263

1129

Foreclosure
Proceedings
Second half
1840

3732

F. C.

Saturday
1st July 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

XXVII

Read Miscellaneous Petitions presented on the 20th March and 3d April 1848 by Foster Abby Shaw of Lillah Chingleput.

(Here enter F. C. M. P. Nos 112 and 129 / 1848.)

The object of these Petitions is to induce the Court of Foujdaree Udalut to interfere on behalf of the Petitioner who represents that he was ill treated by certain villagers of Connatoor during the last Mohurrum Festival but that he failed to obtain the punishment of the offenders although he applied for redress to the Native Police Officer, the Assistant Magistrate, and lastly to the Magistrate of the District.

2 Petitioner is informed that the Court of Foujdaree Udalut can pass no orders on these Petitions. Copies of those passed by the

Lower

F. U.

Saturday
1st July 1848

At a Court of the Fouzdaree Udalut

Present.

G. S. Hooper Esqr. 1st Puisne Judge

E. P. Thompson Esqr. 2d Puisne Judge

W. A. Morehead Esqr. 3d Puisne Judge

XXVII

Read Miscellaneous Petitions presented on the 20th March and 3d April 1848 by Kutar Ally Shaw of Lillah Chinglepet.

(Here enter F. U. M. P. Nos 112 and 129 1848.)

1 The object of these Petitions is to induce the Court of Fouzdaree Udalut to interfere on behalf of the Petitioner who represents that he was ill treated by certain villagers of Conmalee during the last Mohurrum Festival but that he failed to obtain the punishment of the offenders although he applied for redress to the Native Police Officer, the Assistant Magistrate, and lastly to the Magistrate of the District.

2 Petitioner is informed that the Court of Fouzdaree Udalut can pass no Orders on these Petitions. Copies of those passed by the Lower

1st July 1848. 1

Foujdaree Udalut to order the release of his client Ramnath 2d Sessions on Criminal Case of the Session Court of Cuddapah for 1848 on grounds that he is innocent of the commitment charge.

2.

The Court of Foujdaree Udalut are of opinion that the guilt of the person in question was fully established and they see no reason to interfere in the manner solicited.

3.

Petition dismissed.

Ordered that Extract from these Proceedings be given to the Petitioner on his application.

Read Miscellaneous Petition presented on the 29th May 1848 by Chinnadoss prisoner in Jail at Cuddapah.

(Here enter F. Uc. Mr. I. No. 165 of 1848)

1.

The Petitioner submits that in his former Petition No. 165 of 1848, the object of which was to induce the Court of Foujdaree Udalut to order the release of his relation the 1st and 2d Petitioners in Case No. 62 of the Session Court of Cuddapah for 1846

2.

The Petitioners are referred to the order

F. Uc.

1st to July 1848.

of the Court of Foujdaree Udalut under date the 16th August 1847, and informed that the same are final.

Petition dismissed.

3

Ordered that Extract from these Proceedings be given to the Petitioner on his application.

Read Miscellaneous Petition presented on the 12th June 1848 by Cavader Khan late Jail Peon at Gunnoor.

(Here enter F. Uc. Mr. I. No. 165 of 1848)

Petitioner states that he was

1.

formerly a Jail Peon on the establishment of the Session Judge of Cuddapah and that having been directed to serve at the Jail at Gunnoor, he has been dismissed by Captain Forster and furnished with a discharge Certificate. He prays that orders may be

2.

issued directing the Session Judge of Cuddapah to re-employ him in the Jail at that station.

The Petitioner is referred to the

3.

Session Judge of Cuddapah who will doubtless attend to his application.

Petition dismissed.

4. Ordered

Lower authorities in the matter in question not having been submitted.

Ordered that Extract from these Proceedings be given to the Petitioner on his application.

Read Miscellaneous Petition of Woodiar Serva and seven others forwarded by the Session Judge of Tinnevelly

(Here enter F. C. M. P. No. 147 of 1848.)

1. The Petitioners reiterate the prayer of their former Petition No. 24 of 1847 which the Court of Fouzdaree Udalut rejected in their Proceedings of the 6th December last on the grounds that they saw no reason to doubt the correctness of the Petitioners conviction in Case No. 18 of the Session Court of Tinnevelly for 1847

2. To these Orders the Petitioners are now referred and are informed that the same are final.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Tinnevelly for communication to the Petitioners.

Read Miscellaneous Petition presented

presented on the 15th May 1848 by Magappa Nadan of Tillah Tinnevelly

(Here enter F. C. M. P. No. 159 of 1848)

1. With reference to the Proceedings of the Court of Fouzdaree Udalut under date the 1st May 1848. the Petitioner submits that the Court have not in those Orders disposed of his original* complaint regarding the unjust requisition of security made by the Session Judge of Tinnevelly and his (Petitioners) prayer that that security might be cancelled.

* Contained in a Petition presented on the 25th may 1847.

2. The Court of Fouzdaree Udalut refuse to interfere in the manner requested. The requisition for security from the Petitioner appears to the Court to be correct and proper.

3. This Petition is dismissed.

Ordered that Extract from these Proceedings be given to the Petitioner on his application.

Read Miscellaneous Petition presented on the 29th May 1848 by V. Narasummah of Tillah Cuddapah.

(Here enter F. C. M. P. No. 161 of 1848)

The Petitioner prays the Court of Fouzdaree

1st July 1848.

1

Tonjdarra U dated to order the release of his brother
one Ramasamy Tessom on Criminal Case No 18
of the Session Court of Cuddapah for 1848, on the
grounds that he is innocent of the crime laid to
his charge

2

The Court of Tonjdarra U dated are
of opinion that the guilt of the person in question
was fully established and they refuse to interfere in the manner solicited

3

Petition dismissed

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

Read Miscellaneous Petition
presented on the 12th June 1848 by Cavalier Kistna
late Sirdar Peon at Gooty

(Here note F 16. Mr. J. No 165 of 1848)

Petitioner states that he was
formerly a Sirdar Peon on the establishment
of the Session Judge of Cuddapah and that
having been directed to arrest the Sirdar at
Gooty he has been dismissed by Captain
Worster and furnished with a discharge Certificate
He prays that orders may be

2

issued directing the Session Judge of Cuddapah
to reinstate him in the Post of that Station

The Petitioner is referred to the

3

Session Judge of Cuddapah who will
doubtless attend to this application

Petition dismissed

4

F 16

1st July 1848.

of the Court of Tonjdarra U dated under date the
16th August 1847 and informed that the same was
found

Petition dismissed

3

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

Read Miscellaneous Petition
presented on the 12th June 1848 by Cavalier Kistna
late Sirdar Peon at Gooty

(Here note F 16. Mr. J. No 165 of 1848)

Petitioner states that he was
formerly a Sirdar Peon on the establishment
of the Session Judge of Cuddapah and that
having been directed to arrest the Sirdar at
Gooty he has been dismissed by Captain
Worster and furnished with a discharge Certificate
He prays that orders may be

2

issued directing the Session Judge of Cuddapah
to reinstate him in the Post of that Station

The Petitioner is referred to the

3

Session Judge of Cuddapah who will
doubtless attend to this application

Petition dismissed

4

Read Miscellaneous Petition presented on the 29th May 1848 by Chinna Obayya
of Tellichi Cumbum

(Here note F 16. Mr. J. No 16 of 1848)

1

The Petitioner entreats the favour of
his former Petition No 165 of 1847, the object of which
was to induce the Court of Tonjdarra U dated to order
the release of his relations the Ramasamy Tessom in
Case No 16 of the Session Court of Cumbum
for 1846

2

The Petitioner is informed that the order

1st July 1848

Ordered that Extract from these Proceedings be given to the Petitioner on his application.

Read again Calendar of Cases No. 24 of the Session Court of Chittoor for 1847

(Here enter F No. 3702 of 1847)

Read also again Miscellaneous Petition presented on the 10th January 1848 by A Chengama Naidoo of Tellicherry Chittoor

(Here enter F No. Mis. P No. 16 of 1848)

Read also Return dated 3rd March made by the Session Judge of Chittoor to the Precept of this Tribunal dated 24th February 1848. calling for a translation of the Record in Case No. 24 of 1847 on the file of the Session Court

(Here enter F No. 506 of 1847)

1. After a careful and deliberate consideration of the entire Record of the Case, the Court of Foujdaree Adawlut are of opinion that the sentence fails to connect the Prisoner of the crime with which he was charged

2. There is ground however to believe that the Prisoner was guilty of impropriety in acting contrary to the written rules laid down

1st July 1848

for his guidance and which expressly prohibited the disbursement of any sums of money without the knowledge of the Zemindar, but under all the circumstances of the Case, the Court are of opinion that the imprisonment which the Prisoner has already undergone is punishment adequate for the degree of criminality attaching to him: and they accordingly direct his immediate unconditional release

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Chittoor by Precept returnable within 20 days from and after its receipt

(Last following Precept No. 715)

F: 66:

Monday 3d. July 1848.

At a Court of the Foujdaree Adalut.

Present

W. S. Hooper Esq.——1st. Puisne Judge

E. D. Thompson Esq.——2d. Puisne Judge

H. A. Morehead Esq.——3d. Puisne Judge

Read again Calendar of Case No. 11.

of the Session Court of Coimbatore for 1848—

(Vide entd. F: 66: No. 785 of 1848)

Read also again Return dated 22d. May

1848 made by the Session Judge of Coimbatore to the

Rumft. of the Foujdaree Adalut dated 4th. April 1848.—

calling for a translation of the entire Record of the

above Case—

(Vide entd. F: 66: No. 1189 of 1848).

Read also Return dated 12th. June—

made by the Session Judge of Coimbatore to the—

Rumft. of the Foujdaree Adalut dated 6th. June 1848,

calling for the translation of further Papers connected

with the trial of the above Case—

(Vide entd. F: 66: No. 1323 of 1848).

After a careful and deliberate—

consideration of the entire Record of the above Case, the

Court of Foujdaree Adalut are of opinion that the

evidence against the 4th. Prisoner is insufficient to

warrant his conviction of the crime charged; but

being

being of opinion that the same degree of suspicion is attached to this Prisoner, as to the 1st and 2d Prisoners in this Case, the Court of Foujdaree Adalut resolve to direct that previous to his release he also be required to furnish two sureties in the sum of Rupees 50 each for one year, or in default that he be detained in confinement for that period.—

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.—

(Sent following Precept No 718)

Read the following letter from the Agent to the Governor of Fort St George in the District of Vizagapatam, under date the 16th Ultimo.—

(Here enter No 1370 of 1848).

1. In this letter the Agent reports the trial of two prisoners on the charge of "having on the "10th January 1847 in company with a gang of armed "men, at Chunnachinta Village of Golgondah Zemindary, "attacked and robbed the house of the Prosecutor, Bodeetla "Rookanyah, plundering and assisting others of the "gang in plundering the said Prosecutor of Cash, Gold, "and Silver ornaments, and other property valued at Rupees "1500".

2. The Agent recommends that they be sentenced

sentenced to imprisonment with hard labor in irons for the period of 3 years.—

3. The Court of Foujdaree Adalut on a deliberate consideration of all the circumstances represented in the foregoing communication resolve, under the provisions of clause third, Section IV Regulation XV of 1803 and clause third, Section III, Regulation I of 1825, and Section XXXIV Act VII of 1843, to confirm the proposed sentence of 3 Years imprisonment on the prisoners

1st Rasagadoogoola Gulayah.
and
2d Korah Beemoodoo.

Ordered that Extract from these Proceedings be sent to the Agent to the Governor in Vizagapatam for his information.—

(Sent in No 719)

Read the following Letter dated the 22d Ultimo from the Acting Magistrate of North Arcot.

(Here enter F. R. No 1392 of 1848).

The Acting Magistrate forwards, for the consideration and orders of the Foujdaree Adalut, a copy of Case No 87 of 1848 on the Criminal File of the Subordinate Court of Chittoor, as sent to him by the Subordinate Judge.—

1. It appears that in June 1847 the

2. Continued

3rd July 1848.

conduct of Soobbah Reuck a Head Ryot of the Vellow Talook, came under investigation on a charge of embezzling Rupees 59-4 belonging to the Circar. This led to a reference to the Board of Revenue who, being dissatisfied with the Report submitted by the late Acting Collector, referred the matter to the present Acting Collector (Magistrate) who directed Mr. Sullivan the Assistant Magistrate to investigate the Case. The result was the commitment of the Ryot to the Subordinate Criminal Court on the charge of embezzlement. The Subordinate Judge acquitted the accused, doubting the legality of the commitment: and recording his opinion that the case had already been fully and finally disposed of by the late Acting Collector under the Provisions of Regulation IX of 1832. The Subordinate Judge concluded his Judgment in the Case with some severe remarks on the proceedings of the Assistant Magistrate.—

para: 5. 3. The Acting Magistrate first asks the opinion of the Foujdaree Adalut "regarding the legality of the Commitment" and "that being decided in the affirmative" he next requests the Court will call up the Record and "review the case on its merits, with a view to a remission of the sentence, as he still "retains his opinion that the charge against the prisoner is true, and the evidence against him sufficient"

4. And, in parah: 6, the Acting Magistrate draws

draws the attention of the Court to the tone of the Subordinate Judge in speaking of the Assistant Magistrate".—

5. The Court of Foujdaree Adalut observe that the commitment by the Assistant Magistrate was legal. The Case had not been disposed of under Regulation IX of 1822, which Regulation requires the Collector himself, excepting in the Cases indicated in Regulation VIII of 1828, to hold the inquiry. The case against the Prisoner had been dismissed on the Report of the Tahseeldar, without any formal investigation.—

6. The Court observe, however, that the Criminal charge has now been disposed of by competent authority and they cannot interfere with the sentence of acquittal. To call up the Record would be followed by no other result than that of determining whether the view of the acting Magistrate respecting the guilt or that of the Subordinate Judge regarding the innocence of the Prisoner, was the correct one: and no advantage would be derived from such a proceeding. The Court therefore decline to call up the Record.—

7. With reference to parah: 6 of the Acting Magistrate's Letter, the Court observe that the Subordinate Judge is not empowered by the Regulations to record any censure upon the Committing Officer, and it is much to be regretted that he allowed himself to indulge in those hasty and unwarrantable observations. His duty

is

is limited to pointing out actual errors: but of course requiring persons who should come under his cognizance he must, in accordance with Sections XLv and XLvi of Act. VIII of 1843, report the same to the Sessions Judge.—
The Subordinate Judge was right in noting the irregularity of the Assistant Magistrate in not taking first depositions from the witnesses for which the reason assigned is wholly insufficient; and the Court resolve to call the attention of the Acting Magistrate to the subject, with instructions to caution his Assistant against its recurrence.—

Ordered that Extract from these Proceedings be sent to the Acting Magistrate of North Arcot for his information and guidance.—

(Sent in No 720)

Ordered also that Extract from these Proceedings be sent to the Subordinate Judge of Chittoor for his information.—

(Sent in No 721)

Read Return dated the 24th Instant from the Sessions Judge of Salem to the Precept of the Court of Foujdaree Adalut under date the 1st Instant requiring to be informed on what grounds and under what Regulations, the Acting Head Assistant Magistrate of Salem called upon certain persons, prisoners in a Case of Robbery committed some time before the 9th August 1847

in the range of the Subordinate Police officer stationed at Cooneypetteum to furnish Security for their appearance when called for, for the space of one year.—

(Here enter F. G. No 1398 of 1848).

1. It appears from the Head Assistant Magistrate's Letter forwarded with the above Returns that as the 2nd and 3rd Prisoners were women and probably under the influence of the Prisoner Goodeyan, he did not deem it requisite to demand Security for their good behaviour; but as their attendance would be desirable whenever Goodeyan should be re-arrested, they were ordered to find Security for their appearance, as suspicious characters, under Clause 1st Section III Regulation II of 1822 and on the same grounds the Head Assistant Magistrate demanded Security from Donna Nagoo.—

2. The Court of Foujdaree Adalut observe that Donna Nagoo was a Mutteefs and as they consider the reasons assigned by the Head Assistant Magistrate for the requisition of Security from these three persons to be insufficient, they resolve to direct that the same be forthwith cancelled.—

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Salem by Precept returnable within ten days from and after its receipt.—

(Sent following Precept No 722)

Read.

3d July 1848.

Read letter dated the 3d June 1848
from the Sessions Judge of Cuddapah submitting
the record of the trial in Case No. 19 on the Calendar
of the Sessions Court for 1848.—

(Here enter F. G. No. 1396 of 1848)

Mr. G. S. Hooper
and
Mr. H. L. 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 proof against the prisoner,

Condah Gungadar

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.—

(Sent following letter No. 123).

Read letter dated the 13th Ultimo from
the Sessions Judge of Guntoor forwarding the Criminal
Reports of the Sessions Court of Guntoor for the month
of May 1848.—

(Here enter F. G. No. 1395 of 1848).

Read Calendar in Case No. 23 of 1848
submitted by the Sessions Judge of Guntoor under date
the 13th June 1848.—

(Here enter F. G. No. 1336 of 1848)

Read

F. G.
3d July 1848.

Read Calendar in Case No. VII of
submitted by the Sessions Judge of Tellicherry un
date the 15th May 1848.—

(Here enter F. G. No. 1332 of 1848).

Read return dated the 14th Ultimo
from the Sessions Judge of Calicut to the precept of
the Foujdaree Adawlut under date the 9th Instant reduci
the Sentence passed on the Prisoner in Case No. 9
on the Sessions Calendar from 7 to 1 Year's imprisonm

(Here enter F. G. No. 1352 of 1848).

Read Extract from the Proceedin
of the Sessions Court of Bellary dated 14th Ultimo
with Criminal Report B for the Month of
May 1848.—

(Here enter F. G. No. 1355 of 1848).

Read Calendar in Case No. 15 of 1848.
submitted by the Sessions Judge of Bellary under date
the 15th Ultimo.—

(Here enter F. G. No. 1358 of 1848).

Read Calendar in Case No. 27 of 1848.
submitted by the Sessions Judge of Cuddapah
under date the 16th Ultimo.—

(Here enter F. G. No. 1360 of 1848).

Read return dated the 17th Ultimo
from the Sessions Judge of Coimbatore to the
precept of the Foujdaree Adawlut under date the 13th
directing

directing the immediate and unconditional release of the Prisoners in Commit case No. 15 of 1848.

(Here enter F. C. No. 1364 of 1848).

Read Calendar in Case No. XXVIII of 1848 submitted by the Sessions Judge of Madura under date the 16th June 1848.

(Here enter F. C. No. 1369 of 1848).

Read Calendar in Case No. 29 of 1848 submitted by the Sessions Judge of Mangalore under date the 16th Ultimo.

(Here enter F. C. No. 1371 of 1848).

Read return dated the 20th Ultimo from the Sessions Judge of Chittoor to the precept of the Foujdaree Adalut under date the 15th idem directing that the 3 Prisoners in Calendar No. 17 of 1848 should be confined in Gaol for the period of (5) five instead of 7 Years.

(Here enter F. C. No. 1374 of 1848).

Read Report A dated the 19th Ultimo submitted by the Sessions Judge of Cuddapah for case disposed of by the Acting Head Assistant Magistrate of Cuddapah in the Month of May 1848.

(Here enter F. C. No. 1378 of 1848).

Read Calendar in Case No. 25 of 1848 submitted by the Sessions Judge of Cuddapah under date the 21st Ultimo.

(Here enter F. C. No. 1379 of 1848)

3rd July 1848.

Read Calendar in Cases Nos. 19 and 20 of 1848 submitted by the Sessions Judge of Tinnevelly under date the 17th Ultimo.

(Here enter F. C. No. 1380 of 1848).

End

F. U.

Wednesday 5th July 1848. At a Court of the Foujdaree Udalut.

Present

G. S. Hooper Esqre 1st Puisne Judge
C.P.S. E. P. Thompson Esqre 2d Puisne Judge
W.H. W. A. Morehead Esqre 3d Puisne Judge

Read letter dated the 28th Ultimo from the Sessions Judge of Chingleput submitting for the final judgment of the Foujdaree Udalut the record of Case No. 13 of 1848 on the Calendar of the Session Court

(Here enter F. U. No. 1411 of 1848.)

The Court of Foujdaree Udalut

G.S. Hooper

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

"Mooneyan"

is sufficient to convict him of the crime of Culpable Homicide, for which the penalty of Deyut is awardable under the Mookummudan Law pro declared in

Fatwa

5th July 1848.

Futwas of their Law Officers be carried
into effect thereof, and under the Provisions of
Clause Second, Section XX Regulation VII of
1802, and Section XXXIX Act VIII of 1853, 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
(1) One year.

(Sent following letter No 125)

Read letter dated the 17th
February 1848 from the Sessions Judge of
Coimbatore forwarding the
Petition under date the 15th Idem ordering
the unconditional release of the 2nd Prisoner
in Case No 62 of 1847 post directing that
the penalty imposed on the 1st should be
immediately cancelled and himself set
at liberty on his entering into recognizance
for his future good behaviour.

(Here enter F.B. No 432 of 1848)

Read Calendar of Cases
of 1848 submitted by the Sessions Judge
of Coimbatore under date the 7th January 1848

(Here enter F.B. No 62 of 1848)

5th July 1848.

Read Calendar of Cases
No 111 of 1848 submitted by the Sessions
Judge of Mangalore under date the 11th
April 1848.

(Here enter F.B. No 911 of 1848)

Read Criminal Report No
submitted by the Sessions Judge of Cuddapah
for under date the 20th April 1848.

(Here enter F.B. No 960 of 1848)

Read letter dated the 24th
May 1848 from the Sessions Judge of
Coimbatore forwarding the Criminal
Reports for the months of April last
and explains the cause of the delay in
their earlier transmission.

(Here enter F.B. No 1205 of 1848)

Thursday
6th July 1848 } At a Court of the Fanydanoo Volantot

Present

GWR — G. S. Hooper Esqr. — 1st Puisne Judge
EPR — E. B. Thompson Esqr. — 2nd Puisne Judge
WOH — W. O. Hoorbard Esqr. — 3rd Puisne Judge

Read Extract from the Minutes of Council Native of the proceedings in Department under date the 25th May 1848 f. 262 conveying the observations and orders of the Right Honorable the Governor on the Annual Reports of the Provincial Proceedings for the first half of the year 1848 forwarded with the Extract from the Proceedings of the Fanydanoo Volantot under date 24th February 1848 f. 26

(Recorded F. 116 f. 1188 of 1848)

The Court of Fanydanoo Volantot desire that copy of para 5 of the Minutes of Council Native above recorded be sent to the Assistant Judges for their information and future guidance

2. The Court likewise direct that a copy of para 8 and 9 of the Minutes

6th July 1848

Minutes of Consultation above ordered to be sent to the Magistrates for their information and guidance and that of the Joint Magistrates in their respective Districts. The Magistrates will be pleased to bear in mind that they are expected to avail themselves of the Provisions of Section XIV of Act XIII of 1843, and not either from Examinations or the ensuing Police Offices, or from any other inadequate cause, to allow these Provisions to remain a dead letter.

3

The Board further resolved to call upon the Magistrates of Bellary, Madura, South Arcot, Tanjore and Vizagapatam to explain the causes which during the period under review by them subordinates of any cases which

4

the Board think require explanation

6th July 1848
To the Sessions Judge
Vizagapatam and Bellary
by the Magistrates

Vizagapatam and Bellary to report their Criminal Causes which lead to their Criminal Jurisdiction in respect of cases of the descriptions in Statements B, being left during the period under Review.

Ordered that Extract from these Proceedings (para 1st) be sent to the Sessions Judges for their information and future guidance.

(Sundries - No 926)

Ordered also that Extract from these Proceedings (para 2d) be sent to the Magistrates for their information and guidance and that of the Joint Magistrates in their respective Districts.

(Sundries No 927)

Ordered also that Extracts from these proceedings (paras 3 and 4) be sent to the Magistrates of Bellary Vizagapatam for their information and guidance and that of the Joint Magistrates in their respective Districts.

(Sundries No 928 & 929)

Ordered also that Extract from

6th July 1848.

from these Proceedings (paragraph 3) be sent to the Magistrates of Madura, South Arcot and Tinnevelly for their information and guidance, and that of the Joint Magistrates in their respective Districts.

(Sent in Nos. 730-731 & 732)

Ordered also that Extract from these Proceedings (paragraph 4) be sent to the Magistrates of Canara, Coimbatore and Salem for their information and guidance and that of the Joint Magistrates in their respective Districts.

(Sent in Nos. 733-734-735)

Read again Form A in Summoned Cases No. 19 of the Sessions Docket of Jaffna for 1848.

(Herewith F No. 1002 of 1848.)

Read also again Returns dated 22nd May and Supplemental Return dated 31st May 1848 made by the Sessions Judge of Jaffna to the Precept of the Tangalle Udalatte dated 15th May 1848 calling for the Magistrate's Report on the above case.

(Herewith F No. 1192 and 1239 of 1848)

6th July 1848.

