumptive Proof

is not completed by

the evidence of credible witnesses

or

or on his own confession, of the crime charged, & accordingly acquit him, and direct that he be set at liberty.

The Court of Fujdaree Adalut are unable to concur with the Agent in the view he has taken of this case. The Agent justly observes that the evidence for the prosecution is circumstantial throughout: but that circumstantial evidence is at the same time so weak and unsatisfactory that it is impossible to found a conviction upon it.

2 Unless there be more substantial evidence against the 2 than there is against the 2 prisoners, on which fresh information is afforded by the Agent, the Court of Fujdaree Adalut deem it necessary to direct that the said 2 Prisoners, if detained in confinement under the Regulation of Security, be immediately set at liberty: & that the Magistrate to whom they have been furnished

that the Bail bonds be cancelled.

The Court direct that the attention of the Agent be called to their Circular Instructions of the 11 November 1847 relative to the mode in which are to be prepared the Record of Referred Trials; which instructions have not been conformed to on the present occasion.

The Court of Fujdaree Adalut having experienced inconvenience from the absence of any Calendar to which to refer for the details of Prisoners' and Witnesses names &c. resolve to direct all the Government Agents to submit a Calendar with every Case of which they may refer the Records for the Court's final judgment.

Ordered that Extract from these proceedings be forwarded to the Agent of the Governor in Behar for his information and guidance by Precept returnable within 10 days from

Monday 29th May 1848.

At a Court of the Sirajdaree Adalut.

Present

W.H. G. S. Hooper Esqre 1st Puisne Judge.
E.P. C. P. Thompson Esqre 2d Puisne Judge.
W.H. W. A. Morehead Esqre 3d Puisne Judge.

Read again Miscellaneous

Petition presented on the 8th November 1847 by the Vakeel S. Tirumalacharry on behalf of Papee Reddy the Moottadar of Nameul in the Zillah of Salem and Nullapa Reddy his Gomastah.

(Here enter Mi. P. No. 254 of 1847)

Read also Return dated the 26th January 1848, from the Sessions Judge of Salem, to the Precept of the Sirajdaree Adalut under date the 10th January 1848 directing him to submit for their consideration, copies of any Proceedings he may have held in the matter of the Petitioners Paupee Reddy and Nullapa Reddy of Salem, and any explanation it may occur to him to offer on the same subject.

(Here enter F. C. No. 243 of 1848)

The Sessions Judge, with the

Return

29th January 1848.

Return above recorded, submits a copy of the order passed on the Petition presented by the Vakeel of the Mottadar, and which shows that there appeared no grounds for interference in the sentence of the Joint Magistrate, passed in consideration of the enmity and ill feeling existing between the parties. The Sessions Judge likewise submits copies of the sentence of the Joint Magistrate and of a Letter from that Officer.

2. The Court of Foujdaree Adaulut on a consideration of the Papers above referred to, are of opinion that the sentence of the Joint Magistrate is not open to objection, and that the order of the Sessions Judge on the application of the Petitioners is correct.—

Ordered that the Prayer of the Petition be rejected and that Extracts from these proceedings be furnished to the Petitioners' Vakeel on his application.—

Read again Miscellaneous Petition presented on the 6th December 1847 by T. Ramachendrah Vakeel on behalf of Ramatha Mannally late Nazir of the Sessions Court of Tellicherry.—

(Here enter F. M. D. No. 315 of 1847.)

Read also Letter from the Sessions Judge of Tellicherry under date 24th February 1848—

reporting that the foregoing Petitioner was dismissed from his situation on the 22d November 1847 and that no report was submitted in his case.—

(Here enter F. M. D. No. 541 of 1848.)

Petitioner is informed that he should if he sees fit so to do, proceed to file a copy of the Sessions Judge's order dismissing him from the situation of Nazir in the Sessions Court when such orders will be passed on his Petition by the Court of Foujdaree Adaulut, as may seem called for in the case.—

Ordered that Extract from these Proceedings be furnished to the Petitioner's Vakeel on his application.—

Read again Miscellaneous Petition presented on the 13th March 1848 by Tyanottah and another Zillah Sheristadars.—

(Here enter F. M. D. No. 105 of 1848.)