Read also Return dated 15th June 1848 made by the Sessions Judge of Jaffna to the precept of the Tangalle Udalatte dated 10th June 1848 directing the Sessions Judge to submit his opinion as to the soundness of the views entertained by the Magistrate regarding the Talaivilanai conduct in the above case.

(Herewith F No. 1349 of 1848)

Under all the circumstances of the case, the Board of Tangalle Udalatte are pleased to accept the Report submitted by the Magistrate in regard to the Talaivilanai conduct in the present instance, but the Board at the same time direct that the Talaivilanai be informed that any future neglect on his part will be visited with immediate dismission from his situation.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Jaffna for his information, and for communication to the Magistrate for the guidance of that Officer.

(Sent in No. 736)

Read

6th July 1848.

Revised Calendar of Cases tried in the Supreme Court of Gibraltar during the year 1848.

(Crown Letter P. No. 1373 of 1848)

1 The Prisoner in this case was charged with "theft" in having entered the Prosecutor's shop through an aperture in the ceiling, removed the latch and staple of the inner door with a gimblet, and stolen therefrom four goods valued at Rupees 145-8 ---

2 The Supreme Judge entered in the Verdict of the Assessors convicting the Prisoner of the crime charged, but determining the prescribed punishment too severe the Supreme Judge has proposed a mitigation thereof, and recommends that the Prisoner be sentenced to five years' imprisonment with hard labor in irons.

3. Previous to disposing of this case the Court of Supreme Judicature requires to be informed of the nature of the Prisoners defence, and especially with reference to his explanation in regard to the stolen property discovered in his house. A true of

extract

6th July 1848

extract of the Prisoner's defence is deemed by the Court to be essentially necessary to enable them to judge of the propriety of the conviction, and they direct that it be invariably furnished in future Calendars.

4 The Court further observes that the Supreme Judge has erred in regard to the course he pursued in recommending a mitigation of the sentence to which the Prisoner was liable. The Supreme Judge having convicted the Prisoner of the crime charged was bound to pronounce him the full penalty prescribed for the offence, quoting the proper Regulation in support of the sentence, and having so done, it was then at the option of the Supreme Judge to apply for a mitigation of that sentence to such extent as might be deemed proper. The Court the Supreme Judge will be pleased to observe on all future occasions.

5 The Supreme Judge will also be pleased to explain the reasons for considering the charge preferred against the Prisoner to be one of simple "Theft" as

6th July 1848.

as the offence to the Crime that the offence might more appropriately have been denominated "House breaking by day."

Ordered that Extracts for these Proceedings be forwarded to the Sessions Judge of Chittledroog by Parcel the receipt of which to be acknowledged.

Extract following from Sect. 37

Read Summons Report to Sessions Court of Mangalore dated 8th Inst. No. 1303 of 1848

Dept. B. Comm. 49.

With reference to the papers relative to the Court of Sessions Calicut wherein the Prisoner was charged with "Breaking and entering by night" and "Stealing" and "Receiving" and "Attempting" and "Receiving" and "Stealing" and "Receiving" and "Stealing" and "Receiving" and "Stealing

under the provisions of Clause seventh Section II Regulation XV of 1803, to confirm the proposed sentence of eighteen (18) months Imprisonment with hard labor on irons on the Prisoner

Boya Rungadoo

Ordered that Extract from these Proceedings be forwarded to the Agent to the Governor at Trincomalee for his information.

(Sent in a/c No 739

Read Criminal Reports of the Sessions Court of Rajahmundry for May 1848

(Vide Letter No 1 Encl: 13 to of 1848)

Report A
Cases Nos 45 and 47

The Court of Zillah Godavery request that, in future, when the remarks of the Sessions Judge, in review of the Criminal Reports, are of the trifling nature of those alluded to in review of the cases noted in the margin such remarks may be appended to in the form of a Memorandum at the foot of the case to which they have reference in Report B, thus rendering Form A will be thereunnecessary.

Ordered

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

(Sent in a/c No 740

Read Letter dated 6th June 1848 from the Sessions Judge of Rajahmundry

(Register No 1 Encl: No 13 to 53 of 1848)

1. The Sessions Judge, adverting to the Proceedings of the Zillah Godavery dated 6th Ultimo, mitigating the sentence passed by the late Acting Sudder Moonsiff on the Prisoner in Case No 37 of 1848, observes in that case two Prisoners were convicted previously equally in the theft of grain one Chapala Veerandoo was caught and was sentenced and the other Chapala Sitchumadoo escaped for a time. He however was apprehended soon, and in Case No 38 of 1848 was sentenced to receive the same punishment as the former first apprehended.

2. The Sessions Judge then adds "there being no variation whatever in the offences or guilt of the two persons

"persons, the circumstances being explained by
"Hunter, and the said one, it may be the
"pleasure of the Court of Sangdarwe Udata
"that he extends to the 2nd Prisoner the
"mitigation granted to the 1st Do.

3 The Court of Sangdarwe Udata
doth observe that they are precluded from
sanctioning the proposed mitigation, in con-
sequence of the omission on the part
of the Sessions Judges to furnish them
with a Report of the Cases in question,
in the Criminal Reports for the months
of April the said Cases Nos 38 & 39
set down and under examination; the Cri-
minal Reports for May commencing with
Case No 41, and not only is no notice
taken of the final disposal of Case
No 38, but the two subsequent numbers
39 and 40 have been altogether omitted -

4 The Sessions Judge will
now be pleased to furnish the usual
Reports of these Cases, and will at
the same time inform the Court of the
causes of their protracted imprisonment.

Ordered that

Ordered that Warrant from
these Proceedings be forwarded to the Sessions
Judge of Rajahmundry by Dawk post return-
able within 8 days from and after the
receipt.

(Sent following receipt No 744)

Read letter dated the 27th
Ultimo from the Agent to the Governor
in Vizagapatam submitting for the final
Judgment of the Sangdarwe Udalut the
Record of Cases Nos 7th of 1848 on his Calendar
(Hare Hunter No 1133)

The Court of Sangdarwe
Udalut on a deliberate consideration of
all the circumstances of the case as put
before them, being of opinion that the
fine against the Prisoners,

1st Suggy Sunnyasy Dhora
of Darwandah

(and)

2nd Runka Sunky Chakapanda

is sufficient to convict them of the crime
of Rebellion, do convict them thereof; and
under the provisions of Sections II and III
Regulation of 1834, sentence the said Prisoners to
be

be transferred to such place or place as
beyond seas as the Governor in Council
shall appoint there to be confined and
kept to hard labour in irons on the
public roads or other public works for
and during the period of their natural lives
respectively.

The Court cannot therefore
in the case found against the 1st and 2d
Prisoners that difference in the degree of
criminality which would justify the finding
the Singhalese Verdict that to render the
1st Prisoner an accessory
is to confer upon a petty and unobserved
riotous and disorderly act of the public peace
an importance to which neither the position
in life nor the influence with the people
The Court of Singapore
Verdict direct that their sentence on the
two Prisoners from the Agent to the Governor
in Vizagapatam together with the whole
of the proceedings held on the case be
transmitted to the Secretary to Government

on

in the judicial Department for the
purpose of being laid before the Right
Honorable the Governor in Council, to
the extent that the Court may, in
conformity with the provisions of Regulation
X of 1834, Section V Regulation XX of 1802, and
Section V. Act. No V of 1841 receive the
orders of Government before they direct
their sentence to be carried into execution.

Sentence to be

F.46.

Saturday.
8th July 1848.

At a Court of the Fouzdaree Udalut

Present

W. L. Cooper Esqre ——— 1st Puisne Judge

C. D. Thompson Esqre ——— 3d Puisne Judge

W. H. G. Morehead Esqre ——— 3d Puisne Judge.

Read Calendar of Case

No 18 of the Sessions Court of Rajahmundry

for 1848

/Here enter F.W. No 141a of 1848/

The Prisoners /fifteen in

number/ were charged with "Gang Robbery

by open violence."

The Sessions Judge in con-

curring with the Futwa of the Law Officer

convicted the Prisoners of the crime charged

and sentenced them respectively to 14 years

imprisonment with hard labor in irons.

In consideration of the youth

of the 1st, 7th, 3d and 10th Prisoners the Sessions

Judge recommends that their sentences be

mitigated

mitigated to seven years imprisonment with hard labor in irons.—

4 The Court of Tanjore Cda. not approve the recommendation of the Session Judge, and under the provisions of Clause third Section III Regulation I of 1825 they accordingly authorize him to issue his Warrants for the imprisonment of the 4th 7th 8th and 9th Prisoners with hard labor in irons for the period of seven years

5 The Court also direct that the Zemindar Ashwarow be informed that the aide afforded by him in apprehending, and delivering the prisoners to the Police authorities, has been viewed by the Court with much satisfaction.

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

Sent in №7431.—

Read Letter dated 24th Ultimo from

from the Sessions Judge of Salem requesting to be furnished with the final order of the Court of Tanjore Adalut on the Prisoner in Case № 93 of 1847 in which the sentence was ordered to be suspended—

(Here enter Ord № 1397 of 1848)

The Court of Tanjore Adalut observe that the Sessions Judge will have already received a copy of an Extract from their Proceedings containing the order adverted to in the above Letter, by which the sentence originally awarded to the Prisoner was directed to be carried into effect.

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

Sent in №7441

Read again Calendar of Case № 16 of the Sessions Court of Chittoor for 1848.

(Here enter Ord № 1296 of 1848)

Read

8th July 1848.

Read also Return dated 26th Ultimo made by the Sessions Judge of Chittoor to the Precept of the Fouzdaree Adalut dated 28th June 1848 requiring to be informed of the Value of the stolen property found in the possession of the Prisoners in Calendar No 16 of 1848 and also of the nature of their defences.

(Here Enter Flo No 1414 of 1848)

The Court of Fouzdaree Adalut being satisfied of the propriety of the Prisoners' Conviction, now resolve to sanction the mitigation proposed by the Sessions Judge, and, under the provisions of Clause third Section III Regulation I of 1825, the Court accordingly authorize the Sessions Judge to issue his Warrants for the imprisonment of the Prisoners

"Kondaun"
and
"Talla Gangen"

for the period of eight years with Hard labor in irons

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

(Sent in No 745 / 8

Monday,
10th July, 1848. At a Court of the Fouzdaree 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 10th April 1848 by Moodoo Kistna Iyer Zillah Madura.

(Here Enter F M P No 134 of 1848)

The object of this Petition is to induce the Court of Fouzdaree Adalut to order the release of one Soobbanarraina Iyen 1st Prisoner in Case No 1 of the Sessions Court of Madura for 1848.-

2. The party in question the Petitioner maintains was entirely innocent of the crime laid to his charge, and he prays that the persons who brought the accusation against him may be adequately punished.-

3. The Petitioner is informed that the Court of Fouzdaree Adalut after deliberate consideration of the entire Records of the case above

above mentioned were satisfied of the guilt of the 1st Prisoner Soobbanarraina Dyen, and sentenced him to 5 years imprisonment with hard labor in Irons

4. The Court of Foujdaree Udalut see nothing on the face of this Petition to induce them to disturb that Sentence and resolve therefore to reject the prayer of this application.-

Ordered that Extract from these proceedings be granted to the Petitioner on his application.-

Read Miscellaneous Petition presented on the 17th April 1848 by Amuta Raja-lingo Chetty zillah Combaconum

(Here Enter F.N.P.No 142 of 1848)

1. The Petitioner reiterates the prayer of his former applications Nos 243 and 331 of 1847 which were rejected by the Court of Foujdaree Udalut in their Proceedings of the 27th March last.-

2. To those orders the Petitioner is now referred, and informed that the same are final. Petition dismissed.-

Ordered that Extract from these

these proceedings be granted to the Petitioner on his application.-

Read Miscellaneous Petition of M. Soobbaroyadoo, forwarded by the Sessions Judge of Rajahmundry, and filed on the 26th June 1848.

(Here Enter F.N.P.No 172 of 1848)

1. The above Petition of Appeal not being of that description which was contemplated by the Court of Foujdaree Udalut in their Circular Order No 188 dated 6th July 1847, the Court resolve to re-transmit the same to the Sessions Judge in order that it may be returned to the party from whom it was originally received.-

2. The Court take this opportunity of observing that the Circular Order in question merely requires the transmission of petitions of appeal from parties confined in Gaol under a Criminal Sentence, and that Appellants from orders of the description now forwarded, must, as heretofore, either file their petitions of Appeal in person before the Foujdaree Udalut, or by one of the Vakeels attached to the Court.-

Ordered that Extract from these

10th July 1848.

these Proceedings be forwarded to the Sessions Judge of Rajahmundry for his information and future guidance.-

(Sent in No. 746

Read Miscellaneous Petition presented on the 26th June 1848 by Venkatasawmy Naidoo Zillah Salem.-

(Here Enter F M P No 1740 of 1848)

1. Petitioner states that he has been dismissed from his situation by the Sessions Judge of Trichinopoly in consequence of a reduction in the number of Convicts in the Jail at that station - and he prays that as he has committed no fault whatever he may be restored as Jail Peon either in the Zillah of Salem (in which he originally served) or in any other, where a vacancy may exist.-

2. The Petitioner is referred to the Subordinate Judge of Salem, who will no doubt entertain his Petition and pass such orders as the case may seem to call for.-

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

Read

F 46

10th July 1848.-

Read Miscellaneous Petition presented on the 26th June 1848 by Lutwajee late Jail Peon at Gundy.-

(Here Enter F M P No 1780 of 1848)

1. Petitioner states that he has been placed on the "Reduction list" in consequence of the discharge of certain convicts from the Jail at Gundy. He prays that he may be restored to the Service.-

2. Petitioner is referred to the Subordinate Judge of Cuddapah by whom his application for a situation as Jail Peon will no doubt be entertained.-

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

Read Miscellaneous Petition presented on the 26th June 1848 by Mooneyappa Moodely of Zillah Chittoor.-

(Here Enter F M P No 1790 of 1848)

1. Petitioner details at length the substance of the Petition presented by him to the Court of Sessions at Cuddapah on the 28th February last, in which he complains of an

an order passed by the Sessions Judge of Chittoor rejecting his prayer for the institution of an inquiry into a charge of Robbery preferred by him against one Nursuppa Naick and Eight others, whom he accused of breaking into his Indigo Godown and stealing therefrom property amounting to Rupees 2406.-

2. Petitioner now seeks to obtain a reconsideration of the Courts order under date 3d April 1848 rejecting his prayer for the cancel=ment of the above order of the Sessions Judge.

3. The Petitioner is referred to the former order of the Court of Tanjore dated and informed that they are final.-

4. It is however optional with the Petitioner to file a Civil action for the adjustment of whatever pecuniary claims he may deem he has upon the individual named Aurowale Paupah Naik.-

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

Read again Calendar of Case No 110 of the

the Session Court of Mangalore for 1848.-

(Here Enter F.R No 1251 of 1848)

Read also return dated 21st ultimo made by the Sessions Judge of Mangalore to the Precept of the Tanjore Zillah dated 13th June 1848 on review of the Calendar of case No 1 of 1848, requiring further information upon certain points, calling for translations of certain documents, and also calling for an explanation of the delay in the disposal of the case.-

(Here Enter F.R No 1404 of 1848)

1 The information afforded in the documents now submitted for the consideration of the Court of Tanjore dated being still insufficient to enable them to form a satis=factory judgment in regard to the propriety of the disposal of this case, the Court resolve to direct that such portions of the Record as may have reference to the 1st 2d 3d and 4th Pri=soners be translated and forwarded for their consideration with the least possible delay.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Mangalore by precept returnable within XX days.

10th July 1848.

days from and after its receipt.—

(Sent following Precept No. 747

Read Calendar of Case No 6 of the Sessions Court of Tellicherry for 1848.—

(Here Enter F.R. No 1372 of 1848)

1. The Prisoners three in number were charged with "Theft & and wounding" and on conviction were sentenced by the Sessions Judge the 1st Prisoner to 7 years imprisonment with hard labor in Irons under Section XXI Regulation VII of 1802— and the 2d & 3d Prisoners to three years imprisonment with hard labor in Irons under Clause 7th Section II Regulation XV of 1803.—

2. The Court of Foujdaree Adalut are of opinion that a mitigated sentence of 3 years imprisonment with hard labor in irons as regards the 1st Prisoner and 1 years imprisonment with hard labor in Irons for the 2d and 3d Prisoners, will be sufficient to meet the ends of justice, and they resolve under the authority vested in them by Section XXXV Act VII of 1843 to direct the Sessions Judge to issue a fresh warrant accordingly.—

The

F.R.

10th July 1848.

3. The Court of Foujdaree Adalut further observe with reference to the enactment quoted by the Sessions Judge in support of the sentence recorded against the 2d and 3d Prisoners that the latter should have been sentenced under Section XXI Regulation VII of 1802 to be imprisoned for a period similar to that awarded to the 1st Prisoner and that in their case an application for the mitigation of punishment should have been submitted under Section IV Regulation I of 1825.—

Ordered that Extract from these proceedings be sent to the Sessions Judge of Tellicherry by Precept returnable within V days from and after its receipt.—

(Sent following Precept No. 748.

Read again Miscellaneous Petition presented on the 16th August 1847 by Dasaye Narayana Swamy Setty Zillah Chingleput.

(Here Enter F.R. P. No 2080 of 1847)

Read again also Miscellaneous Petition presented on the 6th and 14th September 1847 by Lalapaty Modelly of Zillah Chingleput.

(Here Enter F.R. P. Nos 227 and 236 of 1847)

Read

Read also Returns made under dates the 14th March and 10th April 1848 by the Sessions Judge of Chingleput to the Receipts of the Sunjaud Ecdalut dated the 6th and 27th March 1848 calling upon that officer to forward a copy of the Original Plaint and Answer filed in Suit No 3 of 1847 together with a copy of the Decree passed by the Register of the Zillah Court in the said Suit, relative to the question of the right and left hand caste.

(Here Enter I R Nos 666 and 866 of 1848)

Read also Miscellaneous Petitions presented on the 27th March and 3rd April 1848 by Sabapaty Chetty and 2 others Zillah Chingleput, to the same effect as their former petitions &c Nos 227 and 236 of 1847 entered above.

(Here Enter I R M Nos 122 and 127 of 1848)

Read also Miscellaneous Petition presented on the 28th February 1848 by De Sarrain Dawny Chetty Zillah Chingleput to the same effect as Miscellaneous Petition No 208 of 1847 aforesaid.

(Here Enter I M Nos 78 of 1848)

1. The Court of Sunjaurce Ecdalut having carefully perused the foregoing Petitions together

10th July 1848.

together with the Decrees passed in the Original and Appeal Suits referred to and the orders passed by the Sessions Judge on the 17th May and 9th June 1847, observe, that the Original Plaintiffs in Suit No 3 of 1847 contended for their right, as belonging to the left hand caste, to carry their processions and ceremonies, through all the four streets so called and known under the name of Rajahveedy

2. This right, the Register in his Decree in the said Suit, recognized, and the opposite party were directed to pay the Plaintiffs Pagodas 42- 4 annas 19. and each 40 on account of the loss sustained by them-

3. The Defendants in their answer, in the original Suit abovementioned, contended that according to ancient usage of their Village to Plaintiffs had no right to carry their Processions thro' the streets of the right hand caste, which they themselves inhabited and vice versâ-

4. This point the Provincial Court in their Decree in Appeal affirmed and the Decrees of the Lower Courts were reversed, on the grounds that the Respondents (Original Plaintiffs) had failed to substantiate their claim

claim, (ie to pass with their ceremonies through the four Rajaweedy streets)- It was further decreed that the Respondents should not in future "carry any ceremony through the streets inhabited "by persons of the right hand caste in Tirooneloor."-

5. The Court of Foujdaree Adalut are of opinion that it cannot be inferred from this that if any of the four streets called Rajah-=weedy, are inhabited exclusively by persons of the left hand caste, the latter are prohibited from using them as they please.- The opinion of the acting Magistrate which is to this effect, the Court consider to be erroneous.-

6. In modification therefore of the order passed by the Session Judge on the 9th June 1847, the Court of Foujdaree Adalut resolve to direct that officer to call upon the Magis-=trate to ascertain in the first place how the said four streets are occupied, and then with reference to the residents of the same to lay down a Rule for the Procedure of each.-

Ordered that Extract from these proceedings be sent to the Sessions Judge of Chingleput for information and Guidance-

(Sent in No. 949

Ordered

Ordered also, that Extract from these proceedings be granted to the Petitioners in Nos. 208. 227 of 1847 and No 1220 of 1848 on their application.-

Read again Calendar of case No 25 of the Sessions Court of Salem for 1848.-

(Here Enter F.H. No 1262 of 1848.)

Read also Return dated 28th June 1848 made by the Sessions Judge of Salem to the Precept of the Foujdaree Adalut dated 15th June 1848. directing the submission of the translations of such portions of the record as referred to the 7th and 8th Prisoners in the above case.-

(Here Enter F.A. No 1417 of 1848)

1. The Record of this case as regards the 7th and 8th Prisoners was called for, as it did not appear to the Court of Foujdaree Adalut on perusal of the evidence set forth in the Calendar and Futwa that the statements made in respect to these Prisoners were con-=clusive as to their guilt, and after a careful and deliberate consideration of the Record, the Court of Foujdaree Adalut are of opinion that the evidence against them is wholly insufficient

insufficient to warrant their conviction, and they accordingly direct their immediate and unconditional release.-

2. From a perusal of the documents now submitted for their consideration, the Court are further led to doubt the propriety of the disposal of the case as regards the 1st and 4th Prisoners. The Session Judge will, therefore, be pleased to direct that such portions of the Record as may have reference to these Prisoners be also translated and forwarded to the Foujdaree Adaulut without delay.-

3. The Sentence recorded against the 1st and 4th Prisoners will remain in abeyance pending the receipt of further instructions from the Court of Foujdaree Adaulut.-

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

(Sent following Precept No 750)

Read Calendar of Case No 24 of the Session Court of Calicut for 1848.-

(Here Enter F.H. No 1381 of 1848)

The

10th July 1848.

1. The Prisoners five in number were committed charged with "Serious affray and Severe Wounding"

2. The 4th Prisoner was acquitted and unconditionally released.-

3. The 1st 2d 3d 5th and 6th Prisoners were on Conviction Sentenced by the Sessions Judge, the 1st 2d and 5th Prisoners to imprisonment with hard labor in Irons, for one year and the 3d and 6th Prisoners to imprisonment without Irons for six months under Clause Seventh Section II Regulation XV of 1808.-

4. The Court of Foujdaree Adaulut being of opinion that a mitigation of the punishment awarded to the 1st 2d and 5th Prisoners to one years imprisonment without Irons will sufficiently meet the ends of justice resolve under the provisions of Section XXXV Act VII of 1843 to direct the Session Judge to issue a fresh warrant accordingly.-

Ordered that Extract from these proceedings be sent to the Session Judge of Cale[illegible] by Precept returnable within five days from and after its receipt.-

(Sent following Precept No 751

Sutwajee late Lail Reon at Guindy

moves

10th July 1848.

moves the Court to return the Enclosures in his Miscellaneous Petition No 1780 of 1848.—S.

Ordered accordingly.

Ent H.

Tuesday.
11th July 1848.

F. 66.

At a Court of the Fouzdaree Adaulut.

Present.

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

No further return having been received from the Sessions Judge of Chittoor to the precept of this Court under date the 3d April 1848, in the matter of the Petition of Gosiedu Buttoo.—

Ordered that the Sessions Judge of Chittoor be required to make the said return by Precept returnable within three days.—

Sent in No. 756

Read Letter from the Acting Sessions Judge of Cuddalore under date 6th May 1848, enclosing translations of two Petitions from the Acting Sessions Judge of Trichinopoly presented by one Namasseya Padiachy Puisoner in Case No. 26 of 1847 and Kanoomantha Chetty Puisoner in Case No. 18 of 1843 on the file of the Cuddalore

Sessions

11th July 1848.

Sessions Court.

/ Received F. Ho. No. 1098 of 1848 /

1. The object of these Petitions is to induce the Court of Fouzdaree Udalut to reconsider the Records of Cases Nos. 18 of 1843 and 26 of 1847 aforesaid, with a view to the release of the Petitioners who were sentenced to 14 years imprisonment each the one on a charge of receiving stolen property the other on one of "Gang Robbery."

2. The Court of Fouzdaree Udalut have carefully reconsidered the evidence against the Petitioners, as contained in the Calendars of the cases above alluded to, and observe that, they see no just ground to call in question the propriety of the sentences recorded against them. Petitioners' application are therefore rejected.

3. The Sessions Judge is requested in future to send up all similar Petitions without a separate Letter.

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Cuddalore for communication to the Petitioners.

/ Sent in No. 757 /

Read

11th July 1848.

Read Calendar of Case No. 27 of the Sessions Court of Madura for 1848.

/ Received F. Ho. No. 1440 of 1848 /

1. In this case eight (8) Prisoners were charged with "Robbery by open violence."

2. The Futwa of the Law Officer convicts the 2nd, 3rd and 4th Prisoners of the crime charged, and acquitted the remainder.

3. The Sessions Judge concurring in the above finding released the 1st, 5th, 6th, 7th and 8th Prisoners, and recommends that the punishment to which the 2nd, 3rd and 4th Prisoners are liable, be mitigated to 8 years imprisonment with hard labor in irons.

4. On the grounds stated by the Sessions Judge the Court of Fouzdaree Udalut approve his recommendation for mitigation, and authorize him to issue his warrants accordingly.

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

/ Sent in No. 758 /

Read Calendar of Case No. 31/1848

of

of the Sessions Court of Cuddalore.

(Here enter F.C. No. 1439 of 1848.)

The abstract of the Futwa &c. delivered by the Law officer in the above case, as well as the precise grounds of its reference to the Foujdaree Adalut having been omitted in the Calendar the Court resolve to return the same to the Acting Sessions Judge in order that the omission may be duly supplied, agreeably to the requisition contained in the concluding para: of Foujdaree Adalut Circular Order dated 14th October 1822.

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Cuddalore by Precept returnable within III days from and after its receipt.

(Sent following precept No. 759)

Read Calendar of Case No. 26 of the Sessions Court of Mangalore for 1848.

(Here enter F.C. No. 1430 of 1848.)

1.

In this case two (2) Prisoners were charged with "Housebreaking and Theft by night."

2.

The Futwa of the Law Officer convicted the first Prisoner of the crime charged,

and pronounced the second to be innocent.

The Sessions Judge concurred

3.

in the Futwa as regarded the conviction of the first Prisoner, but being of opinion that strong suspicion was attached to the second Prisoner also, he required the latter to furnish security to the amount of Rupees 50 in two sureties of Rupees 25 each for six years.

In the case of the 1st Prisoner

4.

the Sessions Judge recommends that he be sentenced to the mitigated punishment of 5 years' imprisonment with hard labor in irons.

The Court of Foujdaree Adalut

5.

approve the mitigation recommended by the Sessions Judge, and authorize him to issue his warrant accordingly.

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

(Sentence No. 760)

Read letter dated the 23d Ultimo from the Agent in the Bill Tracts of Orissa, submitting for the final Judgment of the Foujdaree

11th July 1848.

Foujdaree Udalut the Record of Case No 7 of 1848
on his Calendar.

/ Hereenter No 1445 /

Mr. G. T. Cooper.
and
Mr. C. 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 proof against the Prisoners

1st Gobardhana Boshya
2nd Foreboshya
3rd Jonkojoojhar sing
4th Porodolobehra
6th Solodolebahara
8th Samoo Podeea
9th Khato Jondo
10th Meena Naick
11th Ramachundra Naick
12th Joghee Bijoye
13th Feringee Dolobahara

and

14th Achoota Naick.

is sufficient to convict them of the crimes charged do convict them thereof; and under the provisions of Clause third, Section VII Regulation XV of 1803, and Clause third, Section VIII Regulation XV of 1803, sentence

11th July 1848.

them to be imprisoned and kept to hard labor in irons on the Public roads or other public works.

the prisoners,

3rd Jonkojoojhar sing
4th Porodolobehra

and

6th Solodolebahara.

for and during the period of (14) fourteen years.-

the prisoner

10th Meena Naick

for and during the period of (10) ten years.-

the prisoners

1st Gobardhana Boshya

and

2nd Foreboshya

for and during the period of (8) eight years.-

and the prisoners

8th Samoo Podeea
9th Khato Jondo
11th Ramachundra Naick
12th Joghee Bijoye
13th Feringee Dolobahara

and

14th Achoota Naick

for

11th July 1848.

for and during the period of (7) seven years:- the whole of the prisoners to be banished during the period of their respective sentences from the District in which their places of abode are situated- the Prisoners,

1st Gobardhana Booiya
6th Solo dolebahara
9th Khato Gonda

and

12th Joghia Bijaya

to the District of Masulipatam:- the Prisoners

2nd Ambooiya
4th Parodolobehra
8th Samo Podera

and

11th Ramachundra Naick

to the District of Rajahmundry- and the Prisoners

3rd Jonkojoghar Sing
10th Mana Naick
13th Tringhia Dolobahara

and

14th Achoota Naick

to the District of Vizagapatam.

But

Fl.
11th July 1848.

But being of opinion that the Prisoners

5th Bhagia Podera

and

7th Gogno Podera

are not convicted on presumptive proof or on the evidence of credible witnesses or on their own confessions of the crimes charged, the Court do acquit them and direct that they be set at liberty.

1. The Court of Foujdaree Udalut do not concur with the Agent in convicting the 5th and 7th Prisoners both of whom denied their guilt.-

2. The former (5th) in it's admitted on all hands was not present at the commission of the acts of violence and outrage in question, and the fact of his having sent his son in his stead, is not proved- nor is that of his having previously harboured the rest of the Gang, sufficiently established by the evidence to bring it home to him.

3. And all the 4 out of the 7 witnesses depose to the latter (7th) having been present and taken a part in the acts alluded to

their

their testimony is far too vague and inconclusive to be safely relied on. Moreover most of the Prisoners who confessed, stated that he was not present.

4. The Court observe that it would have been more satisfactory had a few questions been put to the Prosecutor and witnesses with the view of eliciting more particulars, and had evidence been taken as to the circumstances under which the capture of the Prisoners was effected.

Ordered that Extract from these Proceedings be forwarded to the Agent in the Hill Tracts of Orissa for his information.

/Sent following Letter No 761/

Read Calendar of Cases No 19 of 1848 submitted by the Session Judge of Guntoor under date the 16th Ultimo.

/Here enter F. C. No 1361 of 1848/

Read Letter dated the 25th Ultimo from the Session Judge of Chicacole forwarding the Criminal Reports for the month of May 1848.

/Here enter F. C. No 1434 of 1848/

Read report dated the 1st Instant from the Subordinate Judge in charge of the Session Court of Combaconum, of cases [illegible] 1848 pending the trial before that Court for more than 25 days from the date of its commitment.

/Here enter F. C. No 1449 of 1848/

Read report dated the 1st Instant from the Session Judge of Salem, of cases pending on the 30th June 1848 before that Court for a period in excess of 25 days from the date of its commitment.

/Here enter F. C. No 1450 of 1848/

Read report dated the 1st Instant from the Session Judge of Cuddapah, of cases pending on the 31st May and committed for trial during the month of June 1848.

/Here enter F. C. No 1451 of 1848/

Read Calendar of Cases No V of 1848 submitted by the Session Judge of Calicut under date the 28th Ultimo.

/Here enter F. C. No 1453 of 1848/

Read Calendar of Case No 17 of 1848 submitted by the Session Judge of Tinnevelly under date the 29th Ultimo.

/Here enter F. C. No 1454 of 1848/

Read return dated the 30th Ultimo from

11th July 1848.

from the Sessions Judge of Masulipatam to the precept of the Foujdaree Udalut under date 27th idem calling for an explanation of one extra Duffadar having been employed in the Jail in excess of the prescribed number as appears from the Criminal Reports for the month of May 1848.

/Here enter F.C. No. 1455 of 1848/

Read report dated the 7th Instant from the Sessions Judge of Masulipatam, of Cases pending on the 31st May and committed for trial during the month of June 1848.

/Here enter F.C. No. 1456 of 1848/

Read report dated the 1st Instant from the Sessions Judge of Calicut, of Cases pending on the 31st May and committed for trial during the month of June 1848.

/Here enter F.C. No. 1458 of 1848/

F.C.

Thursday, 13th July, 1848.

At a Court of the Foujdaree Udalut.

Present.

G. S. Hooper, Esquire - 1st Puisne Judge.

E. P. Thompson, Esquire - 2nd Puisne Judge.

W. M. Morehead, Esquire - 3rd Puisne Judge.

Read letter dated the 17th Ultimo from the late Acting Sessions Judge of Honore submitting for the final Judgment of the Foujdaree Udalut, the Record of Cases Nos. 38 and 39 of 1848 of the Calendar of the Sessions Court.—

/Here Enter No. 1376 of 1848/-

The Court of Foujdaree

Mr. G. S. Hooper.
and
Mr. E. P. Thompson Udalut, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the prisoners,

1st Devara Bhut, Police Ameen.

and

2d Collaya, Potail

are not convicted on presumptive proof

or

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 are unable to reconcile the "very considerable discrepancies in the evidence" as the Acting Sessions Judge admits them to be, with the truth of the facts to which the Prosecutors and their witnesses depose.—

2. The alleged payment of the money to the Prisoners in the Busty Pagoda is not, in the opinion of the Court of Foujdaree Udalut supported by credible evidence - independent of its great improbability.—

3. With regard to the several Documents alleged to have been executed on the occasion, the Court are of opinion that they are either fabrications or were executed for other purposes, and refer to transactions totally unconnected with those in question.—

4. One of them, for instance, which

which the 2nd Prisoner acknowledges having attested, bears a date one month and 20 days anterior to that on which it is alleged to have been executed - and as no explanation whatever has been given for so extraordinary a circumstance, the above is, the Court of Foujdaree Udalut, think, the only reasonable inference to be drawn respecting it.—

5. And as for the ill-treatment and intimidation asserted by the Prosecutors to have been used to extort the money from them, there is no direct proof of it whatever.—

6. Moreover, the Court of Foujdaree Udalut differ from the Acting Sessions Judge with respect to the evidence of the witnesses for the defence, which, in the opinion of the Foujdaree Udalut, not only "supports the defence" but is such as may be relied on. Notwithstanding they were subjected to a severe cross-examination, no inconsistencies or contradictions are to be found in their statements.—

Sound

3d. July, 1848.

7 Some consideration is also due, in the opinion of the Court of Foujdaree Udalut, to the previous good character borne by the Prisoners, particularly the 1st. Prisoner, and to the reasons assigned by the latter for the charges having been got up against them.

8 The circumstance of the Brother of the Prosecutor in Case No. 38 having appeared before the Magistrate and, personating his Brother, given a Deposition on solemn affirmation to the facts set forth in the complaint, is enough to throw suspicion over the whole business. Neither the Magistrate nor the Sessions Judge appears to have taken any notice of it although it is certain that he committed a grave misdemeanor if not perjury in so doing.

Ordered, that Extract from these Proceedings be sent to the Sessions Judge of Chittagong for his information.

Sent in No. 765.

End. 7 Papers

J. U.

Saturday 15th. July 1848.

At a Court of the Foujdaree Udalut

Present:

W.B. G. A. Cooper Esqre. 1st. Puisne Judge
P.S. C. P. Thompson Esqre. 2d. Puisne Judge
W.A. W. A. Morehead Esqre. 3d. Puisne Judge

The Record of Proceedings

1 on which the Sessions Judge of Tellicherry grounded his dismissal of Canoothe Manally from his office of Nazir of the Zillah Court, as well as those of the Joint Magistrate on the subject, not having been yet received.

2 The Sessions Judge is required to state what progress has been made in the Translation of the said Record, and when the Court may expect to be put in possession of the papers connected with this Case.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Tellicherry by Precept returnable within three

Days

15th July 1848 Copy from and after its receipt.

(As the following Precept No. 2770)

Read the following letter dated the 26th Ultimo from the Sessions Judge of Calicut.

(Here enter F. R. No. 1428 of 1848)

1 The Sessions Judge submits a copy of a correspondence with the Magistrate of Malabar, relative to the escape of two Convicts from the Jail at Palghaut.—

2 The Head Assistant Magistrate in his letter of the 12th May 1848, states that the cook Convicts were called "as usual" about 3 A.M. The Session Judge in his Proceedings under date the 24th Ultimo justly observes that "the practice of calling up the Cooks at the early hour of 3 A.M. is very objectionable on many accounts and ought to be avoided as much as practicable."

3 The Court of Foujdaree Udalut direct that the practice in question be entirely abandoned, and that no prisoners be allowed to leave the Jail before day break.—

4 Adverting to the Extract from

15th July 1848 from the Proceedings of the Sessions Judge under date the 16th June 1848. the Court of Foujdaree Udalut observe that the Convicts should have been sent for Trial to the Criminal Court at Coimbatore; it having been repeatedly ruled (and the invariable practice accords with the rule) that with reference to Section III. Regulation I. of 1833. escaped Convicts must be sent for Trial to the Court of the District from whence they were transferred: Excepting in Extraordinary Cases in which application is to be made to the Government for authority for trying them before the nearest Criminal Court.—

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

(Sent in No. 2771)

Read the following letter dated the 5th instant from the Sessions Judge of Trichinopoly.

(Here enter F. R. No. 1473 of 1848)

The

15th July 1848.- 1

The Sessions Judge reports the case of a prisoner named Thomas Nisbet, who has been committed by the Principal Sudder Ameen to take his Trial before the Sessions Court for Arson.-

2 The Sessions Judge being of opinion that as the prisoner is only thirteen years of Age, he is not a fit object for punishment, suggests that he may be released with a warning, without Trial and that he may be allowed the opportunity of earning his livelihood by being transferred as a Band Boy to the 45th Regiment N. I.

3. The Court of Tanjore Udalut can see no reason why the Prisoner should not be put on his Trial As is clearly of an Age to distinguish between right and wrong. after the Trial, in the event of the Prisoner being convicted, it will be open to the Sessions Judge to suggest a mitigation of the punishment to which he is liable, to any extent he may think proper - and to recommend any

F. 46.

J. U.

15th July 1848.- any mode of disposing of him which he may deem expedient: and the Tanjore Udalut will then be prepared to take the matter into consideration.-

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

(Section No. 792) to

End. H.

J/M

Monday,
17th July, 1848.

At a Court of the Foujdaree Adalut.

Present.

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

Read Miscellaneous Petition presented on the 20th March 1848 by S. Seroonul Chetty Vakeel on behalf of Soobroya Zillah Honore.—

Vide Enter M. P. No 107 of 1848.

The Petitioner prays the Court of Foujdaree Adalut to reconsider their order of the 8th December 1845, refusing to interfere in behalf of his brother one Devappah, late Gomasta in the Subordinate Court of Mangalore who was dismissed by the Acting Subordinate Judge and directing that he should be immediately placed on his trial under the provisions of Clauses first and second Section VII Regulation VIII of

of 1829.—

2. The Court of Foujdaree Udalut decline to pass any fresh orders in the case of the individual in question. This Petition is therefore dismissed.—

Ordered, that Extract from these Proceedings be furnished to the Petitioner's Vakeel on his application.—

Read again. Miscellaneous Petition presented on the 27th March 1848 by Valon of Zillah Chittoor.—

/Here Enter M. P. No. 121 of 1848/

Read also return under date the 20th May 1848 and Supplemental return under date the 4th Instant from the Sessions Judge of Chittoor to the precept of the Court of Foujdaree Udalut dated the 25th April 1848, directing the submission of an English Translation of the record in Case No. 42 of 1846 on the file of the Sessions Court.—

/Here Enter F.C. Nos. 1175 and 1463 of 1848/

1. On an attentive perusal of the entire record in this case, the Court

of Foujdaree Udalut consider the sentence awarded unnecessarily severe.—

It seems that on the occasion

2. on which the offence charged was committed, the prisoners were attempting to smuggle certain liquor, but being met by the preventive peons, a general affray took place in which some of the party were wounded.—

The Court of Foujdaree

3. Udalut attach no credit to the additional charge preferred against the Prisoners of having robbed the 1st Prosecutor of his clothes.

Under all the circumstances

4. of the case, the Court of Foujdaree Udalut resolve to direct that the period of Imprisonment awarded to the Prisoners be reduced to two years.—

Ordered, that Extract from these Proceedings be sent to the Sessions Judge of Chittoor by Precept returnable within 7 days from and after its receipt.—

/Sent following precept No. 774/—

Ordered

17th July, 1848.

Ordered also, that Extract from these Proceedings be furnished to the Petitioner on his application.

Read Miscellaneous Petition of Coopen received from the Sessions Judge of Coimbatore, and filed on the 26th June 1848.—

/Here Enter M.P. No. 167 of 1848/—

1. The Petitioner was Prisoner in Case No. 18 of 1848 of the Sessions Court of Coimbatore, and appeals against the sentence of 14 years imprisonment passed upon him in that number.—

2. The Court of Fouzdaree Udalut can discover nothing in this Petition, which would lead them to doubt the justness of the Prisoner's (Petitioner's) conviction, or the propriety of the sentence passed upon him, which the Court accordingly refuse to disturb.

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Coimbatore for his information and for communication to

17th July, 1848.

to the Petitioner.—

/Sent in No. 775/—

Read Miscellaneous Petition of Caly and three others, received from the Sessions Judge of Coimbatore, and filed on the 26th June 1848.—

/Here Enter M.P. No. 168 of 1848/—

1. The Petitioners were Prisoners in Case No. 12 of 1848 of the Sessions Court of Coimbatore, and appeal against the sentence of 4 years imprisonment passed upon them in that number.—

2. The Court of Fouzdaree Udalut having satisfied themselves of the justness of the Prisoners' (Petitioners') conviction, refuse to interfere on their behalf.—

Ordered, that the prayer of this Petition be rejected and that Extract from these Proceedings be forwarded to the Sessions Judge of Coimbatore for his information and for communication to the Petitioners.—

/Sent in No. 776/—

Read

17th July, 1848.

Read Miscellaneous Petitions of Maroody and Palany Yandy received from the Sessions Judge of Coimbatore and filed in this Court on the 26th June 1848.

//Here Enter M.P. Nos. 170 and 171 of 1848//

1. The Petitioners are the 1st and 2nd Prisoners in Case No. 8 of 1848 of the Sessions Court of Coimbatore, convicted of Gang Robbery, and sentenced to 14 years' imprisonment with hard labor in irons. From this sentence the Petitioners now appeal.—

//

2. The Court of Foujdaree Udalut, having satisfied themselves of the justness of the Prisoners' conviction, refuse to disturb the sentence passed upon them.—

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Coimbatore for his information and for communication to the Petitioners.—

//Sent in No. 777//—

Read

Read Miscellaneous Petition presented on the 26th June 1848 by Annachy and two others of Tellah Salem.—

//Here Enter M.P. No. 177 of 1848//

1. The Petitioners represent themselves to be the relation of the prisoners in Case No. 66 of 1846 on the file of the Sessions Court of Salem who are now undergoing a sentence of 14 years imprisonment with hard labor in irons on a charge of which the Petitioners assert that they are innocent and pray the Court of Foujdaree Udalut to direct their release.—

2. The Petitioners charge the Police authorities with having seriously maltreated the Prisoners & themselves, and with having been induced to commit the former for trial by bribes received from the party by whom the offence charged had really been committed.—

3. The Court of Foujdaree Udalut deem it proper to forward the English Translation of this Petition to the

17th July, 1848.

the Sessions Judge of Salem with instructions to that Officer to report as to the truth of the allegations of the Petitioners regarding their lengthened imprisonment, and also with reference to the ill-usage to which it is asserted that the prisoners were subjected.

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

/Sent following precept No. 1978/-

Ordered also, that Extract from these proceedings be furnished to the Petitioners on their application.—

Read Miscellaneous Petition presented on the 26th June 1848 by Palanyandy Pillay of Zillah Salem.

/Here Enter M. P. No. 183 of 1848/-

1. The Petitioner asserts the innocence, and prays the release, of his Son-in-law the 8th Prisoner in Case No. 25 of 1848 of the Sessions Court of Salem, who was convicted of Gang Robbery and

17th July, 1848.

and sentenced by the Sessions Judge to 14 years imprisonment with hard labor in irons.—

2. The Petitioner is informed, that orders were issued for the release of his Son-in-law, the Prisoner in question by the Court of Foujdaree Udalut in their Proceedings under date 10th July 1848.—

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

Read Miscellaneous Petition forwarded by the Sessions Judge of Coimbatore and presented by one Curoombien and another.—

/Here Enter M. P. No. 186 of 1848/-

1. The Petitioners are the 1st and 2d Prisoners in Case No. 2 of the Sessions Court of Coimbatore for 1848, and the object of their application is to induce the Court of Foujdaree Udalut to reconsider their case and order their immediate release out of Custody, on satisfying themselves that they were not guilty of the crime laid

to

17th July, 1848.

to their charge.—

2. The Court of Foujdaree Udalut observe that no orders are called for in this Petition, the case in question having been finally disposed of by this Court under date the 21st April last.—

3. Petition dismissed.—

Ordered, that Extract from these Proceedings be forwarded to the Session Judge of Coimbatore for communication to the Petitioners.—

/Sent in No. 779/—

Read Miscellaneous Petition of Chinna Meghan and another forwarded by the Session Judge of Coimbatore.—

/Here Enter M.P. No. 187 of 1848/—

1. The Petitioners who were Prisoners in Criminal No. 95 of the Session Court of Coimbatore for 1847 pray the Court of Foujdaree Udalut to call for the proceedings held on their case and after satisfying themselves of their innocence, to order their immediate

17th July, 1848.

immediate release out of custody.—

2. The Court of Foujdaree Udalut have examined the Calendar and see nothing which would lead them to doubt the correctness of the sentence recorded against the Petitioners, and resolve accordingly to dismiss this application.—

Ordered, that Extract from these Proceedings be forwarded to the Session Judge of Coimbatore for communication to the Petitioners.—

/Sent in No. 780/—

Read Motion presented on the 10th instant by John Bruce Norton Esquire Barrister at Law.—

/Here Enter M.P. No. 188 of 1848/—

1. Mr. Norton moves the Court for liberty to inspect and take copies or Extracts of the Records filed in Court, on behalf of Loobba Naick and Vellappa Naick, prisoners in Cases Nos. 2 and 12 of the Calendar of the Session Court of Madura of 1848.—

17th July, 1848.

2. As observed in this Court's Proceedings under date the 24th December 1847 - the entire Records of Cases Nos. 9, 10: 11. and 12 - all connected together - were called up - and after a most careful examination of the same, the Judges were unanimously of opinion that the conviction was proper and the sentence just.

3. Under these circumstances, the Court of Foujdaree Udalut cannot allow the case to be again opened: and as no object can be gained by the inspection of the Records, the Court decline to grant the prayer of this Motion.—

Ordered, that Extract from these Proceedings be furnished to Mr. Norton on his application.—

Read Calendar of Case No. 19 of 1848 of the Sessions Court of Chingleput.—

[Here Enter F.H.C. No. 1460 of 1848.]

1. The Prisoner in this Case was charged with "Forgery", in "having "fraudulently forged the signature of the "Prosecutor

F.H.C.

17th July, 1848.

"Prosecutor to a check drawn by Lt. C. "Raikes on Messrs. Arbuthnot and Co. "for Rupees 10; and further with having "uttered the said signature to be a genuine "one with an intent to have the check "honored, and cashed".—

2. The Sessions Judge in concurrence with the Futwa of the Law Officer convicted the Prisoner of the crime charged, and sentenced him to 4 years imprisonment with hard labor in irons. The Sessions Judge now recommends that the sentence be mitigated to two years imprisonment.

3. On the grounds stated by the Sessions Judge, the Court of Foujdaree Udalut approve his recommendation for a mitigation of the Prisoners sentence to 2 years' imprisonment and authorize him to issue his Warrant accordingly.—

Ordered, that Extract from these Proceedings be forwarded to

to the Sessions Judge of Chingleput for his information and guidance.—

/Sent in. No. 781/-

Read letter dated the 16th ultimo from the Sessions Judge of Honore forwarding Criminal Report B received from the Magistrate of Canara for the month of May 1848.—

/Here Enter F.C. No. 1388 of 1848/-

Read Calendars of Cases Nos. 18 and 21 of 1848 submitted by the Sessions Judge of Tinnevelly under date the 19th Ultimo.—

/Here Enter F.C. No. 1389 of 1848/-

Read Calendar of Case No. 14 of 1848 submitted by the Sessions Judge of Chingleput under date the 24th ultimo.—

/Here Enter F.C. No. 1405 of 1848/-

Read Calendar of Case No. 24 of 1848 submitted by the Sessions Judge of Guntoor under date the 26th ultimo.—

/Here Enter F.C. No. 1409 of 1848/-

Read

Read Calendar of Case No. 16 of 1848 submitted by the Sessions Judge of Chingleput under date the 28th Ultimo.—

/Here Enter F.C. No. 1420 of 1848/-

Read Calendar of Case No. 23 of 1848 submitted by the Sessions Judge of Guntoor under date the 28th Ultimo.—

/Here Enter F.C. No. 1422 of 1848/-

Read Calendar of Case No. 19 of 1848 submitted by the Sessions Judge of Rajahmundry under date the 27th Ultimo.—

/Here Enter F.C. No. 1423 of 1848/-

Read Calendars of Cases Nos. 23, 24 and 25 submitted by the Sessions Judge of Mangalore under date the 27th ultimo.—

/Here Enter F.C. Nos. 1435, 1436 and 1437 of 1848/-

Dasayee Narrainasamy Chetty of Chingleput, moves the Court to return the Enclosures in his Foujdaree Miscellaneous Petition No. 208 of 1847.—

Ordered accordingly.—

End F.H.