Read also Return made by the Acting Sessions Judge of Cuddapah under date the 8th Instant to the Precept of the Foujdaree Adaulut of the 25th April 1848 directing that Officer to call up the entire record of Case No. 7 of the Principal Sudder Ameens Court for 1848 and after due consideration to pass such orders as

the

the circumstances of the case may seem to call for reporting the result of the enquiry for the information of the Court of Sudder Adawlut.—

(Here enter F. 66. N.1096 of 1848.)

1. The Acting Sessions Judge reports that after giving the case in question a careful consideration, he cannot see reason to doubt the propriety of the sentence passed by the Lower Court.—

2. The Petitioners are informed that the Court of Foujdaree Adawlut decline to interfere in the manner requested in their application, which is accordingly rejected.—

Ordered that Extract from these proceedings be furnished to the Petitioners on their application.—

Read Miscellaneous Petition presented on the 20th Instant by Pavoorka Pillay Zillah Madura.—

(Here enter F. 66. P. No. 115 of 1848.)

1. Petitioner reiterates the prayer of his former Petition No. 7 of 1848 which was rejected by the Court of Sudder Adawlut in their Proceedings of the 6th Instant last.—

2. To these Proceedings the Petitioner is referred.—

Petition

F. 66.
29th March 1848.—

3. Petition dismissed.—

Ordered that Extract from these proceedings be furnished to the Petitioner on his application.—

Read Miscellaneous Petition presented on the 20th Instant 1848 by Mohammed Nyiar Zillah Madura.—

(Here enter F. 66. P. No. 117 of 1848.)

1. Petitioner alleges that he, as the son of one Nangoor Meera, the 4th Prisoner in Case No. 43 of the Madura Sessions Court for 1846, is entitled to succeed to the Office of Village Munsiff and Police Ambalam in the Talook of Oberamum lately vacated by the death of the party aforesaid.—

2. He prays the Court's interference in his behalf.—

3. The Court of Foujdaree Adawlut observe that the Petitioner should present his application to the Collector of Madura who will issue such orders as appear to be called for.—

Ordered that Extract from these proceedings be furnished to the Petitioner on his application.—

Read Miscellaneous Petition presented on the 27th Instant 1848 by T. Appiah

Vathiar

29th Inany 1848.-

Vakeel on behalf of Coomdy Parawer Sydul Borogh Zillah Tellicherry.-

(Here enter F. M. P. No 119 of 1848)

1. The Petitioner reiterates the prayer of his former petition No 116 of 1848, the object of which was to induce the Court of Foujdaree Udalut to order his release out of custody on the grounds that he had been unjustly convicted and punished by the Sessions Judge of Tellicherry in Criminal Nos 101 and 102 of that Court's file for 1847.-

2. Petitioner is referred to this Court's proceedings of the 17th April last, finally disposing of the subject of the present application.-

3. Petition dismissed.-

Ordered that Extract from these proceedings be furnished to the Petitioner's Vakeel on his application.-

Read Miscellaneous Petition of Soobramanien Pillay Zillah Tinnivelly forwarded by the Sessions Judge of that Zillah.-

(Here enter F. M. M. P. No 126 of 1848)

1. Petitioner appeals against an order of the Civil Judge of Tinnivelly referring him to a civil action, for the recovery of property which was stolen from his (Petitioner's) house by one

29th Inany 1848.-

Tungamootoo - the case being of a criminal nature was (he states) the subject of an inquiry before the Head Police of Goodoorsaly who unjustly liberated the offender - and the Magistrate on appeal merely confirmed this decision without further investigation.-

2. As orders can be passed on this Petition until the Petitioner produces an attested copy of the order passed by the Sessions Judge against which this appeal is made.-

3. The Court of Foujdaree Udalut resolve to intimate to the Sessions Judge that Petitions of this nature were not contemplated by the Circular Order No 138 which was intended to embrace only Petitions from parties deeming themselves aggrieved by sentences of the Courts.-

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Tinnivelly for communication to Petitioner.