J: U:

Tuesday 18th July 1848. At a Court of the Foujdaree Adalut.

Present.

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

Read Calendar of Case No. 18 of 1848. on the file of the Session Judge of Nellore.

(Here enter J: C: No. 1476 of 1848).

The Court of Foujdaree Adalut resolve to direct the attention of the Session Judge to the phraseology adopted in the statement of the charge in this Case which has evidently been prepared by a native and has escaped the notice of the Session Judge.

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

(Sent in No. 784)

Read report of Cases pending before the Session Court of Honore on the 31st June 1848.—

(Here enter J: C: No. 1480 of 1848)

1. The Court of Foujdaree Adalut observe that the re-transmission of the Prisoners in the Case entered in this report or to the Police authorities was extremely irregular, and they direct that such a

Course

course may not be adopted in future.—

2. The Court of Foujdaree Udalut are at a loss to understand in what manner the presence of the prisoners could have facilitated any search or enquiry that was instituted by the Police Ameen.—

Ordered that Extract from these Proceedings be sent to the Session Judge of Honore for his information and future guidance.—

(Sent in No. 785)

Read Calendars of Cases Nos. 7 and 9 of 1848 on the file of the Session Court of Masulipatam.—

(Here enter F. C. Nos. 1488 and 1489 of 1848).

The Court of Foujdaree Udalut see reason to question the propriety of the sentences awarded in these cases, and they accordingly direct that an English Translation of the record be submitted for their consideration, the sentences being suspended until the receipt of further orders from the Foujdaree Udalut.—

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

(Sent following Precept. No. 786).

Read the following Letter dated the 30th Ultimo and received on the 11th instant, from the Agent to the Governor in Ganjam.—

(Here enter F. C. No. 1497 of 1848)

The

18th July 1848.

1. The Agent requests instructions for his guidance in respect to the trial for the offence of escaping from custody of a Convict in Case No. 9 of his Court's File of 1847. who effected his escape from his guard at Veeravilly in the District of Masulipatam and has since been re-apprehended in Goomsoor and committed for Trial.—

2. The Court of Foujdaree Udalut observe that the Prisoner in question must be tried at Ganjam the Court having frequently ruled with reference to Section III Regulation I of 1833. that a Prisoner must be tried for escape before the Court of the District from which he was transferred, excepting on those cases in which from their peculiar nature it may be deemed necessary to apply to Government for authority to send him for trial to the nearest Court.—

Ordered that Extract from these Proceedings be sent to the Agent to the Governor of Fort St. George at Ganjam for his information.—

(Sent in No. 787)

The Magistrate's return, respecting the conduct of the Head of Police of Annantapoor in connection with Criminal Case No. 62 of 1847, which was referred to in the 3rd para of the communication of the Session Judge of Bellary under date the 21st February 1848 not having been yet received.—

Ordered

18th July 1848.

Ordered that the Sessions Judge of Bellary be required to obtain and forward the said Return without further delay.—

(Sent in No. 788)

Read Calendar of Case No. 30 of 1848 on the file of the Sessions Court of Cuddapah.—

(Here enter F. C. No. 1484 of 1848).

1. The Prisoner in this Case was charged with having stolen from a room in the Prosecutor's house a brass vessels valued at Rupee 1-12- and having been committed to the Court of Session in consequence of his conviction of five previous offences, has been convicted and sentenced by the Session Judge to 7 years Imprisonment with hard labor in irons and to receive 100 lashes under the provisions of Section XXI Regulation VII of 1802. and Section II Regulation VI of 1827.—

2. Adverting however to the absence of any aggravating circumstances in the commission of the offence of which he has been now convicted, or of the former offences proved against him, the Session Judge recommends that the period of Imprisonment awarded to the Prisoner be reduced to four years.—

3 The Court of Foujdaree Adalut are unable to accede to this recommendation considering that the prisoner has proved himself to be an incorrigible offender with reference to the number of instances in

F. C.
18th July 1848.

in which he has been convicted and punished.—

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

(Sent in No. 789). ec

End 7th

T. C.

Wednesday
19th July 1848.

At a Court of the Tanjadaree Adalut.

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 10th Instant from the Sessions Judge of Calicut referring for the final Judgment of the Tanjadaree Adalut the Records of Case No. 25 of 1848 of the Calendar of the Sessions Court

(Here Enter Ft. No. 1538 of 1848)

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

The Court of Tanjadaree 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

"Kapadan Ouaker"

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

suffer death by being hanged at the usual time and place of execution-

Sent following Letter No. 1901.

Read Criminal Reports submitted by the Subordinate Judge of Salem, under date the 30th Ultimo, for the Month of June 1848.

(Here Enter File No. 1526 of 1848)

Read Criminal Reports, submitted by the Sessions Judge of Rajah-mundry under date the 1st Instant, for the Month of June 1848.-

(Here Enter File No. 1527 of 1848)

Read Calendar of Case No. 30 of 1848 submitted by the Sessions Judge of Madura under date the 11th Instant.-

(Here Enter File No. 1532 of 1848.)

Read Return dated the 13th Instant from the Sessions Judge of Salem to the Precept of the Zillah Adalut under date the 3d idem directing him to require the Magistrate to cause the

the imprisonment of the Security demanded of certain parties by the acting Head Assistant Magistrate.-

(Here Enter File No. 1534 of 1848)

Read Statement submitted by the Sessions Judge of Madura under date the 1st Instant, of Batta paid to Prosecutors and Witnesses attending before the Sessions Judge of Madura during the 1st Half year of 1848.-

(Here Enter File No. 1541 of 1848.)

Read Criminal Reports, submitted by the Sessions Judge of Tinnevelly under date the 1st Instant for the Month of June 1848.

(Here Enter File No. 1545 of 1848)

Read Statement submitted by the Sessions Judge of Chingleput under date the 30th Ultimo, of Batta paid to Prosecutor and Witnesses attending before the Sessions Judge of Chingleput for the half year ending 30th June 1848.-

(Here Enter File No. 1578 of 1848)

Read

19th July 1848.

Read Statement, submitted by the Sessions Judge of Chingleput under date the 30th Ultimo, of convict labor for the 2d Quarter of 1848.

(Here enter No 1549 of 1848)

Read Return dated the 18th Instant from the Agent to the Governor of Fort St George at Ramnad, to the precept of the Tonjadarce Adalut under date the 30th June 1848 communicating their orders in regard to case No 28 of 1848 Ramnad Agents file referred for final judgment by Court of Tonjadarce Adalut.

(Here enter Rec No 1550 of 1848)

Read Return dated the 18th Instant from the Acting Sessions Judge of Cuddalore to the Precept of the Tonjadarce Adalut under date the 11th June returning the Cuddalore Calendar for Sessions Case No 81 of 1848 in order that an abstract of the Finding of the Law Officer and of the precise grounds of the reference of the case to Tonjadarce Adalut may be entered thereon.

(Here enter Rec No 1552 of 1848 Se

Thursday 20th July 1848

J. C.

At a Court of the Tonjadarce Adalut

Present

G. L. Cooper Esqre 1st Puisne Judge
C. P. Thompson Esqre 2d Puisne Judge
W. A. Morehead Esqre 3d Puisne Judge

Read the following letter from the Agent to the Governor in the District of Ganjam, under date the 2d Ultimo.

(Here enter No 1505 of 1848)

Case No 7 of 1848
Governor's Agents Calendar
Ganjam

In the foregoing letter from the Agent reports the trial of a Prisoner charged with "having in company with certain others armed with offensive weapons and by torch light on the night of the 17th June 1847, proceeded in a band to the Mut or Monastery of the Prosecutors Radevadoss situated at Jelobah in the Podrah Mootah of the Goomsoor Zemindary, and, breaking open the door thereof, plundered and carried off Brass vessels, Clothes, Silver Ornaments and other Articles of the value of 200 Rupees"

2. Connected with that Case

20th July 1848.

20th July 1848

Read Letter dated the 21st Ultimo received on the 15th instant from the Sessions Judge of Salem referring for the final judgment of the Foujdaree Udalut the record of Case No. 30 of the Calendar of the Session Court of 1848.-

(Here enter Jud. No. 15 20 of 1848)

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

Mr. D. Thompson and Mr. W. A. Morehead

Abby

is not convicted on presumptive proof or on the evidence of credible witness or on his own confession, of the crime charged, do acquit him thereof, and direct that he be set at liberty, so far as it regards this case.-

The Court of Foujdaree Udalut are of opinion that the Abby tild by the Prosecutrix is in the highest degree, improbable, considering the age of the woman and the circumstance of the prisoner being

20th July 1848.- ix No. 9 of 1847 on the Agents Calendar, which was disposed of in Proceedings of this Court under date the 7th August 1847, the Prisoners therein concerned being the individuals above alluded to, and the evidence in both cases being nearly similar the Agent is of opinion that the Prisoner is guilty of the crime charged-

2. The Court of Foujdaree Udalut concurring in this view, resolve, under the provisions of Clause third Section IV and Clause third Section VIII of Regulation XV of 1803, to confirm the proposed sentence of 14 Years imprisonment with hard labor in irons on the prisoner

Cheytena Swamy

and direct that he be banished to the Zillah of Rajahmundry.-

Ordered that Extract from these Proceedings be sent to the Agent to the Governor in Ganjam and Sessions Judge of Rajahmundry for their information respectively.-

(Sentence No. 792 of 793)

20th July 1848 being well known to him and residing in the same Village with her.

The 3d Witness states that the Prisoner was apprehended on a Warrant sent into the Coimbatore District: this Warrant is not with the Record of Case No. 31 nor is it entered in the List of Documents not translated. The Court observe that it should not have been omitted.

Ordered that Extract from the Proceedings be sent to the Sessions Judge of Salem for his information.

(Sent following letter No. 794)

Read letter dated the 21st Ultimo from the Sessions Judge of Salem submitting for the final judgment of the Foujdaree Udalut the record of Case No. 31 on the Calendar of the Session Court for 1848.

(Here enter F.R. No. 1521 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. D. D. Thompson and Mr. W. A. Morehead

No. 794.
20th July 1848.

is sufficient to convict him of an assault, for which, according to the Mahomedan Law, as declared in futwas of their Law Officers, discretionary punishment is awardable, do convict him thereof and under the provisions of Clause third Section VII Regulation XX 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 (2) two Years.

Sent following letter No. 795.

End 794

J. L.

F: C:

Friday 21st July 1848.

At a Court of the Foujdaree Udalut.

Present.

Gy: S: Hooper Esqre — 1st Puisne Judge

E: P: Thompson Esqre — 2nd Puisne Judge

W: A: Morehead Esqre — 3rd Puisne Judge

Read Calendar of Case No. 24 of 1848. of the Session Court of Coimbatore.

(Here enter F: C: No. 1469 of 1848).

1. In this Case eight Prisoners were charged with "Gang Robbery by open violence".—

2. The Session Judge in concurrence with the Futwa of the Law officer convicted the 3rd Prisoner of the crime charged, and sentenced him to 14 Years imprisonment with hard labor in irons. The remaining Prisoners were acquitted and released.—

3. On the ground "that a Prisoner "who, instead of denying and so adding to his guilt, "confesses it, is an object for merciful consideration", the Session Judge now recommends that the sentence of imprisonment passed upon the 3rd Prisoner be mitigated to ten (10) years.—

4 The Court of Foujdaree Udalut resolve to sanction the mitigation applied for, tho' not for the reason assigned by the Session Judge which in the opinion

opinion of the Court is inadmissible. The Sessions Judge will be pleased to issue his Warrant for the imprisonment of the Prisoner

"Rawmen."

for the period of ten (10) years with hard labor in irons.

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

(Sent in No. 797)

Read Criminal Reports of the Sessions Court of Guntoor for June 1848.

(Here enter F. C. No. 1503 of 1848).

Report B. Case No. 44. 1. The Court of Foujdaree Adalut observe that the offence committed by the Prisoner in this Case, namely, that of "uttering Counterfeit Coin" was beyond the jurisdiction of the Moofty Sudder Ameen: the Case was committable, and should have been disposed of by the Sessions Judge under clause first Section VII. Regulation II of 1822. The Sessions Judge will accordingly be pleased to direct the Sudder Ameen to call up the Case, and commit the Prisoner for trial before the Sessions Court.—

Case No. 47. 2. No mention having been made of the place from whence the property in this Case was stolen, the Court of Foujdaree Adalut resolve to call the attention of the Sessions Judge to the omission, and to direct

21st July 1848.

direct that such information be in future duly supplied in the body of the charge.—

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

(Sent in No. 798)

Read Criminal Reports of the Sessions Court of Masulipatam for June 1848.—

(Here enter F. C. No. 1510 of 1848).

Report A Case No. 16. 1. Adverting to the Proceedings held by the Sessions Judge on this Case, the Court of Foujdaree Adalut observe that in Cases of this description, where nothing resulted from the examination of the Record the transmission of Report A is not necessary.—

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

(Sent in No. 799).

Read return dated the 4th Instant from the Sessions Judge of Cuddapah, to the Precept of the Foujdaree Adalut under date the 28th Ultimo, calling for explanation regarding the Criminal Cases Nos. 90, 96 and 107 of 1848. on the file of the Subordinate Court for the months of May last.—

(Here enter F. C. No. 1464 of 1848)

Read

Read letter dated the 4th Instant from the Sessions Judge of Guntoor forwarding further explanation received from the Magistrate of Guntoor in Sessions Case No. 19 of 1848.—

(Here enter F. R: No. 1467 of 1848).

Read Calendar in Case No. 25 of 1848 submitted by the Sessions Judge of Guntoor under date the 4th Instant.—

(Here enter F. R: No. 1468 of 1848).

Read Calendar in Case No. 32 of 1848 submitted by the Acting Sessions Judge of Cuddalore under date the 5th Instant.—

(Here enter F. R: No. 1475 of 1848).

Read Statement dated the 8th Instant, submitted by the Sessions Judge of Bellary, of Batta paid to Prosecutors and witnesses attending before the Sessions Court from 1st January to 30th June 1848.—

(Here enter F. R: No. 1479 of 1848).

Read report dated the 3rd Instant, submitted by the Sessions Judge of Mangalore, of Cases pending on the 31st May and committed for trial during the Month of June 1848. before the Sessions Court.—

(Here enter F. R: No. 1481 of 1848).

Read report dated the 1st Instant submitted by the Agent to the Governor of Fort St. George at Vizagapatam, of Cases pending on the 30th May

May and committed for trial during the Month of June 1848. and which have been before the Court of the Agent to the Governor of Fort St. George in Vizagapatam for a period in excess of 25 days calculated from the date of commitment.—

(Here enter F. R: No. 1482 of 1848).

Read Calendar in Case No. 31 of 1848 submitted by the Sessions Judge of Cuddapah under date the 5th Instant.—

(Here enter F. R: No. 1485 of 1848).

Read Calendar in Case No. 26 of 1848 submitted by the Sessions Judge of Salem under date the 26th Ultimo.—

(Here enter F. R: No. 1486 of 1848).

Read Calendar in Case No. 12 of 1848 submitted by the Sessions Judge of Honore under date the 1st Instant.—

(Here enter F. R: No. 1490 of 1848).

Read return dated the 8th Instant from the Sessions Judge of Coimbatore, to the precept of the Foujdaree Adalut under date the 3rd idem.— directing that the 3rd Prisoner in Commit. Case No. 11, be required to furnish two sureties in 50 Rupees each for one year, or in default that he be detained in confinement for that period.—

(Here enter F. R: No. 1496 of 1848).

Read

Read Calendar in Case No. 9 of 1848.
submitted by the Sessions Judge of Trichinopoly under
date the 7th Instant.-

(Here enter F: R: No. 1499 of 1848).

Read return dated the 10th Instant,
from the Sessions Judge of Chittoor, to the precept of
the Foujdaree Adalut under date the 1st idem, directing
the immediate and unconditional release of the Prisoner
in No. 24 of the Calendar for 1847.-

(Here enter F: R: No. 1501 of 1848).

Read statement dated the 10th Instant,
submitted by the Sessions Judge of Guntoor, required
by Circular Order No. 4 of the Court of Foujdaree Adalut.
of the trials referred by the Sessions Court of Guntoor
during the 1st Half year of 1848.-

(Here enter F: R: No. 1502 of 1848).

Read statement of the amount realized by the labor
of the Prisoners in the 2d Quarter of 1848. submitted by the Sessions
Judge of Masulipatam under date the 10th Instant.-

(Here enter F: R: No. 1508 of 1848).

Read report dated the 10th Instant,
submitted by the Sessions Judge of Trichinopoly of
a Case pending for trial before the Sessions Court in
excess of 25 days from the date of Commitment.-

(Here enter F: R: No. 1518 of 1848).

Read Statement dated the 11th Instant
submitted

submitted by the Sessions Judge of Masulipatam
batta paid to Prosecutors and Witnesses attending
before the Sessions Judge in the 1st Half year of 18

(Here enter F: R: No. 1522 of 1848).

Read Criminal Reports dated the
6th Instant submitted by the Subordinate Judge of
Madura for the Month of June 1848.-

(Here enter F: R: No. 1525 of 1848).

Read Criminal Report B. dated the
15th Instant submitted by the Sessions Judge of
Combaconum for the Month of June 1848.-

(Here enter F: R: No. 1554 of 1848).

Read Report B. dated the 12th Instant
submitted by the Sessions Judge of Mangalore of
Persons apprehended in the Zillah of Mangalore and
delivered to the Subordinate Judge in the Month of
June 1848.-

(Here enter F: R: No. 1555 of 1848).

Read Calendar in Case No. 21 of 1848
submitted by the Sessions Judge of Rajahmundry
under date the 12th Instant.-

(Here enter F: R: No. 1556 of 1848).

Read Criminal Reports and Statement
dated the 15th Instant submitted by the Sessions Judge
of Trichinopoly for the Month of June 1848.-

Here enter F: R: No. 1562 of 1848) &c

21th July 1848.

Read letter dated the 13th Instant, from the Sessions Judge of Calicut transmitting Criminal Reports B for June last as well as Copy of a letter from the Sub Judge having reference to the Sessions Courts proceedings on Case No 94 of the Report A.—

(Here enter F. G. No 1578 of 1849).

F. G.

Monday 24th July 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 26th June 1848. by Soobbier of Zillah Combaconum

(Here enter F. G. P. No 175 of 1848)

1. The Petitioner prays the Court of Foujdaree Adalut to order the investigation of certain charges preferred by his Agent before the Magistrate of Tanjore and regarding which that officer has omitted to institute any enquiry.—

2. The Court of Foujdaree Adalut observe that if the Petitioner, be dissatisfied with any proceedings of the Magistracy, he should represent the circumstances of the Case to the Sessions Judge who will doubtless afford him the requisite redress.—

3. Should he not be satisfied with the officer's decision it will then be open to him to appeal to the Court of Foujdaree Adalut.—

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

Read.

Read Miscellaneous Petition presented on the 26th. Ultimo by Irungala Kristnoodoo of Zillah Chittoor.—

(Here enter F. Gr. P. No. 176 of 1848).

1. This is an application for the interference of the Court of Fouzdaree Udalut with reference to certain charges which the Petitioner prefers against certain of the inhabitants of the Village to which he belongs.—

2. The Court of Fouzdaree Udalut resolve to refer the Petitioner to the Local authorities to whom he should represent the grievances of which he complains.—

3 Should the Petitioner be dissatisfied with the orders that may be passed by the Magistrate, in the matter, it will be open to him to appeal to the Sessions Judge; but until it shall appear that the Petitioner has failed to obtain redress from either of those officers, the Court of Fouzdaree Udalut are unable to interfere.—

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

Read Miscellaneous Petition presented on the 26th. June 1848 by Padiachy Poongan and seven others of Zillah Salem.—

(Here enter F. Gr. P. No. 185 of 1848).

1. Petitioners are discharged Convicts from the Jail at Cuddapah, and complain of the refusal of Captain

Captain Worster to grant them the usual advance of money, as Batta, to enable them to reach their own Country. They, therefore, pray the interference of the Court of Fouzdaree Udalut.—

2. The Court of Fouzdaree Udalut observe that the matter of this Petition has already been disposed of by the grant of Batta to the Petitioners as solicited.—

Ordered that Extract from these Proceedings be given to the Petitioners on their application.—

Read Miscellaneous Petition presented on the 10th. Instant by R. Seroonmulrow Vakeel on behalf of Dewoo Chetty of Zillah Bangalore.—

(Here enter F. Gr. P. No. 190 of 1848).

1. The Petitioner complains of the dismissal by the late Assistant Magistrate of Bangalore of a charge of Assault and Robbery preferred by him against certain individuals, and submits an Extract from the Proceedings of the Sessions Court declining to interfere in the Case.—

2. The Court of Fouzdaree Udalut can pass no orders on the subject of this Petition until the Petitioner shall have submitted for their consideration an attested Copy of the order of the Assistant Magistrate by which he considers himself aggrieved.—

Ordered

24th July 1848.

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

Read Miscellaneous Petition presented on the 10th July 1848 by Mootha Naidan of Zillah Tinnevelly.—

(Here enter F. M. P. No. 193 of 1848).

The matter contained in this Petition being of a Civil nature the Court of Foujdaree Udalut refuse to take the same into their consideration unless presented on stampt paper.—

Ordered that the foregoing resolution be communicated to the Petitioner and that Extract from these Proceedings be given to Petitioner on his application.—

Read again letter dated the 27th Ultimo from the Agent to the Governor in Vizagapatam submitting for the final Judgment of the Foujdaree Udalut the Record of Case No. 14 of 1848. on his Calendar.—

(Here enter F. C. No. 1433 of 1848).

Read also Extract from the Minutes of Consultation under date the 18th July 1848. from the Secretary to Government in the Judicial Department Approving and confirming the sentence passed by the Court of Foujdaree Udalut on two prisoners convicted in trial No. 14 of 1848. on the Vizagapatam file of the Crime of Rebellion.—

(Here enter F. C. No. 1564 of 1848).

Under

F. C.

24th July 1848.

Under authority of the Right Honorable the Governor in Council the Court do accordingly decree that the Prisoners,

1st Tuggy Sunneyassy Dhora.
of Daracondah.
and
2d Kunkepanty Chatrapadulo.

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 respectively.—

(Sent in No. 806)

Read Calendar of Case No. 35 of 1848 of the Sessions Court of Salem.—

(Here enter F. C. No. 1529 of 1848).

1. The Prisoner in this case was charged with "Housebreaking by night, and Theft;" and, on conviction, was sentenced by the Sessions Judge to Seven (7) years imprisonment with hard labor in irons.—

2. In consideration of the youth of the Prisoner, and this being apparently his first offence, the Sessions Judge recommends that the term of his imprisonment be reduced to (4) four years.—

3. On the grounds stated by the Sessions Judge

Judge, the Court of Foujdaree Udalut approve his recommendation for a mitigation of the Prisoner's sentence, and, under the provisions of Section IV Regulation I of 1825, the Court authorize the Sessions Judge to issue his Warrant for the imprisonment of the Prisoner

"Lutchmon"

for the period of four (4) Years with hard labor in irons.

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

(Sent in No. 807)

Read Calendar of Case No. 20 of 1848. of the Sessions Court of Chittoor.

(Here enter F. Cs. No. 1531 of 1848).

1. The Prisoner in this Case was charged with Gang Robbery, and on conviction was sentenced by the Sessions Judge to 14 Years imprisonment with hard labor in irons.—

2. In the absence of any aggravating circumstances in the Commission of the Crime, and in consideration of the small value of the property stolen, as well as of the youths of the Prisoner, the Sessions Judge now recommends that the term of his imprisonment be reduced to (3) three years.—

3. On the grounds stated by the Sessions Judge the Court of Foujdaree Udalut resolve to sanction the

the mitigation recommended and under the provisions of Clause third Section III Regulation I of 1825 the Court authorize the Session Judge to issue his Warrant for the imprisonment of the Prisoner.

"Audegadoo"

for the period of three (3) years with hard labor in irons.—

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

(Sent in No. 808)

Read Calendar of Case No. 28 of 1848 of the Sessions Court of Cuddapah.—

(Here enter F. Cs. No. 1530 of 1848).

1. The Prisoner in this Case was charged with "Highway Robbery attended with Wounding

2. The Sessions Judge, in concurrence with the Futwa of the Law Officer, convicted the Prisoner of the crime charged, and sentenced him to 14 Years imprisonment with hard labor in irons.—

3. The Sessions Judge now recommends that that sentence be reduced to 8 years imprisonment.—

4 The Court of Foujdaree Udalut are of opinion that a still further mitigation in the Prisoners sentence may in this Case with propriety be allowed, and under the provisions of Section XXXV Act VII of 1843

The

24th July 1848.