(Sent in No 593

Read Miscellaneous Petition presented on the 17th April 1848 by Chinnarajah Zillah Chingleput.-

(Here enter F. M. P. No 138 of 1848)

1. The Petitioner reiterates the prayer

29th May 1848.-

prayer of his former Petition No. 113 of 1848 and urges the Court of Foujdaree Udalut to order the release of his younger brother Nurrarajah the 2d Prisoner in Criminal No. 1 of the Sessions Court of Chingleput for 1848.-

2. This Petition is rejected.-

3. The Petitioner is referred to the orders of the Court of Foujdaree Udalut under date the 10th April 1848, and is informed the same are final.-

Ordered that Extract from these proceedings be furnished to the Petitioner on his application.-

Read Miscellaneous Petition presented on the 17th April 1848 by Vyrasoory Venkien of Zillah Coimbatoor.-

(Here enter F.G. M.P. No. 113 of 1848.)

1. Petitioner prays a reconsideration of the Court's Orders passed on his Petition No. 269 of 1847, rejecting his prayer that a fine of Rupees 50 imposed upon him by the Magistrate of Tanjore might be remitted, and that he might be restored to the situation of Duffadar, from which he had been removed.-

2. Petitioner is referred to the orders of the

F.G.

29th May 1848.-

the Foujdaree Udalut dated 15th November last, and informed that they are final.-

Ordered that the prayer of this Petition be rejected and that Extract from these proceedings be given to the Petitioner on his application.-

Read Miscellaneous Petition presented on the 8th May 1848 by Ammiah Naiken of Zillah Chingleput.-

(Here enter F.G. M.P. No. 154 of 1848.)

1. The Petitioner submits an attested copy of the Order of the Sessions Judge of Chingleput as directed by the Court in their Proceedings under date the 20th March last. He reiterates the substance of his former Petition No. 295 and again prays the interference of the Court of Foujdaree Udalut.-

2. The Court of Foujdaree Udalut observe that the copy of the Sessions Court's Proceedings of the 3d September 1847 now presented, was formerly given in with Miscellaneous Petition No. 295 of 1847 and is of no avail to the Petitioner who is accordingly referred to the orders of the Court dated 13th December 1847 and 20th March 1848.

Ordered that the prayer of this Petition

F. C.

Monday 29th May 1848

At a Court of the Sirajdaree Adalut

Present

W.H. C. S. Hooper Esqre 1st Pensne Judge.
C.P. C. D. Thompson Esqre 2d Pensne Judge
W.R. W. R. Morehead Esqre 3d Pensne Judge

Read again Miscellaneous

Petition presented on the 8th November 1847 by the Vakeel S. Tirumalacharry on behalf of Paupa Reddy the Shrottadar of Nameul in the Zillah of Salem and Nullappa Reddy the Goomastah

(Here enter Mi. P. No. 284 of 1847)

Read also Return dated the 26th January 1848 from the Session Judge of Salem to the Precept of the Sirajdaree Adalut under date the 10th January 1848 directing him to submit for their consideration, copies of any Proceedings he may have held in the matter of the Petitioners Paupa Reddy and Nullappa Reddy of Salem, and any explanation it may occur to him to offer on the same subject

(Here enter F. C. No. 243 of 1848)

The Session Judge, with the

206 1808

June 1808

and after it receipt.

(Sent following Precipt. N° 701

Ordered also that Extract
from these Proceedings [illegible] be sent
to the Agents in Vizagapatam and
Ganjam for their information and
future guidance.

(Sent in N°s 701 and 702)

30 B. 1808

ne 1868

and after its receipt.

(Sent following Precept to 700)

Ordered also that Extract
from these Proceedings be sent
to the Agents in Vizagapatam and
Ganjam for their information and
future guidance.

(Sent in No 701 and 702)