The Court resolve to direct that the Prisoner be kept in confinement with hard labor in irons for the period of (7) seven years.—

5. The Sessions Judge will be pleased to issue a fresh warrant in accordance with the foregoing resolution.—

Ordered that Extract from these Roeedings be forwarded to the Sessions Judge of Cuddapah by.— Precept returnable within III days from and after its receipt.—

(Sent following Precept No. 809)

Read Miscellaneous Petition presented on the 10th July 1848. by Iyyasammy Naick of zillah Chingleput.—

(Here enter F. C: Dr P. No. 191 of 1848).

1. The Petitioner, adverting to the order of the Foujdaree Adalut dated 29th May 1848. passed on his Petition No. 157 of 1848, requiring him to produce an authenticated Copy of the Diary order of the Sessions Judge complained of by him, now submits the same, and prays that the subject of his complaint may be taken into the favorable consideration of the Court. Petitioner further prays to be furnished with a Copy of the order passed by the Court on the Petition — presented by him under date 30th August 1847.—

2. On perusal of the Proceedings of the Sessions Court now submitted, the Court of Foujdaree Adalut

F: 66:

24th July 1848.

Adalut observe that orders were passed by the late Sessions Judge on the Appeal Petition without reference to the Record of the Case. The Court therefore resolve to direct the Sessions Judge now to call up the Record, and, after due consideration thereof, to pass such orders in the matter as may to him seem called for.—

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

(Sent in No. 810)

Ordered also that Extract from — these Proceedings be furnished to the Petitioner on his application together with Copy of the order prayed for.—

The Vakeel F. Appiah on behalf of Mana Vikrama Ellea Rajah of Calicut, moves the Court to return the enclosures in Miscellaneous Petition No. 91 of 1848.—

Ordered accordingly.—

The Mookhtar Vakeel Soobaramien of Anunta Nagalinga Chetty of Combaconum, moves the Court to return the enclosures in Miscellaneous Petition No. 331 of 1847.—

Ordered accordingly.—

Read

24th July 1848.

Read Criminal Report dated the 15th Instant submitted by the Acting Sessions Judge of Cuddalore for the Month of June 1848.-

(Here enter F: C: No. 1563 of 1848).

Read Criminal Reports dated the 12th Instant submitted by the Sessions Judge of Tellicherry for the month of June 1848.-

(Here enter F: C: No. 1579 of 1848).

Read Calendars in Cases No. 23 and 25 of 1848 submitted by the Sessions Judge of Tinnevelly under date the 14th July 1848.-

(Here enter F: C: No. 1580 and 1581 of 1848)

Read returns dated the 15th Instant from the Sessions Judge of Cuttack to the precept of the Foujdaree Adalut under date the 10th idem mitigating the punishment awarded to the 1st 2nd and 5th Prisoners in Case No. 24 of 1848 on the Sessions Calendar to one years imprisonment without irons.—

(Here enter F: C: No. 1589 of 1848).

Encl 14

Tuesday 25th July 1848

F. D. C.

In a Court of the Fuydaree Adalut

Present

W.W. G. J. Hooper Esqre 1st Puisne Judge
C.P. C. P. Thompson Esqre 2d Puisne Judge
W.C. W. A. Morehead Esqre 3d Puisne Judge

Read Calendar of Cases No 17 of 1848 on the file of the Session Court of Combaconum (Register F.C. No 1539 of 1848)

1. The 1st Prisoner in this case was charged with Housebreaking and Theft and on conviction has been Sentenced to Seven years imprisonment with hard labor in irons.

2. The 2nd Prisoner charged with receiving Stolen property knowing it to have been stolen has been Sentenced to Imprisonment with hard labor in irons for the period of one year.

3. The 3d prisoner has been unconditionally released.

4. On the ground that there are reasons for supposing that the

25th July 1845 1st prisoner did not take a prominent part in the offence of which he has been convicted and adverting to the absence of aggravating circumstances, the Sessions Judge recommends that the prescribed period of imprisonment in the case of the 1st prisoner be reduced to three Years

5 Of this recommendation the Court of Foujdaree Udalut approve and they authorize the Sessions Judge to issue his warrant accordingly.-

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

(Sentence No. 814)

The Court of Foujdaree Udalut, resolve to call the attention of the Magistrates to that part of the Circular Order of the 17th November 1829 which directs that the Annual Reports on the "State of the Police" of their respective Districts, shall have "especial reference to those crimes the perpetrators of which have altogether escaped

25th July 1848. escaped detection;" and to explain that the subject matter of those Reports should, in other respects, be strictly confined to the actual facts set forth in the figured Statements which accompany them.-

Should the Magistrates see 2 fit (as they not infrequently do now) to propose plans for the improvement of the Police, or to discuss the merits of any part of the existing Judicial System, or any other Question of General interest which they may deem more or less connected with the subject of Police (all which discussions or propositions the Foujdaree Udalut will at all times be happy to receive and give their best attention to) their remarks on such topics are in future to be submitted, at the time that circumstances or matured reflection may call them forth, and in separate communications without reference to the Annual Police Reports.-

In like manner, the Sessions 3. Judge will, in their Annual Reports confine their comments to the Subject

25th July 1848 Subject matter of the Magistrates Reports and Statements. Any Suggestion or general remarks on the administration of Criminal justice, alterations of the Law &c. &c. which they may wish to offer, will be submitted from time to time as they may occur to them, in separate Letters and without reference to the Annual Reports.-

Ordered that Extract from these Proceedings be sent to the Session Judges and Agents for their information and for communication to the Magistrates and their Subordinates.-

(Sent following Circular No 815)

Read Calendar of Case No 21 of 1848 on the file of the Session Court of Chittoor.-

(Here enter F.C. No 1540 of 1848)

The 1st Prisoner in this case was charged with having removed the door of a room in the House of the Prosecutor and stolen therefrom Gold and Silver ornaments value

F.C.

25th July 1848.- valued at Rupees 574-15-4.-

2 The 2d and 3d Prisoners were charged as accessories after the fact in having received and concealed the property in question knowing it to have been stolen.-

3 The 1st and 2d Prisoners have been sentenced respectively to seven and four Years imprisonment with — Labor suitable to their Sex and the 3d prisoner has been placed under a requisition of Security.-

4 Adverting to the absence of any aggravating circumstances in the Commission of the offence of which the 1st Prisoner has been convicted the Session Judge recommends that the period of imprisonment awarded to her be reduced to four Years.-

5 Of this recommendation the Court of Foujdaree Udalut approve and they authorize the Session Judge of Chittoor to issue his warrant accordingly.-

Ordered

25th July 1848.-

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

(Sent in No 816)

Encl 7/.

F.No.

Wednesday, 26th July 1848.- At a Court of the Foujdaree Udalut.-

-Present-

G. S. Cooper Esqre ___ 1st Puisne Judge.-
C. D. Thompson Esqre ___ 2d Puisne Judge.-
W. A. Morehead Esqre ___ 3d Puisne Judge.-

Read again Calendar of Case No 9 of 1848 on the file of the Sessions Court of Tellicherry.

(Vide inter F. No. Nos 1373 of 1848.)

Read also return under date the 13th Instant from the Sessions Judge of Tellicherry to the precept of this Court of Foujdaree Udalut dated the 6th idem requiring information as to the nature of the defence made by the prisoner in the foregoing case.-

(Vide inter F. No. No 1569 of 1848.)

The Court of Foujdaree Udalut approve of the mitigated sentence of five years Imprisonment with hard labor in irons recommended by the Sessions Judge to be passed upon the prisoner in this case and that officer is authorized to issue his warrant accordingly.-

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of

of Pellacherry for his information and guidance.-

(Sent in No. 817

Read Calendar of Case No. 25 of 1848 on the file of the Sessions Court of Coimbatore.-

(Here enter F. C. No. 1491 of 1848)

The Court of Singidarie Adalut see reason to question the sufficiency of the evidence upon which the 1st and 2nd Prisoners in this case have been convicted and they accordingly resolve to direct that an English Translation of the entire record of the case be submitted for their consideration; the sentences awarded being suspended until further orders.-

Ordered that Extract from these proceedings be forwarded 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. 818

Read letter under date the 8th Instant from the Subordinate Judge of Chittoor forwarding the 1st Half Yearly Statement of the Convicts in the Jail at that station.-

(Here enter F. C. No. 1493 of 1848.)

The Court of Singidarie Adalut observe

that the transmission of a letter with statements of the nature of that now forwarded is unnecessary.-

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

(Sent in No. 819

Read Criminal Reports forwarded by the Sessions Judge of Coimbatore for the months of June 1848.-

(Here enter F. C. No. 1494 of 1848.)

Cases Nos. 142-143.

The awards of crimes being unauthorized by the provisions of the Law under which the Sentences in these cases have been passed, the Court direct that that portion of the sentences in question be remitted.-

Ordered that Extract from these proceedings be forwarded 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. 820

Read Calendar of Case No. 1513 of 1848 of the Sessions Court of Chingleput.-

(Here enter F. C. No. 1513 of 1848.)

1. Six prisoners in this case were

5th July 1848.

were charged with "robbery by open violence."-

2. The Sessions Judge concurring with the Law officer in the conviction of the prisoners of the offence laid to their charge, has sentenced them respectively to 14 years' Imprisonment with hard labor in irons, with a recommendation that the period of Imprisonment awarded be reduced to five years.-

3. Adverting to the brutal manner in which the prisoners are shown to have conducted themselves on the occasion of the robbery of which they have been convicted, the Court of Sunjdarees Udalut are not prepared to accede to the mitigation of punishment recommended by the Sessions Judge; but they sanction a reduction of the sentence to the period of seven years and authorize the Sessions Judge to issue his warrant accordingly.-

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

(Sent in No. 821

Read Calendar of Case No. 26 of 1848 of the Sessions Court of Calicut.-

(Here enter F. C. No. 1516 of 1848.)

The Court of Sunjdarees Udalut

desire

2.

F. C.
25th July 1848.-

desire that the Sessions Judge will state for their information the specific grounds upon which he has deemed it proper to place the prisoner in this case under a requisition of security.-

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

(Sent following precept No. 822

Read Calendar of Case No. 50 of 1848 on the file of the Sessions Court of Trichinopoly.

(Here enter F. C. No. 1517 of 1848.)

1. One prisoner in this case was charged with "Robbery by open violence" and on conviction has been sentenced by the Court of Session to 14 years Imprisonment with hard labor in irons.

2. The Sessions Judge however being of opinion that in this case the prescribed sentence would be too severe, recommends that the period of Imprisonment awarded be reduced to seven years.-

3. The Court of Sunjdarees Udalut approve of this recommendation and accordingly authorize the Sessions Judge to issue his warrant for the Imprisonment of the prisoner for the

the period specified.-

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

(Sent in No. 823)

Read Criminal Reports of the Sessions Court of Nellore for June 1848.-

(Here enter F. 16. No. 1544 of 1848.)

Report B. Cases No. 7/4.

1. The Prisoner in this case was charged with having stolen the turband of the Prosecutor, valued at 1 Rupee, and on conviction, was sentenced by the Principal Sudder Ameen to seven (7) months imprisonment with hard labor in irons under Clause Fourth Section III Regulation VII of 1822.-

2. With reference to the small value of the property stolen, the Court of Sunjdaree Udalut desire to be informed of the peculiar circumstances in this case, which rendered the above enactment applicable to its punishment.-

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

(Sent following precept No. 824

Read

Read Criminal Reports received from the Agent to the Governor of Fort St. George in Ganjam for June 1848.-

(Here enter F. 16. No. 1557 of 1848.)

Report B. Cases No. 9-11- and 15.-

The Court of Sunjdaree Udalut observe that the Enactment quoted by the Agent in support of the punishment awarded to the Prisoners in the cases noted in the margin namely Act III of 1844 does not apply to this Presidency, the sentences were consequently illegal.-

Ordered that Extract from these proceedings be forwarded to the Agent to the Governor of Fort St. George in Ganjam for his information and future guidance.-

(Sent in No. 825)

End. 1/4.

Read letter dated 11th Instant from the Sessions Judge of Tinnevelly submitting for the final judgment of the Sunjdaree Udalut the Record of Case No. 22 of 1848 of the Calendar of the Sessions Court.-

(Here enter F. 16. No. 1584 of 1848.)

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

The Court of Sunjdaree Udalut, on deliberate consideration of all the circumstances of the case in Evidence before them, being

of

26th July 1848.-

of opinion that the proof against the prisoner, "Pailchimoottoo." is sufficient to convict her of the crime charged, do convict her thereof; and sentence her to be transported to such place or places beyond Sea, as the Governor in Council shall appoint, there to be imprisoned and kept to labor suitable to her sex for, and, during the period of her natural life.-

(Sent following Letter No. 826

J. U.

Thursday 27th July 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 again letter under date the 14th June 1848 from the Session Judge of Rajahmundry.

(Here enter J. U. No. 1353 of 1848).

Read also return under date the 12th Instant from the Session Judge of Rajahmundry to the precept of the Foujdaree Adalut dated the 6th idem directing the submission of the usual reports of Cases Nos. 38, 39 and 40 of 1848. on the file of the Criminal Court, and an explanation with reference to their previous omission.-

(Here enter J. U. No. 1551 of 1848).

1. The Court of Foujdaree Adalut observe that the observations contained in their proceedings of the 6th Instant regarding the supposed omission of the usual reports of the Cases above referred to originated in a misapprehension, the reports in question having been submitted in the usual course as pointed out by the Subordinate Judge in his letter of the 11th Instant which accompanies the return

now

now under review.—

2. The Court of Foujdaree Udalut are pleased to sanction the mitigation of the sentence awarded to the prisoner in Case No. 38 to the extent which has been sanctioned in Case No. 37.—

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

(Sent in No. 830)

Read Calendar of Case No. 26 of 1848. of the Sessions Court of Coimbatore.—

(Here enter F. C. No. 1514 of 1848).

1. In this Case five (5) Prisoners were charged with "Gang Robbery".—

2. The Futwa of the Law Officer convicts the Prisoners of simple Theft; and the Sessions Judge concurring therein Sentenced them to (7) Seven years imprisonment with hard Labor in irons.—

3. On the ground that a confession made by a Prisoner tends to make him an object for more consideration, and in the absence of proof of any noticeable violence the Sessions Judge now recommends that the sentence passed upon the Prisoner be mitigated to four (4) years imprisonment with hard labor in irons.—

4. The Court of Foujdaree Udalut

27th July 1848.

resolve to sanction the mitigated sentence proposed by the Sessions Judge and under the provisions of Section IV Regulation I of 1825, authorise him to issue his Warrants accordingly.—

5. The Court of Foujdaree Udalut direct that, in future, when the Crime of which a Prisoner is convicted, differs from that with which he is charged, the Heading of the charge be amended accordingly.—

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

(Sent in No. 831)

Report B
Case No. 86

Read Criminal Reports of the Sessions Court of Chittoor for June 1848.—

(Here enter F. C. No. 1543 of 1848).

1. The Prisoner in this Case was charged with having broken open a box obtained by him from the Prosecutor's son, and with having stolen therefrom ornaments valued at Rupees 269-14- and, on conviction was sentenced by the Moofsee Sudr Ameen to 6 months' imprisonment with hard labor in irons under Section VII Regulation X of 1816.—

2. With reference to the amount of Property stolen the Court of Foujdaree Udalut are of

of opinion that the Prisoner should have been sentenced under clause fourth Section III Regulation VII of 1822, and they cannot but deem the sentence of Six months imprisonment very inadequate punishment for the crime he committed.—

Report A Cases Nos 92 & 93. 3. From the fact of the Signature of the Subordinate Judge being attached to the Proceedings held in these Cases, the Court of Foujdaree Udalut are led to conclude that the order directing the revision of the original sentence passed upon the Prisoner by the Hindoo Sudr Ameen emanated from the Subordinate Judge; if such be the case, the Court observe that that order is clearly illegal, and must be immediately cancelled. Section XXXVI Act VII of 1843 in modification of Section II Regulation III of 1833, conferring upon Sessions Judges alone the power of over ruling judgments passed by Sudder Ameens in Criminal Cases.—

4 The Court at the same time direct that the Sudr Ameen be called upon to explain his reasons for passing so inadequate a Sentence as one months imprisonment upon the Prisoners charged in these cases.—

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 832)

Read

F: U:

27th July 1848.

Read the following Letter dated the 13th instant from the Session Judge of Calicut.

(Here enter F: U: No 1560 of 1848).

1. The Session Judge forwards a copy of the Calendar of Case No 27 of 1848 of the Session Court: and of an official Memorandum by the Subordinate Judge, respecting the same Case.—

2. The Prisoner in the Case, was charged with wilful and corrupt Perjury, in having stated on solemn affirmation that Lieutenant Gallwey of the 12th Regiment Madras Native Infantry assaulted and struck him; whereas (it is alleged) the said Lieutenant Gallwey never struck him either with his fist or hand or in any other manner.—

3. The Subordinate Judge states in his official Memorandum that as the Case came before him in his capacity of Justice of the Peace, he had no other course left open to him than to commit the Prisoner for Perjury.—

4 The Court of Foujdaree Udalut are of opinion that in adopting this course, the Subordinate Judge has acted injudiciously. The charge against Lieutenant Gallwey may have been and probably was exaggerated: but from the

the Sessions Judge's Letter it would appear that a Case of simple assault was established against that officer - The Subordinate Judge's experience must have brought him that in the great majority of Criminal Cases tried in this Country - there is always more or less of exaggeration, and yet the parties so exaggerating their Complaints are not made the subjects of a Criminal Prosecution for Perjury -

5. The Sessions Judge will be pleased, upon the receipt of these instructions, to cancel the Bail bonds into which the accused has entered, and order his unconditional discharge -

6. The Subordinate Judge states that "a Native falsely complaining against a Native for an assault before a Magistrate, can be punished for this false complaint, under Section XXXII - (meaning Section XXXV) Regulation IX of 1816" on this point the Subordinate Judge is in error. Section XXXV applies only to charges deemed to be wholly "litigious, vexatious or groundless" but does not authorize punishment in Cases in which the complaint is found to be exaggerated or partially groundless -

7. The Court of Foujdaree Adalut are of opinion that this question might, with propriety, have been decided by the Sessions Judge, on his own authority, without reference to this Court -

Ordered

27th July 1848.

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

(Sent in No. 833).

Read Calendar of Case No. 24 of 1848. on the file of the Sessions Court of Tinnevelly -

(Here enter F. G. No. 1588 of 1848).

1. Of two Prisoners in this Case charged with "robbery by open violence" the 1st Prisoner has been placed by the Sessions Judge under a requisition of Security, the 2d being unconditionally released -

2. In support of the opinion adopted by him that the evidence is insufficient for the full conviction of the 1st Prisoner, the Sessions Judge observes that but for certain objections which preclude a full reliance being placed on the evidence of the boy upon whom the robbery was committed the evidence in question supported by the discovery of certain of the stolen Jewels in the 1st Prisoners house might have been sufficient for the conviction of the 1st Prisoner, as the evidence of the Village Moonsif a very respectable man and whose evidence it appears can be depended upon in respect of the discovery of a portion of the stolen property in the 1st Prisoners house, tells strongly against him -

3. Under all the circumstances of the case the Court of Foujdaree Adalut consider that the discovery

discovery of a portion of the stolen property in the house of the 1st prisoner even if unsupported by the evidence of the boy to which the Sessions Judge takes exception would have been sufficient to the 1st Prisoner's conviction, and they are at a loss to understand how the Sessions Judge has arrived at the opinion upon which the requisition of Security is based.—

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

(Sent in No. 834)

Read Criminal Reports of the Sessions Court of Cuddapah for June 1848.—

(Here enter F. C. No. 1587 of 1848).

Report A
Cases Nos. 119 & 120.

1. Adverting to the remarks recorded by the Sessions Judge in the 4th para: of his Proceedings held in these cases, the Court of Foujdaree Udalut observe, that, when a Prisoner stands charged with having committed two distinct offences, it is necessary that each charge be separately inquired into, and if he be convicted of both, that a cumulative Sentence be passed upon him.—

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

(Sent in No. 835)

Read

Read Criminal Reports of the Sessions Court of Chingleput for June 1848.—

(Here enter F. C. No. 1546 of 1848).

Magistrates Report B.
Cases Nos. 621 and 696.

1. The Court of Foujdaree Udalut observe that the offence committed by the Prisoner in each of these Cases would appear to fall under the Head of "Snatching", and as such, should have been committed for trial before the Sessions Court.—

Case No. 57

2. The first Prisoner in this Case was charged with "Theft" and, on conviction, was sentenced by the Principal Sudr Ameen to 12 months imprisonment with hard labor in irons, and to receive 75 lashes with a cat o nine tails under clause fourth Section III Regulation VI of 1822.—

3. With reference to the small amount of property stolen, the Court of Foujdaree Udalut desire to be informed of the peculiar features of the Case which rendered the above enactments applicable to its punishment and the Prisoner, in the opinion of the Principal Sudr Ameen, deserving so severe a sentence. The Sessions Judge will be pleased to bear in mind that whenever a disparity appears to exist between the guilt of the Prisoner and the sentence passed upon him, an explanation of the cause is always expected.—

4. The Sessions Judge will also be

pleased

pleased to remember that whenever the same Prisoner is charged with two or more offences, his acquittal or conviction upon each separate charge must be distinctly stated in the Report. The Reports now under consideration are deficient in this particular with regard to the Cases noted in the margin.—

Cases Nos. 60, 61, 64 and 65.—

5. In submitting the information now called for, the Sessions Judge will also be pleased to explain the cause of 5 Peons 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 III days from and after its receipt.—

(Sent following Precept No. 836).

Read letter dated the 15th Ultimo from the Agent to the Governor of Fort St. George in Ganjam submitting Criminal Report No. 2 of the Agent's Court, together with the Report B from his Principal Assistant for last month.—

(Here enter F. G: No. 1377 of 1848).

Read letter dated the 15th Ultimo from the Sessions Judge of Honore forwarding the Criminal Reports for the month of May 1848.—

(Here enter F. G: No. 1387 of 1848)

Read

Read return dated the 19th Ultimo from the Agent to the Governor of Fort St. George in Ganjam to the precept of the Foujdaree Adalut under date the 9th Idem explaining the cause of the delay in the transmission of the Criminal Reports for the month of April 1848.—

(Here enter F. G: No. 1399 of 1848).

Read return dated the 28th Ultimo, from the Sessions Judge of Chingleput to the precept of the Foujdaree Adalut under date the 27th Idem calling upon him to explain the Cause of three Peons having been employed in excess of the prescribed number in guarding the Convicts worked outside the Jail for May last.—

(Here enter F. G: No. 1412 of 1848).

Read return dated the 28th Ultimo from the Sessions Judge of Chingleput to the precept of the Foujdaree Adalut under date the 27th Idem observing that the Sessions Judge had omitted to record in the usual column the precise grounds of the reference and whether he concurs or not in the Futwah in Case No. 13 of 1848 of the Calendar of the Sessions Court.—

(Here enter F. G: No. 1413 of 1848)

Read return dated the 26th Ultimo, from the Sessions Judge of Salem to the precept of the

the Foujdaree Adalut under date the 20th Instn on review of the Calendar in Case No. 24 of the said year and requiring information.—

(Here enter F. D: No. 1415 of 1848).

Read Statement dated the 28th Ultimo, submitted by the Sessions Judge of Cuddapah of Batta paid to Prosecutors and witnesses in attendance before him from 1st July to 31st December 1847.—

(Here enter F. D: No. 1418 of 1848).

Read return dated the 29th Ultimo from the Sessions Judge of Coimbatore to the precept of the Foujdaree Adalut under date the 21st Instn directing the immediate and unconditional release of the 1st 2nd and 4th Prisoners in Committ. Case No. 10 of 1848, and the demand of Security from the 3rd Prisoner in two sureties in 25 Rupees each for one year, or in default to be imprisoned for that period.—

(Here enter F. D: No. 1426 of 1848).

Read return dated the 30th Ultimo from the Subordinate Judge in charge of the Sessions Court of Combaconum to the precept of the Foujdaree Adalut under date the 27th Instn desiring to be more particularly informed of the nature of the instructions conveyed to the Magistrate in Criminal Case No. 59 of 1848.—

(Here enter F. D: No. 1427 of 1848). co

Ed H.

Friday 28th July 1848.

F. D.

At a Court of the Foujdaree Adalut

Present:

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

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

W. B. Morehead Esqre — 3rd Puisne Judge.

Read letter dated 15th Instant from the Sessions Judge of Cuddapah, submitting for the final judgment of the Foujdaree Adalut the Record of Case No. 23 of 1848, of the Calendar of the Sessions Court.—

(Here enter No. 1585.)

Mr. E. B. Thompson and Mr. W. B. 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 Prisoners,

1st Boota Chinnagadoo

3rd Londra Mahanumbee

and

4th Soogala Gollah Goravadoo

are not convicted on presumptive proof or on the evidence of credible eye witnesses

or

28th July 1848

were then were confessions of the prisoners charged, do acquit them thereof; and do direct that they be set at liberty.

1. The Court of Pongalarees Udalut observe that there was no evidence against the Prisoners, save their confessions before the Police, which cannot be deemed good for a conviction unless they be repeated before the superior Tribunals or corroborated by satisfactory evidence; which was not the case in the present instances.

2. The Court deem it proper to direct that the registration of security from the 2d prisoner be cancelled.

3. The transmission of a translation of the Tulwa with the Calendar was unnecessary in this case. The Circular Order of the 11th October 1822 requires that in all cases referred for the final Judgment of the Pongalarees Udalut, an abstract of the Tulwa should be given in Calendar. The full translations is to accompany the Record of the case.

Ordered

28th July 1848.

Ordered, that Extracts from these Proceedings, be sent to the Sessions Judge of Cuddapah, for his information and future guidance.

(Sent following letter No 839)

Read Criminal Reports of the Sessions Court of Bellary for June 1848.

(Here enter S'Ltr. No 1586 of 1848)

Report B Case No 101.

1. The Prisoner in this case was charged with "Theft" and on conviction was sentenced by the Principal Sudder Ameen to 7 Months imprisonment with hard labor in irons.

2. With reference to the number of offences of which the Prisoner had been previously convicted the Court of Pongalarees Udalut consider the sentence now passed upon him to be very inadequate punishment.

Case No 107. 3. The Court of Pongalarees Udalut observe that the Memorandum of Proceedings held by the Sessions Judge in this case should have been appended to the foot thereof instead of Report B

28th July 1848.

instead of being transcribed on a separate sheet of paper.

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

Sent in. Rs. 840 /-

End. 1H.

F.C.

Monday, 31st July, 1848.

At a Court of the Foujdaree Udalut.

Present

G. S. Cooper, Esquire - 1st Puisne Judge.

E. P. Thompson, Esquire - 2nd Puisne Judge.

W. A. Morehead, Esquire - 3rd Puisne Judge.

Read Miscellaneous Petition presented on the 10th July 1848 by V. Narasummah of Zillah Cuddapah.

Vide Entry F.C. M.P. No. 194 of 1848.

1. Petitioner prays a reconsideration of the Orders of the Foujdaree Udalut dated 1st July 1848 passed on the Petition* presented by her to the Court on the 29th May last.—

2. Petitioner is informed that the order of Court passed on her former Petition is final.—

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

Read

* No. 161 of 1848.

31st July, 1848.

Read Miscellaneous Petition presented on the 10th July 1848 by Appajee Moodely of Tillah Chinglepet.

Here Enter F.No. M.P. No. 196 of 1848.

1. This is an application for the interference of the Court of Foujdaree Udalut with reference to certain proceedings of the Magistrate of Chinglepet by whom he alleges that he has been improperly detained in Custody and denied redress from certain grievances of which he complains.—

2. The Court of Foujdaree Udalut cannot interfere in the matter of this Petition until the Petitioner presents for their consideration a copy of an order from the Sessions Judge to show that he has appealed to that officer from the orders of the Magistrate by which he considers himself aggrieved.—

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

Read

31st July, 1848.—

Read Miscellaneous Petition presented on the 10th July 1848 by Alagappa Nadan of Tillah Tinnevelly.—

Here Enter F.No. M.P. No. 198 of 1848.

1. This is an application for the interference of the Court of Foujdaree Udalut to issue orders to the Magistrate of Tinnevelly to abstain from receiving certain false complaints which the Petitioner apprehends will be preferred against him by certain parties whose enmity he has incurred.—

2. The Court of Foujdaree Udalut cannot interfere in the matter of this Petition being satisfied that the Magistrate will afford the Petitioner protection in the event of attempts being made to injure him as he appears to anticipate.—

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

Read Miscellaneous Petition presented on the 10th July 1848 by Chinna Uppala

31st July, 1848.

Uppala Chary. Mookhtar Vakeel on behalf of M. A. Sreenevasa Charloo of Zillah Masulipatam.—

(Here Enter F. Ho. M. P. No. 200 of 1848.)

1. The same party presented a Petition of Appeal from an Order of the Sessions Judge of Masulipatam dated 23d. February last, which was rejected by the Court of Foujdaree Udalut in their Proceedings under date 8th. May 1848 in consequence of the failure of the party to file an attested copy of the order complained against. Petitioner, now, adverting to those Proceedings submits a copy of the said order, and prays that it may be reversed.—

2. The Court of Foujdaree Udalut having carefully perused the order of the Sessions Judge now submitted are of opinion that it is in all respects correct and proper, and refuse, therefore, to disturb it.—

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

End. Vk.

F. Co.

Tuesday 1st August 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 Criminal Reports submitted by the Agent to the Governor of Fort St. George at Kurnool for June 1848.

(Here enter F. Co. No. 1616 of 1848)

The Court of Foujdaree Udalut direct that in future, when the same Prisoner stands charged with two or more offences, his acquittal or conviction upon each separate charge be distinctly entered in the Monthly Report. Information upon this point, the Court observe, has been withheld in regard to the two Cases noted in the margin.

Cases Nos. 32 and 36.

Ordered that Extract from these Proceedings be forwarded to the Agent at Kurnool for his information and future guidance.

(Sent in No.

Read

1st August 1848

Read Criminal Reports sub-
mitted by the Sessions Judge of Chingleput for
June 1848.

(Here enter F. C. No. 1618 of 1848)

Report A
Case No. 7

1.

Adverting to the Proceedings
held by the Session Judge on this Case, the Court
of Foujdaree Udalut observe that the Proceedings
of the Foujdaree Udalut to which he there-
refers do not apply to the Case of Sudder Ameen,
whose judgment the Session Judge is under
Section XXXVI Act VII of 1843 in modification of Section
II Regulation III of 1833. authorized to over-rule, the
Court of Foujdaree Udalut requiring however
that enhancement of sentences should be exercised
rarely and with much discretion.

Principal Sudder
Ameen of Chingleput.
Report B

2.

The Court of Foujdaree Udalut
direct that the Principal Sudder Ameen of
Chingleput, be instructed in future to specify
in his Criminal Reports the name of the Police
authority by whose each case is committed.

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

(Sentence No.

Read

1st August 1848

Read Calendar of Case No. 19
of the Session Court of Combaconum

(Here enter F. C. No. 1637 of 1848)

Two Prisoners in this Case were
charged with forgery and on conviction have
been sentenced by the Session Judge to
Imprisonment with hard labour in irons
for the period of five Years under the provisions
of Clause first Section III Regulation XV of 1811,
a recommendation being submitted by that officer
that the period of Imprisonment awarded be
reduced to three years.

2.

The Court of Foujdaree Udalut
are pleased to sanction the mitigation of
punishment proposed in this case by the Session
Judge which that Officer is accordingly
authorized to carry into effect.

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

Sentence No.

Read

1st August 1848.

Read Letter dated the 25th ultimo from the Session Judge of Combaconum, submitting for the final Judgment of the Foujdaree Udalut, the Record of Case No. 18 of the Calendar of 1848.

(Here enter F. C. No. 1688 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 proof against the Prisoner

"Moothien"

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.

Although the Court of Foujdaree Udalut have acceded to the recommendation of the Session Judge that the Prisoner should be exempted from the extreme penalty of the Law, they do not see sufficient ground for limiting

F. C.

1st August 1848.

his punishment to simple Imprisonment: and therefore, with reference to the provisions of Act XII of 1844, have sentenced him to Transportation for Life.

The Court observe that the

2.

charge should have been for wilful Murder and framed accordingly.

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

(Sent following Letter No.

Read Letter dated 27th ultimo from the Acting Session Judge of Cuddalore, submitting for the final Judgment of the Foujdaree Udalut the Record of Case No. 31 of 1848 of the Calendar of the Session Court.

(Here enter F. C. No. 1638 of 1848)

Mr. G. J. Hooper
and
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 proof against the Prisoner,

Ist. Meenatchy,

is sufficient to convict her of the crime charged, do convict her thereof; and sentence her to be transported

transported to such place or places beyond Sea, as the Governor in Council shall appoint, there to be imprisoned and kept to labour suitable to her sex for and during the period of her natural life

The Acting Session Judge recom-

1 mends that the sentence upon the 1st Prisoner be Imprisonment for five years.

2 The Court of Fouzdaree Udalut can discover no sufficient grounds for passing that lenient sentence.

3 It is clear that the Session Judge does not consider the Prisoner guilty of Murder for he observes in parah: 12 of his Letter that he considers the crime of "attempt to poison" to be satisfactorily established against the 1st Prisoner although there is no proof to shew that she was aware of the dangerous nature of the drug she administered, further than the assurances of the 2d Prisoner: and it would seem that the Mahomedan Law officer took the same view of the case, as he finds the Prisoner guilty only of "an act contrary to the Law" but in the opinion of the Fouzdaree Udalut, there can be no reasonable doubt that the Prisoner administered the drug knowing and intending that it was to cause death.

4 It is to be regretted that the Shop-

*page 81 Police Proceedings. man "Audah Chetty" from whom the 2d Prisoner states that he purchased some Corrosive Sublimate, was not examined.

5 The Court observed that a Persian copy of the Futwah should have accompanied the Record.

7 Ordered that Extract from these Proceedings be forwarded to the Acting Session Judge of Cuddalore for his information.

(Sent following Letter &c.

Read letter dated the 19th ultimo from the Session Judge of Chicacole, submitting for the final Judgment of the Fouzdaree Udalut, the record of Case No. 6 of 1848 of the Calendar of the Session Court

(Here enter F. Ua. No. 7687 of 1848)

The Court of Fouzdaree Udalut on

Mr E. J. Thompson
and
Mr W. A. Maitland

a deliberate consideration of all the circumstances of the Case in evidence before them, being of opinion that the proof against the Prisoner,

"1st Gaveny Narasegudoo

alias Appiah"

is sufficient to convict him of the crime of Murder,

do

do convict him thereof; and under the provisions of Section x Regulation xvii of 1802, sentenced him to suffer death by being hanged at the usual time and place of execution.

1. The Court of Fouzdaree Udalut observe that when the prisoners were arraigned, one question was put to both and one answer only received from both. This was irregular: they ought to have been arraigned separately, and their pleas received and recorded separately.

2 The reading of the 1st Prisoner's Police deposition at this stage of the Proceedings (namely the arraignment) was likewise irregular.

3. The examination of the Prosecutor and six witnesses, occupied the 22d and 23d May. On the day following, the trial did not proceed; but no reason is assigned for that adjournment.

4. On the 25th the 8th witness was examined.

5. Six whole days were allowed to pass, and nothing was done, and on the 1st June, the trial was resumed and brought to a close. No cause for this long adjournment is given.

6 The Mahomedan Law Officer took five days or to the 5th June, to give in his Futwah.

7 On the 7th June or two days after the Futwa was delivered, the Session Judge informed the 1st Prisoner that the case would be referred to the Fouzdaree Udalut.

8 The translation of the Record occupied forty two days or six weeks. As the case was only the sixth committed since the 1st January 1848 it ought to have been completed in ten days as enjoined by Section xxvii Regulation vii of 1802.

9 Of all these delays on the part of the Session Judge the Mahomedan Law Officer and the Translator, the Court of Fouzdaree Udalut deem it necessary to call for an explanation.

10 The Court observe that with ordinary exertion, the trial of the case might have been completed on the 3d or 4th day from the commencement.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Chicacole by Precept returnable within twelve days from and after its receipt.

(Sent following Precept &c

Read Statement dated the 19th ultimo submitted by the Session Judge of Guntoor, of Batta paid to Prosecutors and Witnesses during the

1st August 1848

the 1st Half of 1848.

(Here enter F No. No. 1604 of 1848)

Read Letter dated the 20th ultimo from the Magistrate of South Arcot, submitting explanation with reference to the Courts Standing under date 6th July and Minutes of Consultation 23d May last on the Criminal Reports for the 1st half of 1846.

(Here enter F No. No. 1611 of 1848)

Read Statement dated the 15th ultimo, submitted by the Session Judge of Chicacole, of Batta paid to Prosecutors and Witnesses during the 1st half of 1848

(Here enter F No. No. 1624 of 1848)

Read Report dated the 15th ultimo submitted by the Agent to the Governor at Vizagapatam, of persons apprehended on the separate tracts and delivered to the Agency in the Month of June 1848

(Here enter F No. No. 1614 of 1848)

Read Calendars of Cases Nos. 33. 34. 35 and 36 of 1848, submitted by the Session Judge of Madura under date the 19th ultimo

(Here enter F No. No. 1634 and 1635 of 1848)

1st August 1848.

Read return dated the 18th ultimo from the Session Judge of Tellicherry, to the Precept of the Sunjdaree Adalut under date the 10th July 1848, mitigating the sentence passed on the Prisoners in Case No. 6 on the Calendar of the Session Court for 1848.

(Here enter F No. No. 1643 of 1848)

Read Statement dated 19th ultimo, submitted by the Session Judge of Trichinopoly, of amount realized by the labor of Prisoners during the 2d Quarter of 1848.

(Here enter F No. No. 1647 of 1848)

Read Calendar of Case No. 20 of 1848, submitted by the Session Judge of Combaconum, under date the 22d ultimo

(Here enter F No. No. 1649 of 1848)

Read Statement dated the 1st ultimo, submitted by the Session Judge of Coimbatore of Batta paid to Prosecutors and Witnesses, during the 1st half of 1848

(Here enter F No. No. 1656 of 1848)

Read Statement dated 18th ultimo, required by Circular Order No. 41, submitted by the Session Judge of Calicut, for the 1st half of 1848.

(Here enter F No. No. 1657 of 1848)

Read

1st August 1848.

Read Statement dated the 18th ultimo
submitted by the Session Judge of Calicut of
Batta paid to Prosecutors and Witnesses during the
1st half of 1848.

(Here enter F 16. No 1658 of 1848)

Read Calendar of Case No 22 of
1848. submitted by the Session Judge of Chittoor,
under date the 17th ultimo.

(Here enter F 16. No 1667 of 1848)

Read return dated the 24th ultimo
from the Session Judge of Chittoor to the Precept of
the Fouzdaree Adalut under date the 17th July 1848,
directing that the period of 7 years imprisonment awarded
to the Prisoners in Case No 52 on the Calendar for
1846, be reduced to 2 years.

(Here enter F 16. No 1672 of 1848)

Read return dated the 20th ultimo
from the Session Judge of Tellicherry to the Precept
of the Fouzdaree Adalut under date the 15th July 1848,
requiring information as to what progress has
been made in the translation of the record on which
the Session Judge grounded the dismissal of Ramalen
Manally from his office of Nazir

(Here enter F 16. No 1673 of 1848)

F 16
1st August 1848.

Read Calendar of Case No 37
of 1848. submitted by the Session Judge of
Cuddapah under date the 24th ultimo.

(Here enter F 16. No 1674 of 1848)

Read Calendar of Case No 26
of 1848. submitted by the Session Judge of
Tinnevelly, under date the 22d ultimo.

(Here enter F 16. No 1675 of 1848)

Read Calendar of Case No 11
of 1848. submitted by the Session Judge of Calicut
under date the 22d ultimo.

(Here enter F 16. No 1682 of 1848)

Read Calendar of Case No 29
of 1848 submitted by the Session Judge of Calicut
under date the 22d ultimo.

(Here enter F 16. No 1683 of 1848)

Read return dated the 26th ultimo
from the Session Judge of Cuddapah to the
Precept of the Fouzdaree Adalut under date the
24th July 1848. Ordering the Prisoner in Calendar
Case No 28 of 1848 to be punished with 7 years
imprisonment and hard labor in irons.

(Here enter F 16. No 1689 of 1848)

Read

1st August 1848

Read letter dated the 25th ultimo from the Session Judge of Cuddapah reporting with reference to the Extract from the Proceedings of the Foujdaree Udalut under date the 21st July 1848 the grounds on which the Criminal Case No 44 of 1848 was referred to the Mooftee Sudder Ameen.

(Hereunto F Ds No 1690 of 1848)

Read Statement dated the 1st ultimo, submitted by the Subordinate Judge of Combaconum, showing the amount realized by the labor of the Prisoners in the 2d Quarter of 1848.

(Hereunto F Ds No 1691 of 1848)

Read Calendar of Case No 22 of 1848 submitted by the Session Judge of Rajahmundry, under date the 24th ultimo

(Hereunto F Ds No 1696 of 1848)

Wm Blair — Wm Dr

F. D.

Thursday 3d August 1848. } At a Court of the Foujdaree Udalut.

Present

G. A. Hoopers Esqr — 1st Puisne Judge.
G. P. Thompson Esqr — 2nd Puisne Judge.
W. N. Morehead Esqr — 3rd Puisne Judge.

Read letter dated the 20th ultimo from the Sessions Judge of Salem, referring for the final Judgment of the Foujdaree Udalut, the Record of Case No 32 of 1848 on the Calendar of the Sessions Court.

(Here enter F Ds No 1679 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 Vencatarayen
2d Vencatasoobien
and
3d Vanly

is sufficient to convict them of the crime of wilful Murder, do convict them thereof, and under the provisions of Section X Regulation VIII of 1802, sentence them to suffer

Mr G. P. Thompson and Mr W. N. Morehead.

3rd August 1848.

suffer death by being hanged at the usual time and place of execution.

(Sent to following letter. Fo. 853)

E. H.

W/M

F. U.

Friday
1st August 1848. Moa Court of the Foujdaree Udalut

Present

W/M G. S. Hooper Esqre 1st Puisne judge
C.P.S E. P. Thompson Esqre 2d Puisne judge
W.C.C W. A. Morehead Esqre 3d Puisne judge

Read Calendar of Case No. 28 of 1848 on the file of the Sessions Court of Calicut.

(Nerrunter Fo. No. 1666 of 1848)

The prisoner in this case was charged with culpable homicide and on conviction has been sentenced by the Sessions Judge to imprisonment with hard labor in irons, for the period of two years, under the provisions of Clause Second Section XV Regulation VII of 1802.

2 The Court of Foujdaree Udalut are of opinion that the sentence awarded in this case is extremely inadequate, when the age of the child who has been killed, his relationship to the prisoner and the nature of the

4th August 1848. the weapon with which the act was committed, are taken into consideration.-

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Calicut for his information.-

(Sentence No. 856)

Read Criminal Reports Submitted by the Sessions Judge of Honore for June 1848.

(Here enter June No. 1664 of 1848)

Piracy
Read Order & Annexed Court Report B
Case No. 42

The Prisoner in this case, was charged with having stolen a Silver Betty ornament valued at Rupees 12- and on conviction was sentenced to 4- months imprisonment with labor, but without irons.-

2 The Court of Sudder Adalut desire to be informed of the palliating features in this case, which led to the remission of irons, as it is observed on reference to Case No. 44 in the same Report, that a Prisoner, charged with having stolen a smaller amount of property, has been sentenced to

4th August 1848. to a longer period of imprisonment viz. 6 months and in irons.-

3 The Court further require an Explanation of the cause of the Prisoners detention in the Jail for so long a period as 14 days after his apprehension.-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Honore by Precept returnable within x days from and after its receipt.-

(Sent following Precept No. 857)

Read Extract from the Minutes of Consultation in the Judicial Department under date the 8th February 1848 No. 101 Communicating an Extract from a letter from the Honorable the Court of Directors dated the 21st December 1847 No. 27 in which the Honorable Court desire that it may be taken into consideration how far the Sentences of Transportation and Imprisonment still in force against the parties convicted of having taken part in

the

4th August 1848. The disturbances in the district of Cuddapah under the leadership of Narsimma Reddy may be permitted with safety to the Public Interests.

(Here enter F.C. No 346 of 1848)

Read also letter dated the 19th May 1848 from the Magistrate of Cuddapah submitting his Report on the expediency of mitigating the Sentences passed in some of the cases of the Cuddapah Special Sessions.

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

Read also letter dated the 21st February 1848 from the late Special Commissioner at Cuddapah submitting his opinion as to the expediency of mitigating the Sentences in some of the cases of the Cuddapah Special Sessions.

(Here enter F.C. No 460 of 1848)

Case No 2 / In this case six prisoners were convicted and the 1st 4th and 6th sentenced to two Years imprisonment, and the 2d 3d and 5th to 8 Years imprisonment in Banishment to Pulicat only.

The

F.C.

4th August 1848. 2 The Special Commissioner recommends that the 2d and 5th prisoners Cuttabuddy Hanegadoo and Pupsapoo Laky Soobbadoo who were Cuttabuddy Peons, be released on finding security for their good behaviour in fifty Rupees for two Years.

3. The Court of Sunjarce Udalut recommend that those Prisoners be released on their producing Security each in two Sureties of twenty five Rupees each Surety for the period above mentioned and with this view the Court further recommend that they be forwarded under Custody to Cuddapah, the Sessions Judge of which Zillah will then call upon them for the required recognizances.

4. The Special Commissioner suggests that the 6th prisoner Kuravaty Krishnadoo "who is a very young man" may be released unconditionally; and

in

4th August 1848 - in this view, the Court concur-

5 When the Special Commissioner first sent up this case, he recommended that the 4th prisoner should be admonished and released: but the Tondaree Adalut thought it their duty to sentence him to two years imprisonment. This circumstance has probably deterred the Special Commissioners from including him among those whose sentences he has recommended to be mitigated.-

6. The Court of Tondaree Adalut now recommend that the remaining portion of the sentence of the said 4th Prisoner Paumrane Nawkuragadoo be permitted and that he be immediately released.-

7 The Special Commissioner originally suggested that the 3rd Prisoner Sheik Balay should be sentenced to five years Imprisonment which the Tondaree Adalut

4th August 1848 Adalut enhanced to eight years.

The Court now recommend that the sentence be reduced to five years Imprisonment.-

Case No. 3 8. In this case there were thirteen prisoners. The 6th died before sentence: the 3rd and 13th were acquitted: the remaining prisoners were sentenced to five years imprisonment. The Special Commissioner now recommends that the 2nd and 11th prisoners be released on the same security as that proposed to be required from the 2nd and 5th prisoners in Case No. 2.

Jumboo Shaye (2nd) Murree Nursegadoo

In this recommendation, the Court of Tondaree Adalut concur. Respecting the 11th prisoner, the Special Commissioner observes that although he is not a Cuttoobuddy, yet he was connected with them; and is a very old man.-

Case No. 5 9 In this case, there were five prisoners: of whom the 1st and 4th were released: and the 2nd 3rd and 5th were sentenced to seven years Imprisonment. The Special Commissioner however, on finding up the case,

was

4th August 48. was of opinion that the evidence against the 2d prisoner was insufficient for conviction. He now recommends that the 2 and 3d prisoners should be released on the same security as that already mentioned in the preceding cases. The Court of Foujdaree Udalut concur in this recommendations so far as it regards the 2d prisoner.

Madar Sahib

but not as it respects the 3d prisoner

Pannoolaty

This latter prisoner and the 3d prisoner

Poodacoola Vakiera

were seized amongst the Rebels in a Village forty miles distant from their own habitation. The Court of Foujdaree Udalut resolve however to recommend that the Sentences of these two last named Prisoners, be reduced to five years. This to be remarked that in the first instance, the Special Commissioner recommended that a Sentence of fourteen years imprisonment should be passed upon these two prisoners: which the Foujdaree Udalut reduced to seven years

The

F. 100.

4th August 1848 10

Case No 6

The Prisoners were all released.

Case No. 9. 11

Of the nine prisoners in this case, two only were convicted and Sentenced to fourteen years imprisonment in Banishment. The Court of Foujdaree Udalut do not recommend any modification of the Sentence, as the prisoners were concerned in the Gang Robbery committed in the Village of Owke.

Case No 11 12.

The Prisoner was hanged.

Case No 12 13

In this case there were three prisoners of whom the Special Commissioner recommended that the 1st should be Sentenced to suffer death: the 2d to Transportation for Life: and the 3d to imprisonment for fourteen years. The Foujdaree Udalut commuted the proposed Sentence of death for Transportation for Life - and Sentenced the 2d and 3d prisoners to Imprisonment for fourteen years. The Court are unable to recommend any mitigation of these Sentences, as there is nothing in the cases of the prisoners which can render them fit objects of

Mercy

4th August 1848 Murray

Case No. 19 14 In this case there were three prisoners who were sentenced to two Years Imprisonment. The Special Commissioner recommended that they should be set at liberty: but the Foujdaree Adaulut were unable to concur in that view. The Special Commissioner now again suggested that they be discharged out of Custody: and the Court of Foujdaree Adaulut, referring to the period of time they have now been in confinement, concur in that recommendation. The Special Commissioner observes that these prisoners are the Reddies and Cummas of a village about eight miles from Rooramma where Nursimma Reddy, the Insurgent Chief, had taken post prior to the arrival of the Troops and their offence was the having written a submissive reply to a letter from Nursimma Reddy ordering them to levy from the merchants of their village, a sum of money for

4th August 1848 his use and having accordingly sent for the said merchants, shown the order to, and prepared the money from them, and the having gone the length of flogging one or two of them slightly with a switch, to compel payment: but it appeared that the approach of the Troops having relieved them from further oppression, nothing more took place and no money was sent. The Special Commissioner adds that the prisoners appeared very ignorant and stupid, particularly the Reddies, and he thought their offence might be very attributable to error of Judgment.

Case No. 20 15 In this case, the prisoner was sentenced to five Years imprisonment. The Foujdaree Adaulut do not recommend any mitigation of the Sentence. The prisoner was a Sanki Digger and could have joined Nursimma Reddy only for the sake of plunder.

Case No. 25 16 Of the 9 Prisoners

in

4th August 1848. in this case, the 4th, 5th, 8th and 9th were sentenced by the Foujdaree Udalut to five Years Imprisonment. the Special Commissioner having recommended a Sentence of fourteen Years The Court do not recommend that the Sentences be disturbed. These men were all actually engaged in the Fight which took place between the followers of Kursimma Reddy and the Companys Troops. The 1st 2d 3d and 6th Prisoners were required to find Security in two Pardies of fifty Rupees each Surety for two Years. The Court of Foujdaree Udalut recommend that if the said prisoners be still in confinement in default of finding the required Security, they be at once relieved from the requisition and unconditionally released.

Cases Nos 29 & 30. 17. In case No 29 the 1st Prisoner was sentenced to fourteen Years and the 3d to three Years: the 2d Prisoner being released. And in Case No 30 the prisoners were sentenced to

4th August 1848 to Transportation for Life: The Court of Foujdaree Udalut can discover no adequate ground for recommending any mitigation of these Sentences.-

Cases Nos 21. 22 18 In these cases the Prisoners
24 - 31 - 32 - 33. 34 were acquitted
36 - 37.

19 The Prisoner in this
Case No 38 case was Arrested.-

Cases Nos 13 and 14 20 The Special Commissioner recommends that in case No 13, the prisoners 1st Polla Vencatesh 5th Pocha Vencatareddy and 6th Pullay and in Case No 14 the prisoner Alla Moorgadoo who were all sentenced by the Foujdaree Udalut to Imprisonment for five Years, be now released on their furnishing Security for their future good behaviour to the Extent suggested in the former cases mentioned in this Report.-

21 These two Cases were disposed of by the First and Second Judges of the Foujdaree Udalut. The First Judge approves

4th August 1848. approves of the recommendation sub-
mitted by the late Special Commission-
er but the Second Judge for reasons
recorded in a separate Minute, is
unable to concur. It is therefore
left with the Government to determine
whether the recommendation of the
Special Commissioner shall be carr-
ried out or not.

22. The Special Commission-
er on submitting the recommenda-
tions noted in the foregoing Report
observes that the insurrection in the
Cuddapah District was at first
almost entirely confined to the Cutto-
-baddy Peons whose discontinuance
not in his opinion, entirely without cause.
The number of such Cases brought to
trial and sentenced to various pu-
-nishments was small, for as they
all returned to their homes and
remained quiet after being disposed
on the arrival of the Troops readily
one fortnight after the commence-
-ment of the outbreak, there was no
sufficient evidence against any of

them

4th August 1848. them excepting the few who were in-
-treached, flying after the short
conflict with the Troops, or were recog-
-nized by parties detained by the Rebels
as having been on guard over them,
without having recourse to the evidence
of approvers which was not done. The
Special Commissioner states that on
reference to the Records he finds only
Ten Cuttobaddy Peons to be still under-
-going their Sentences: and he there pro-
-poses those mitigations which have
been above disposed of.

23 The Special Com-
-missioners further observes that the other
parties who are undergoing the penalties
of the Law have no claims to any con-
-sideration nor could their Sentences
be remitted with safety. Those sentenc-
-ed to Transportation and fourteen
Years Imprisonment have rather
made themselves very conspicuous
as ring leaders without any cause for dis-
-content or were convicted of atrocious
crimes in addition to rebellion and
have mostly suffered the ordinary
penalties

4th August 1848

penalties of those crimes while the larger number taken by surprise with Nursimma Reddy in arms and sentenced each to five Years Imprisonment, are merely common Gang Robbers who, after the dispersal of the original insurgents, joined Nursimma Reddy as they would have joined any other Leader. They had no grievance to complain of and had no object except plundering: and while the best effects may be anticipated in regard to the general peace of the Country from the detention of such a collection of bad characters, opposite results might naturally be expected from their release.

24 In these observations the Court of Foujdarry Udalut concur and it is with reference to them, that they have disposed of the several cases brought under their notice.

25 The Magistrate of Cuddapah although he dissents from the Special Commissioners opinion as to the causes of the outbreak, submits his opinion that a mitigation of the

F. 26

4th August 1848

the Sentences, excepting only in a few cases, is not likely to prove detrimental to the Public Interests or dangerous to the peace of the District.

26 The Magistrate remarks that out of 901 Persons apprehended as being concerned in the outbreak, 442 were released unconditionally and 273 on moderate security, and that of the 112 persons who have suffered the penalties of the law, 75 were apprehended in arms with Nursimma Reddy or his principal adherents on the occasion of the storming of the Pairsomoola Hill Pagoda.

27 The Second Judge wishes it to be explained that his dissent as recorded in his Separate Minute already referred to in para 21. relates not only to Cases Nos 13 and 14 but to all those Cases included in these Proceedings, in which the mitigation or remission of the Sentences recommended in the first instance by the Foujdaree Udalut to be passed upon the Prisoners, and Confirmed

by

4th August 1848 Sey Government is now Suggested

Ordered that Extract from these Proceedings be forwarded to the Secretary to Government in the Judicial Department to be laid before Government

Entd 4th

Letter No. 858

Read letter under date the 26th Ultimo from the Sessions Judge of Salem, submitting for the final judgment of the Fongdaree Adalut the record of the trial of Case No. 26 of 1848 of the Calendar of the Session Court

(Fire raiter No 1681 of 1848)

W. G. Hooper and W. A. Murchea

The Court of Fongdaree Adalut on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the Prisoners

1st Angady Nunjoondaspen

and

2d Sidda Nunjaspen

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

4th August 1848 be set at liberty.-

The Court of Fongdaree Adalut cannot concur with the Sessions Judge in the conviction of the Prisoners.-

2 The 6th and 7th Witnesses, original by 3d and 4th Prisoners, but afterwards admitted as Approvers, have not adhered to their former statements in the manner they ought to have done, to render their testimony unexceptionable.-

3 The Story told by the 1st Witness, the only other individual who de evidence tends to criminate the Prisoners, is in itself improbable. He has also varied from his former statements, and his account of the manner in which he recognized the Prisoners and the others when they were carrying the corpse of the deceased, is not only contradictory but inconsistent with probability.-

4 Moreover the evidence with regard to the discovery of the remains of the deceased, is most unsatisfactory. Only two bones and a small quantity of hair were found, although only the day before the entire body is alleged to have been seen by the 2d and 3d Witnesses

4th August 1848. witnesses. How the rest of the bones could have disappeared so soon is a matter of surprise. It does not appear from the record however that any very strict search was made for them in the vicinity, and, there is nothing in the record to make it clear, and beyond a doubt, that the said bones and hair were those of a human being.

Ordered that Extract from these Proceedings be forwarded to the Superior Judge of Salem for his information

(Seal)

Certificate of Pardon

to

Umeataramanam

Whereas, under date the 13th May 1848, the Court of Fiscal of Tongatabu was pleased to authorize the Subordinate Criminal Judge of the Village of Salem, to tender a free Pardon to Umeataramanam, on condition of his making a full disclosure of every circumstance within his knowledge, relative to the Murder committed at about 7 o'Clock P.M. of the 17th or 18th March 1848, on the person of Umeataramanam, an inhabitant of the Village of Kolovai

F. 26.

4th August 1848 in the District of Salem

And whereas the Court of Fiscal is duly advised and Vealuhare are of opinion that the conditions of the said grant of pardon have been sufficiently fulfilled.

Now, these are to Certify and declare that in consideration thereof, the Court of Fiscal and Vealuhare have been pleased under the provisions of Section XX Regulation VIII. of 1802, to confirm the pardon conditionally tendered as aforesaid to the said Umeataramanam, in so far as regards the acts herein referred to

And the Court do hereby confirm the said pardon accordingly

Given under my hand and the seal of this Court this 4th day of August 1848.

(L.S.)

Certificate of Pardon

to

Dan Sy yam

Whereas under date the 13th

4th August 1848.

15th May 1848, the Court of Foujdaree Udalut were pleased to authorize the Subordinate Criminal Judge of the Zillah of Salem to tender an offer of Pardon to Dandygan, on condition of his making a full disclosure of every circumstance within his knowledge, relative to the Murder committed at about 7 o'Clock P.M. of the 7th March 1848, on the person of Vincatavaranem, an inhabitant of the village of Tullaor in the District of Salem.

And whereas the Court of Foujdaree Udalut are of opinion that the conditions of the said grant of pardon have been sufficiently fulfilled.

Now, these are to Certify and declare that in Consideration thereof, the Court of Foujdaree Udalut have been pleased under the provisions of Section XX Regulation VIII of 1802, to Confirm the pardon conditionally tendered as aforesaid to the said Dandygan, in so far as

regards

4th August 1848. regards the acts therein referred to.

And the Court do hereby confirm the said pardon according

Given under my hand and the Seal of this Court this 4th day of August 1848.

(Sent following letter No

Ed W.

Saturday
5th August 1848

J. No.

At a Court of the Tsjidaru Adalut

Present.

Wm G. S. Hooper Esqre 1st Puisne Judge
D.P.J. E. P. Thompson Esqre 2d Puisne Judge
Wm M. A. Morrhead Esqre 3d Puisne Judge

Read the following letter under date the 20th ultimo from the Agent to the Governor of Fort St George in the District of Vizagapatam.

(Fort enter No 1655 of 1848)

In the foregoing letter the Agent reports the trial of two prisoners charged with Gang Robbery in that they did on the 2nd June 1847 in company with Jaiala Sungeyya and a large party under his command attack and plunder the house of Moodigunty Narsimloo and other inhabitants of Yarlakotapaty Agraharam in the Golcondah Zemindary robbing the said Narsimloo of a pair of Gold Earrings of the value of Rupees 5-12

For

Saturday 5th August 1848

J. C.

At a Court of the Fujdaree Adaulut

Present

Wm G. L. Hooper Esqr 1st Judge pro

C P S G. P. Thompson Esqr 2d Judge pro

Wm A. Morrhead Esqr 3d Judge pro

Read the following letter under date the 20th ultimo from the Agent to the Governor of Fort St George in the District of Vizagapatam.

(Fujdaree Letter No 1655 of 1848)

In the foregoing letter the Agent reports the trial of two prisoners charged with Gang Robbery in that they did on the 2nd June 1847 in company with Jaiala Lingeswy and a large party under his command attack and plunder the house of Moodigunty Narsimloo and other inhabitants of Yarakatapatty Agraharum in the Golcondah Zemindary, robbing the said Narsimloo of a pair of Gold Earrings of the value of Rupees 5-12

Vide

5th August 1848

2 The evidence adduced against the Prisoners having considered sufficient for this conviction, the Agent recommends that a sentence of imprisonment with hard labour in irons for and during the period of (2½) two years and a half, be passed upon each of the Prisoners

Condreenda Ramasawmy

and

Chimbalee Boochiah.

3 The Court of Foujdaree Udalut concur in the conviction of these prisoners, and resolve under the provisions of Clause third Section IV Regulation XI of 1803 and Clause third Section III Regulation 7 of 1835 to confirm the Sentence proposed to be passed upon them.

Ordered that Extract from these Proceedings be forwarded to the Agent to the Governor of Fort St George at Vizagapatam for his information.

(Sub joining letter No 863)

Read letter under date the

5th August 1848

4 Ult from the Agent to the Governor of Fort St George in Kurnool forwarding for the final judgment of the Court of Foujdaree Udalut an English translation of the record in case No 41 of 1848 on the Calendar of this Court.

(Herewith F. R. No 1583 of 1848)

1 The Prisoner in this case was charged with the murder of one Shalee Said by striking him a blow on the left temple with a Carpenters adze.

2 The Prisoner confesses the crime and the Agent considering his confession supported by other corroborative evidence recommends that he be Sentenced to undergo the extreme penalty of the Law.

3 The Court of Foujdaree Udalut are of opinion that there are points in this case requiring further elucidation than that which the record contains.

4 The Agent has been satisfied with the admission made by the Prisoner of his guilt which he

Consider

5th August 1848. Considers Sufficiently corroborated the circumstance that the deceased was found with

5th Augt

the throat cut and apparently by an instrument of the nature of that with which the prisoner states that the murder was committed; but the Agent should have endeavoured to procure further collateral evidence to substantiate the confession.

5 The prisoner assigned by the Prisoner for the attempt which he made to murder the deceased viz the circumstance of the latter having converted him to Mahomedanism and caused his expulsion from his caste appears to the Tongaree Udalut to require further elucidation.

6 The Evidence of the individual named Tenhoogaree Sreekrudee who was summoned in Case No. 28 on the Agents file in which another person was tried for the murder of the deceased appears to be of considerable importance, and the Court direct that he be now summoned and

Examined

J. U. C.

5th August 1848 Examine dispensed to his knowledge of what took place, as he accompanied the Prisoner to the Prosecutors house on the morning of the murder, and remained there with the Prisoner when the Prosecutor left it.

7 Discrepancies observable in the evidence for the prosecution and in the confession of the prisoner, as well as in the testimony given by the same individuals when examined in this case and in No. 28 which might have been explained by a cross examination of the parties in question.

8 The Court of Tongaree Udalut accordingly resolve to return the records of this case to the Agent for further investigation on the several points adverted to in the foregoing remarks.

9 In conclusion the Court observe that the Prisoner having been arraigned, pleaded Guilty to the Agent on the following day received

his

5th August 1848 his further confession of the fourteen lives of the deeds; after which the witnesses were examined and on the 12th July the Prisoner was put on his defence. He was irregular; and whatever statement of facts the Prisoner desired to make should have been recorded when he was put upon his defence.

Ordered that Extract from these Proceedings be forwarded to the Agent to the Governor of Fort St. George, in Madras for his information and guidance by precept returnable within X days from and after its receipt.

(Sent following Precept No. 864) ac

Ex 7th

W/K

Monday
7th August 1848.

J. W.

In a Court of the Foujdaree Adaulut

Present

W/K C. S. Kooper Esqre 1st Session Judge
E/S C. D. Thompson Esqre 2d Session Judge
W/K M. A. Morehead Esqre 3d Session Judge

Read Miscellaneous Petition presented on the 10th July 1848 by Lauk Bee of Tillah Chingleput.

(Vide enter Fort. No. 199 of 1848)

This is an application for the interference of the Court of Foujdaree Adaulut to reverse a sentence of 18 months imprisonment which has been awarded by the Principal Sudder Ameen of Chingleput to the Petitioner's son Mahomed Yoosoof.

2. With her Petition the Petitioner submits copy of an order passed by the Session Judge of Chingleput, on a petition presented by her, complaining of the sentence which has been passed upon her son.

3 On a perusal of this Petition

(an

7th August 1848 and of the order pressed thereon by the Court of Tongaree Udalut are satisfied of the justice of the sentence of which the Petitioner complains.

The Court of Tongaree Udalut accordingly resolve to dismiss this Petition.

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

Read Miscellaneous Petition presented on the 10th July 1848 by Rustum Jeen of Tillock Chittoor.

(Vide inter Fmd P No 197 of 1848)

1 The Petitioner complains of an order passed by the Head Sirist Judge of Chittoor under date the 1st March last referring him to the institution of a Civil Suit to establish his claim to certain land through which he complained that a right of way had been granted by the Head of Talue

2 The Court of Tongaree Udalut see no reason to interfere with the order of which the Petitioner's complaint

7th August 1848 complains and which under the circumstances of the case, appears to be correct and proper.

Ordered that Extracts from these Proceedings be granted to the Petitioner on his application.

Read Miscellaneous Petition presented on the 24th July 1848 by Codaya Pernal a Vaikan of Tillock Salem.

(Vide inter Fmd M. P. No 209 of 1848)

Petitioner asserts that in consequence of his Father, Prisoner in case No 36 of the Sessions Court of Salem, and prays that the sentence of 7 years imprisonment passed upon him may be reversed.

2 Petitioner is referred to the orders of the Court of Tongaree Udalut under date the 16th August 1847 passed on his Petition No 180 of 1847 and informed that they are final.

Ordered that Extract from these Proceedings be given to Petitioner on his application.

Read

7th August 1848

Read Miscellaneous Petition presented on the 10th July 1848 by Rungaradah Pillay of Pallatoo Combaconum.

(Vide Entry No. in Register of 1848)

Petitioner complains of the fraudulent destruction by Sooshuspah Naiken of a Deed of Agreement executed in his favour by the said Sooshuspah & Naiken and others, in regard to the grant of a certain mayne; and to the performance of certain rites, to the Idol Condasummy. Petitioner further complains of sundry aggressive acts on the part of Sooshuspah and others, and states that on appealing to the Sessions Judge against the orders of the Magistrate passed in the matter, that Officer declined his Petition without full and proper enquiry. He therefore prays the interference of the Court of Foujdaree Udalut.

2 With regard to the 1st Charge mentioned in the Petition, viz. that of the destruction of the Agreement by Petitioner's opponents, the Court of Foujdaree Udalut observe that no further

7th August 1848

further interference seems called for, the said individuals having been punished by fine for the same, and it is still open to the Petitioner to seek compensation in the Civil Court for any loss of income he may have sustained in consequence of the said act.

3 As however, it would appear that the Sessions Judge has confirmed the orders of the Magistrate in the matter of the 2d Charge viz. the demolition of the wall of the Pagoda without calling for and perusing the proceedings held thereon, the Court of Foujdaree Udalut resolve to direct that Officer to do so now, and having passed such fresh orders as may appear to him just and proper to report the same for their information.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Combaconum for his information and guidance by first Dept returnable within XV days from and after its receipt.

Both following Precepts No. 872

Ordered

7th August 1848.

Ordered also that Extract from these Proceedings be given to Petitioner on his application

Read Miscellaneous Petition presented on the 17th July 1848 by Ramchundrow Vakeel on behalf of Baboo Chetty of Tillah Honore.

(Here enter Jm. D No 203 of 1848)

1 This is an application for the interference of the Court of Foujdaree Udalut to order the release of the Petitioner who has been sentenced to seven years imprisonment with hard labor in irons on a charge of theft of which he has been convicted.-

2. The Court of Foujdaree Udalut resolve to dismiss this Petition being satisfied of the justice of the Petitioners conviction, and of the sentence of which he has been adjudged.

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

Read Miscellaneous Petition presented on the 8th May 1848 by T. Ramachundrah Vakeel on

7th August 1848 on behalf of Marrepah of Zillah Mangalore

(Here enter Jm. D No 153 of 1848)

1 This is an application for the release of the prisoners in Cases Nos 38 and 39 on the file of the Session Court of Honore whom the Petitioner asserts to be innocent of the offence laid to their charge.-

2. The Court of Foujdaree Udalut observe that the cases referred to were disposed of by the Court of Foujdaree Udalut in their Sentence dated the 13th July 1848 in which the prisoners were ordered to be released.-

Ordered that Extract from these Proceedings be granted to the Petitioner's Vakeel on his application.-

Read miscellaneous Petition presented on the 10th July 1848 by Rungachary of Zillah Pichinopoly.-

(Here enter Fur. M. D No 195 of 1848)

1 Petitioner prays a reconsideration of the Courts Order dated

7th August 1848.

dated 8th June 1846, repeating the Petition presented by him to the Court on the 14th May 1846, and referring him to the Civil Tribunal for the redress of his alleged grievances.-

2 Petitioner is referred to the former orders of the Tondaree Adalut passed in the matter of his complaint and informed that they are final

Ordered that Extract from these Proceedings be given to Petitioner on his application.-

Read Miscellaneous Petition presented on the 26th June 1848 by Coonjoo Columda Padiachy Sevagarry and Mungalum of Killah Cuddalore.-

(Sent inter Rec.ps Nos 180-181-182 and 184)

1 The Petitioner represent them selves to be the relatives of the prisoners in Case No. 25 of 1848 who have been severally sentenced to 14 years Imprisonment with hard labor in irons for the offence of going robbery.-

2 The Petitioners aver that the prisoners are entirely innocent of the offence of which they have been convicted

No.

7th August 1848.- convicted and pray the Court of Tondaree Adalut to call for the record of the case.-

3 On an attentive perusal of these petitions with reference to the Calendar of the case adverted to, the Court of Tondaree Adalut deem it proper to direct that an English Translation of the record be submitted for their consideration and that the Sentences which have been passed be suspended until further orders.-

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

(Sent following Precept No 873)

Ordered also that Extract from these Proceedings be granted to the Petitioners on their application.-

Read Miscellaneous Petition presented on the 17th July 1848 by

7th August 1848. by Mahomed Sulaiman of Pallakad

Trichinopoly

(Interpreter Tr. P. No 207 of 1848)

1 The Petitioner complains of an alteration which he represents to have been made in his position in the list of Duffadars attached to the Jail at Trichinopoly by the late Acting Sessions Judge.

2 The Court of Foujdaree Adalut resolve to forward this Petition to the Sessions Judge who will be pleased to pass such orders as the circumstances of the case may appear to require, reporting the same for the information of the Foujdaree Adalut.

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

(Sent following Precept: 874)

Ordered also that Extract from these Proceedings be granted to the Petitioner on his application

7th August 1848 application.

Telar Ally Ahmed of Chingleput, moves the Court to return the Enclosures in his Miscellaneous Petition No 112 of 1848

Ordered accordingly

Read Calendar of Case No. 19 of 1848, of the Sessions Court of Chittoor

(Interpreter Tr. No 1648 of 1848)

1 In this case, the Prisoner was convicted of Forgery.

2 It is observed that the trial commenced on the 12th June and was not closed until the 14th July also that between the date on which the Trial closed namely 14th July 1848 and that of the date of Sentence - a period of Six days elapsed.

3 Of these delays, the Court of Foujdaree Adalut, require an explanation.

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

7th August 1848 by precept returnable within three days from and after its receipt.-

(Int. following Precept No. 875)

Read again Miscellaneous Petition presented on the 21st February 1848 by Govinda Button of Zillah Chittoor.-

(Here enter Jr. No. 63 of 1848)

Read also returns under date the 15th April and the 11th July 1848 from the Session Judge of Chittoor to the Precept of the Foujdaree Adalut dated the 3d April 1848 requiring information with reference to the several circumstances set forth in the foregoing Petition.-

(Here enter Jr. No. 923 and 1565 of 1848)

Upon an attentive perusal of the foregoing returns, the Court of Foujdaree Adalut are satisfied that the order passed by the late Session Judge of Chittoor, prohibiting the Petitioner from presenting Petitions to the Session Court, was properly justified by the conduct of the Petitioner.

2 The Court observe that the

No. 246.

7th August 1848. the Petitioner has entirely failed to establish the charges preferred by him against the Record Keeper of the Session Court, which are designated by the Session Judge as altogether undeserving of credence.

3. And as the Petitioner has attempted to impose upon the Court of Foujdaree Adalut by falsely denying in para 7 of his Petition that he was the author of a Petition presented on behalf of one "Cochay Mouttupah" for which that individual was fined by the Foujdaree Adalut and which Petition has now been forwarded to this Court by the Session Judge, bearing the Petitioners Signature in the same handwriting in which it is written, the Court of Foujdaree Adalut resolve to fine the Petitioner in the Sum of Rupees 10 which the Session Judge will be pleased to collect from him, reporting the same for the information of the Foujdaree Adalut.-

Ordered

7th August 1848.

Ordered that Extract from these Proceedings be forwarded to the Sessional Judge of Chittoor for his information and guidance by Precept returnable within X days from and after its receipt.-

(Sent following Precept No 876)

Ordered also that Extract from these Proceedings be granted to the Petitioner on his application.-

End 44.

Tuesday,
8th August 1848. F.C.

At a Court of the Toydaree Adalut.

Present.

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

Read Calendar of Case No 7 of 1848 on the file of the Sessions Court of Chicacole.

(Here Enter F.C. No 1697 of 1848)

The Court of Toydaree Adalut observe

1. that in the heading affixed to the Statement of the Charge the crime charged in this case should have been designated as murder.

2. In the Calendars of cases referred to the Toydaree Adalut for their final judgment the insertion of the Pictura in a detailed form is unnecessary. The Circular Order of the 14th October 1822 requires only an abstract.-

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

Sent in No 899

Read Calendar of case No 236/1848 submitted

8th August 1848.

Submitted by the Sessions Judge of Coimbatore under date the 15th June 1848.

(Here Enter F.R. No 1700 of 1848)

Read Calendar of Case No 29 of 1848 Submitted by the Sessions Judge of Madura under date the 24th July 1848.

(Here Enter F.R. No 1701 of 1848)

Read Calendar of Case No 12 of 1848 Submitted by the Sessions Judge of Tellicherry under date the 15th July 1848.

(Here Enter F.R. No 1704 of 1848)

Read Calendar of Case No 13 of 1848 Submitted by the Sessions Judge of Tellicherry under date the 15th July 1848.

(Here Enter F.R. No 1705 of 1848)

Read Criminal Report A for the month of July 1848 Submitted by the Sessions Judge of Guntoor under date the 27th July 1848.

(Here Enter F.R. No 1706 of 1848)

Read Calendar of Case No 19 of 1848 Submitted by the Sessions Judge of Nellore under date the 28th July 1848.

(Here Enter F.R. No 1711 of 1848)

Read Calendar of Case No 20 of 1848 Submitted

8th August 1848.

Submitted by the Sessions Judge of Nellore under date the 28th July 1848.

(Here Enter F.R. No 1713 of 1848)

End H.

F.R.

Wednesday, 9th August, 1848. At a Court of the Toujdaree Adalut

Present.

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

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

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

Read Calendar of case No 6 on the file of the Session Court of Bellary.

(Here Enter F.R. No 1676 of 1848)

1. The Prisoner in this case having been convicted on his own confession of having been accessary to a murder in having been present at its commission and having suppressed all information thereof, has been sentenced by the Session Judge to imprisonment with hard labor in irons for the period of six months.

2. Under all the circumstances of the case the Court of Toujdaree Adalut resolve to direct that the Prisoner be exempted from irons.—

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

and guidance.-

Sent in No. 882

Read Calendar of Case No 36 of 1848 Submitted by the Sessions Judge of Salem under date the 19th July 1848.-

(Here Enter F.R No 1714 of 1848)

Read Calendar of Case No 330 of 1848 Submitted by the Acting Sessions Judge of Cuddalore under date the 27th July 1848.-

(Here Enter F.R No 1715 of 1848)

Read Calendar of Case No 40 of 1848 Submitted by the Sessions Judge of Cuddapah under date the 27th July 1848.-

(Here Enter F.R No 1716 of 1848)

Read Report dated 29th July 1848 Submitted by the Sessions Judge of Trichinopoly of a case pending for trial before him in excess of 25 days from the date of commitment.-

(Here Enter F.R No 1721 of 1848)

Read Calendar of Case No 310 of 1848 Submitted by the Sessions Judge of Madura under date the 27th July 1848.-

(Here Enter F.R No 1725 of 1848)

Read Calendar of Case No 37 of 1848 Submitted

9th August 1848.

Submitted by the Sessions Judge of Madura under date the 27th July 1848.-

(Here Enter F.R No 1727 of 1848)

Read Calendar of Case No 10 of 1848 Submitted by the Sessions Judge of Trichinopoly under date the 29th July 1848.-

(Here Enter F.R No 1728 of 1848)

End 7/M

F. U.

Thursday
10th August 1848

At a Court of the Fonjdaree Udalut

Present—

GJH — G. J. Hooper Esqre — 1st Puisne Judge

CPT — C. P. Thompson Esqre — 2d Puisne Judge

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

Read Calendar of Case No 11 of 1848 on the file of the Superior Court of Trichinopoly

(Vide Order Dtd. No 1729 of 1848)

1 The Prisoners in this Case who were charged with "Robbery by open violence" have been placed under requisitions of security on the ground of them having pleaded guilty before the Police authorities.

2 The Court of Fonjdaree Udalut do not consider a Police confession unsupported by other evidence, sufficient to justify the requisition of security, and

ther

No. 11.

Friday 11th August 1848.

At a Court of the Fouzdaree Adalut

Present:

G. J. Harper Esqre ——— 1st Puisne Justice

A. P. Thompson Esqre ——— 2d Puisne Justice

W. B. Morehead Esqre ——— 3d Puisne Justice

Read calendar of Cases for the Sessions Court of

the 2d inst. No. 1764 of 1848

Letter from Supt. Jail No. 1764 of 1848

Advertising to the date

upon which the charge against the

Prisoners in this case was preferred as

per the 11th Report, the Court of Fouz-

daree Adalut desire to be informed

under what circumstances the

apprehension of the prisoners was

delayed until the 6th June, and

also of the cause of the delay which

took place in the investigation

of the case before the Assistant

Magistrate

Magistrate.

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

/Sent following precept No 887/

Read letter under date the 25th July 1848 from the Sessions Judge of Bellary

/Here Enter the No 1172 of 1848/

1 Adverting to the remarks recorded by the Court of Foujdaree Adawlut in their proceedings of the 18th July 1848 regarding the irregularity of the retrans mission to the Police authorities of the Prisoners in Case No 10 of 1848 on the file of the Sessions Court of Bellary, the Sessions Judge states that this course was adopted in the case in question in consequence of the Police Amuldar having

having omitted to adopt measures for the recovery of certain stolen property although an offer to restore it had been made by the parties suspected, upon which the Magistrate suspended the Police Ameen and requested that the prisoners might be sent back.

2 The Sessions Judge observes that "he is aware that the proceeding is objectionable and could only be justified under very peculiar circumstances" and he adds that "the evidence of the guilt of some of the prisoners in this case was more complete by the restoration of the stolen property."

3 The Court of Foujdaree Adawlut consider that under the very peculiar circumstances represented the Sessions Judge was justified in this case in resorting to

11th August 1848.

to the course adopted by him, but they observe that the Sessions Judge should have stated in his report the circumstances which had induced him to take a step which he was aware would otherwise have been liable to objection.-

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

/Sent in No 888/

Read letter dated the 26th ultimo from the Deputy Judge of Rajah-
pore, submitting for the favorable Judg-
ment of the Tondaree Adawlut, the
Records of Case No 20 of 1848 of the
Calendar of the Sessions Court.-

/Here enter No 1733/

Mr G. L. Prole and Mr W. Morehead

The Court of Tondaree Adawlut on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that

11th August 1848.

that the proof against the Prisoner
1st Tandi conda Sobbiah
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 1804, sentence him to
suffer death by being hanged at the
nearest time and place of execution.

1 The Court of Tondaree Adawlut observe that in many points, this case has been unsatisfactorily gone into.

2 The Witnesses to the in-
quest were not examined, and this
important document has not there-
fore been authenticated before the
Sessions Court.-

3 The evidence to the finding
of the dead body in the 1st Prisoner's
shop, is not well put before the Court.
It is only distinctly deposed to by the
1st Witness. The Mooneef and Curnums
are stated to have been present at

the

to the course adopted by him, but as they observe that the Sessions Judge should have stated in his report the circumstances which had induced him to take a step which he was aware would otherwise have been liable to objection.-

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

(Sent in Ltr No 8881)

Read the letter dated the 26th ultimo from the Sessions Judge of Rajahmundry, submitting for the final Judgment of the Foujdaree Adawlut, the Records of Case No 20 of 1848 of the Calendar of the Sessions Court.-

(Sent under No 1733)

Mr. G. L. Cooper and Mr. W. A. Morehead

The Court of Foujdaree Udawlut, 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

1st Tandi Conda Sorbhiyelly.

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 1804, sentence him to suffer death by being hanged at the usual time and place of execution.

1 The Court of Foujdaree Adawlut observe that in many points this case has been unsatisfactorily gone into.

2 The Witnesses to the inquest were not examined, and this important document has not therefore been authenticated before the Sessions Court.-

3 The evidence to the finding of the dead body in the 1st Prisoner's shop, is not well put before the Court. It is only distinctly deposed to by the 1st Witness. The Mussulmans are stated to have been present at the

the time and certainly shoulde some of them at least, have been examined.

There is also no evidence before the Sessions Court to what took place when the Tahsildar came and had the corpse taken out of the house the following morning. this point the Witnesses to the inquest would have made clear had they been examined.

The Court likewise observe that when the Prisoners were asked whether they pleaded Guilty or not Guilty, should above have been recorded any detailed statements they may wish to make should be reserved for the defence, at the close of the trial.

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

(Sent following Letter No 889)

Read letter dated the 31st

31st ultimo. from the Sessions Judge of Mangalore, submitting for the final judgment of the Tonjdarree Adalut the Records of case No 21 of 1848 of the Calendar of the Sessions Court.-

(Here Enter No 1754)

The Court of Tonjdarree 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,

Mr. G. S. Cooper and Mr. W. A. Morchead

1st Potail Deramma

3d Birmanna

4th Shekoo

5th Agga Coty

and

6th Aamoo Pergaday

is sufficient to convict them.— the Prisoners

1st Potail Deramma

of the crime of Murder, the prisoners

3d Birmanna

4th Shekoo

and

5th Agga Coty

of concealing the murder and secretly removing the dead Body and the Prisoner,

6th Asmus Perjaday

of concealing the ornaments of the deceased and of being an accessary after the fact of the murder, do convict them of those offences respectively; and sentence the Prisoner

1st Potail Devandra

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: the prisoners

3d Bimmanen

and

4th Sheeker

to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period

J

of (14) fourteen years: the prisoner

6th Asmus Perjaday

to be imprisoned and kept to hard labor in irons on the public roads or other public works, for, and during the period of (8) eight years: and the prisoner,

5th Rayeda Coty

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 Pinydaree Adalut direct that it be intimated to the Subordinate Judge that when Prisoners confess before his Court the crimes with which they are charged, their confessions must be taken down exactly as they are delivered: and that their mere acknowledgment of their statements before the Police is not sufficient.

The

11th August 1848

2.

The Court further observe that the ages of the 6th 13th 14th 16th and 18th witnesses have not been entered in the Readings of their depositions

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Mangalore for communication to the Subordinate Judge

(Sent following letter No 890/48

Saturday 12th August 1848.

T. No.

At a Court of the Zillah Adalut.

Present.

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

S. S. Thompson Esqre — 2nd Puisne Judge.

W. N. Morehead Esqre — 3rd Puisne Judge.

Read the following letter dated the 16th May 1848 from the Magistrate of Tinnevelly.

(Here enter T. No. 1184 of 1848)

1. It appears from the Papers which accompanied this letter (which does not set forth, as it should have done, a brief Statement of the case) that the Assistant Magistrate of Tinnevelly examined a case in which certain parties were charged with having pulled down a school house and thrown some stones which had been collected for the purpose of building a Church, into the sea - and with having taken away some Iron implements valued at Rupees 9 - - -

2. The Assistant Magistrate dismissed the case but the later Acting Magistrate

Magistrate called it in question being of opinion that the evidence was sufficient to bring the charge home to the accused, sentenced them to varying terms of imprisonment.

3. The parties having appealed to the Sessions Judge, that Officer reviewed the Proceedings and remitted the sentences on the ground, that, as in the case in question, the Assistant Magistrate sat as Court under Section IV. Act VII of 1843, the Magistrate could not, on the present occasion, have done more on the appeal preferred to him, than point out the error of the Head Assistant Magistrate.

4. The late Acting Magistrate immediately cancelled his sentences, in obedience to the requisitions of the Sessions Judge; but the present Magistrate doubting the correctness of the view taken of the question by the Sessions Judge, referred the question for the decision of the Pungdaree Udalut.

5. The Court of Pungdaree Udalut are of opinion that the late Acting Magistrate acted quite correctly in the course he pursued. The Circular Order of the 8th. April 1830 declares that under Regulation II of 1827, it is perfectly competent to a Magistrate to interfere in any stage of a proceeding before his Subordinate, that he may deem proper: to stop his proceedings; call up the case before himself; or if the Subordinate has proceeded to judgment, to suspend the execution, and finally to modify or annul it as he may consider requisite.

6. The Court of Pungdaree Udalut are quite satisfied that the late Acting Magistrate was legally competent either to direct his Assistant to hold a further and fuller investigation, upon finding that that which had already been held was wholly inadequate; or to take the case entirely out of his Assistants hands, and dispose of it himself, as he actually did.

7. The Court will further observe that the Sessions Judge erred in considering that the Assistant

Magistrate

12th August 1848

Magistrate "stating as Court" under Section LIV of Act VII of 1848. That Section merely enlarges the powers of punishment vested in Magistrates by Regulation IX of 1816 to the extent indicated in Section VII Regulation X of 1816 but it confers no new functions and those enlarged powers are still exercised by them in their capacity of Magistrates and not as Criminal Judges.

Ordered that Extracts from these Proceedings be sent to the Magistrate of Tinnivelly for his information.

(Sent in No)

Ordered also that Extracts from these Proceedings be sent to the Sessions Judge of Tinnivelly for his information.

(Sent in No)

Read again Miscellaneous Petition presented on the 26th June 1848 by Purvaday and two others of the Villahs of Salem.

(Here enter Mis. Pet. No. 177 of 1848)

Read

F. 86

12th August 1848.

Read also Return dated the 2nd Instant from the Sessions Judge of Salem to the Precept of the Court of Tanjore Dated 17th July 1848 calling for information in regard to certain points connected with Case No 66 of the Calendar of the Sessions Court of Salem of 1848.

(Here enter F. 86. No. 1749 of 1848.)

1. The Court of Tanjore Dated are satisfied with the explanation afforded by the Sessions Judge.

2. The Court see no reason to doubt the propriety of the conviction or the justness of the sentence passed in this case.

Ordered that the prayer of the Petition No 177 of 1848 be rejected and that Extract from these Proceedings be furnished to the Petitioners on their application.

Read again Miscellaneous Petition of Mootoocoottan Sanniyyadoo of Villah Rajahmundry forwarded by the

12th August 1848.

the Sessions Judge of that Zillah.

(Here enter F.C. M.P. No 148 of 1848)

Read also return under date the 26th June 1848 from the Sessions Judge of Rajahmundry to the precept of the Tungdaree Valahut dated the 12th June 1848 requiring explanation with reference to the foregoing Petition.

(Here enter F.C. No 1516 of 1848)

The Court of Tungdaree Valahut observe on perusal of this return and its enclosures that the order passed by the Magistrate of which the Petitioner complains merely had reference to the temporary possession of the property referred to, the Petitioner being referred to a Civil Suit, an order which as observed by the Sessions Judge the Magistracy are competent to issue in all cases in which they may deem it necessary to prevent a breach of the peace.

3. The Court of Tungdaree Valahut see no reason for interfering with the proceedings of the Sessions Court

12th August 1848.

Court under date the 22d February 1848 whereby the order in question was confirmed and they accordingly resolve to dismiss this Petition.

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

(Sent in a No)

Read. Miscellaneous Petition forwarded by the Sessions Judge of Trichinopoly from Soondara Pillay of that Zillah.

(Here enter F.C. M.P. No 201 of 1848)

1. The Petition has reference to the disposal of Case No 25 on the file of the Criminal Court of Trichinopoly in which the Petitioner charged two persons with having fraudulently deprived him of a Bond.

2. The Petitioner complains of the release of the parties in question, and prays the Court of Tungdaree Valahut to direct that a fitting punishment may be

Monday
14th August 1848.

At a Court of the Tongdarees Udaliks

Present

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

Read Calendar of Cases

No. 33 of 1848 on the file of the Sessions Court of Salem.

(Were prior to No. 1755 of 1848)

The Court of Tongdarees Udaliks seeing reason to question the propriety of the disposal of this case directs that an English Translation of the record be submitted for their consideration, and that the execution of the sentence passed be suspended until further orders.

Ordered that Extracts from these Proceedings be sent to the Sessions Judge of Salem for his information and guidance; by precept returnable within XV days from and after its receipt.

(Sent following precept No. 896)

Recd

12th August 1848

for awarded to them.

3

The Court of Tongdarees Udaliks resolved to direct that an English Translation of this Petition be given to the Sessions Judge of Salem, with an intimation to that effect to enable the proceedings held in the case questioned and to pass such orders as may think proper respecting the same for the information of the Tongdarees Udaliks.

Ordered, that Extracts from these Proceedings, be sent to the Sessions Judge Trichinopoly, for his information and guidance, by Precept returnable within X days, from and after its receipt.

(Sent following precept No.

The Vakeel T. Ishwaren on behalf of Ramakrishna Chetty of Trichinopoly moves the Court to return the Enclosed in Miscellaneous Petition No. 74 of 1847.

Ordered accordingly.

Read Calendar of Cases Nos 37 of 1848 on the file of the Sessions Court of Salem.

(Here enter S. Cs Nos 1756 of 1848)

The Court of Sangdarre Udalut desire to be informed under what circumstances this case was brought before the Assistant Magistrate the examination having been commenced by the Head of Police by whom it should have been committed to the Criminal Court.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Salem by first opportunity X days from and after its receipt.

(Sent following precept Nos 897)

Read Calendars of Cases Nos 35 and 36 on the file of the Sessions Court of Cuddapah.

(Here enter S. Cs Nos 1742 & 1743 of 1848)

X

The prisoners in these cases were charged with forgery and on conviction have been sentenced respectively to four years

years imprisonment with hard labor in irons.

2 Adverting however to the absence of any aggravating circumstances as regards the nature of the forgery of which the prisoners have been convicted the Sessions Judge recommends that the period of Imprisonment awarded to them respectively be reduced to one year.

3 For the reasons assigned by the Sessions Judge the Court of Sangdarre Udalut resolve under the Provisions of Section V Regulation I of 1825 to sanction the mitigation of punishment proposed by that Officer in the cases under review.

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

(Sent as Nos 898)

Read again Criminal Reports submitted by the Sessions Judge of Nellore for the month of

June

June 1848

(Here enter F No. & No 1548 of 1848)

Read also returns number dated 3d August 1848 from the Sessions Judge of Tellore to the precept of the Foujdaree Udalut dated the 26th July 1848 requiring explanation with reference to the sentence passed in Case No 78 in the foregoing Report.

(Here enter F No. & No 1748 of 1848

1

In explanation of the severity of the sentence awarded to the Prisoner in the case referred to the Principal Sudder Ameen states to the recent punishment of that criminal by the Police Authorities for "theft"

2

The Court of Foujdaree Udalut desire that in all cases in which the Criminal Courts may deem it proper to award enhanced sentences to prisoners brought before them for trial, the circumstances which in their opinion render such enhancement necessary if not apparent on the statement of

of charges should be appended in the report. B.

Ordered that Extracts from these Proceedings be forwarded to the Sessions Judge of Tellore for his information and for communication to the Principal Sudder Ameen for his information, and future guidance.

(Sent in No 899)

Read letter dated the 5th Instant from the Sessions Judge of Cuttack submitting for the final Judgment of the Foujdaree Udalut, the Record of Case No 30 of 1848, of the Calendar of the Sessions Court.

(Here enter No 1791)

The Court of Foujdaree
Mr C. P. Thompson
Mr W. H. Morehead and Udalut on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the Prisoners

1st Kattilagatha Koombamootty

is not convicted on presumptive proof or on the evidence of credible witnesses or

on

on his own confession, of the crime charged, do acquit him thereof, and direct that he be set at liberty

1. The Court of Sanjdaree Udalut observe that excepting only the assertion of the deceased, there is no evidence to prove either that the deceased was pregnant by the Prisoner, or that she was pregnant at all; or that an abortion was effected or that any medicine was given to the deceased for the purpose of procuring abortion.

2. The Court deem it proper to direct the cancellation of the security demanded from the 2d Prisoner who, if still in confinement, in consequence of failing to find it, will now be unconditionally released. Otherwise, the Bail Bonds will be cancelled.

3 The Court observe that the charge was clearly one of a Murder by attempting to procure abortion. This is indeed expressly stated in the Warrants of the Sessions Judge and as the Prisoner was considered convicted of the charge, the case was referible under the

provisions of Section XV Regulation VII of 1802; and the Mahommedan Law Officer should have declared in his Fatwa whether the Prisoner was convicted of express Murder, or Homicide.

4. It would appear from the last paragh of the Letter of reference that the Sessions Judge views the orders of the Sanjdaree Udalut of the 2d June 1846 as imperatively requiring him to refer cases of "attempt to procure abortion" for the final Judgment of the Court. This, however, is an error. If death follow the attempt, and there be reasonable grounds to attribute the death to the attempt, the trial would be of course be referible as one of Murder: but otherwise, the reference of the Trial is neither necessary nor legal, unless, as explained in Clause seventh, Section II Regulation XV of 1803, the punishment of seven years' imprisonment, should appear to the Sessions Judge to be insufficient.

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

on his own confession, of the crime charged, do acquit him thereof, and direct that he be set at liberty

1. The Court of Sanjdaree Udalut observe that excepting only the assertion of the deceased, there is no evidence to prove either that the deceased was pregnant by the Prisoner, or that she was pregnant at all; or that an abortion was effected or that any medicine was given to the deceased for the purpose of procuring abortion.

2. The Court deem it proper to direct the cancellation of the security demanded from the 2d prisoner who, if still in confinement, in consequence of failing to find it, will now be unconditionally released. Otherwise, the Bail Bonds will be cancelled.

3 The Court observe that the charge was clearly one of Murder by attempting to procure abortion. This is indeed expressly stated in the Warrants of the Sessions Judge and as the Prisoner was considered convicted of the charge, the case was referible under the

provisions of Section XV Regulation VII of 1802; and the Mahummudan Law Officer should have declared on this Fulwa whether the Prisoner was convicted of expressly Murder or Homicide.

4. It would appear from the last paragh of the Letter of reference that the Sessions Judge views the order of the Sanjdaree Udalut of the 2d June 1846 as imperatively requiring him to refer cases of "attempt to procure abortion" for the final Judgment of the Court. This, however, is an error. If death follow the attempt, and there be reasonable ground to attribute the death to the attempt, the trial would of course be referible as one of Murder but otherwise, the reference of the Trial is neither necessary nor legal, unless, as explained in Clause seventh, Section II Regulation XV of 1803, the punishment of seven years' imprisonment, should appear to the Sessions Judge to be insufficient.

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

11th August 1848

Judge of Calicut for his information and that of the Mahommedan Law Officer.

Sent following letter to Do

End 11th

W/L

Wednesday 16th August 1848 At a Court of the Foujdaree Adalat

Present

W/L G. S. Hooper Esqre 1st Puisne Judge

C.P.J. C. P. Thompson Esq/re 2d Puisne Judge

W.M. H. R. Morehead Esq/re 3d Puisne Judge

Read Calendar of case No 8 of 1848 on the file of the Sessions Court of Masulipatam

(Third Entry Vol No 1685 of 1848)

1 The Court of Foujdaree Adalat observe that in the Calendar of cases referred for the final judgment of the Foujdaree Adalat the Cause of the Reference should be stated

2 The Court of Foujdaree Adalat accordingly resolve to direct that the Calendar under record be returned to the Sessions Judge in order to its Resubmission in new amended form

form with reference to the foregoing remarks.

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

(Entered No 903)

Read return dated the 31st Ultimo from the Sessions Judge of Chingleput to the precepts of the Foujdaree Adawlut under date the 27th idem conveying observations on reviews of the Criminal Reports for the month of June 1848

(Here Entered Dte No 1731 of 1848)

Read Calendar of Case No 20 of 1848 submitted by the Sessions Judge of Cuddapah under date the 29th Ultimo

(Here Entered Dte No 1732 of 1848)

Read Calendar of Case No 19 of 1848 submitted by the Sessions Judge

Judge of Bellarry under date the 29th Ultimo.

(Here Entered Dte No 1735 of 1848)

Read Letter dated 1st Instant from the Sessions Judge of Chingleput forwarding the list of convicts under sentence of transportation transferred from Mar. Zillahs up to 31st July 1848

(Here Entered Dte No 1739 of 1848)

Read report submitted by the Sessions Judge of Chingleput under date the 1st Instant, of cases pending on the 31st July 1848 and committed for trial during the month of June 1848 before him.

(Here Entered Dte No 1748 of 1848)

Read Calendar of case No 24 of 1848 submitted by the Sessions Judge of Chittoor under date the 21st Ultimo.-

(Here Entered Dte No 1745 of 1848)

Read

16th August 1848.

Read report submitted by the Sessions Judge of Masulipatam under date the 1st Instant of cases pending on the 30th June, and committed for trial during the Month of July 1848.

(Here Enter Fe No 1747 of 1848)

Read report submitted by the Sessions Judge of Salem under date the 1st Instant, of cases pending on the 31st July 1848 before him for a period in excess of 25 days calculated from the date of Commitment

(Here Enter Fe No 1751 of 1848)

Read Calendar of Case No 38 of 1848 submitted by the Sessions Judge of Salem under date the 28th Ultimo -

(Here Enter Fee No 1758 of 1848)

Read return dated the 31st Ultimo from the Sessions Judge of Coimbatore to the precept of the Foujdaree Adawlut under date the 26th idem requiring him to state the specific grounds upon which he deemed it proper to place the prisoner in case No 36 of 1848 in the Sessions Calendar under a representation of security

(Here Enter Fee No 1759 of 1848)

Thursday,
17th August 1848.

F. C.

At a Court of the Foujdaree Adawlut

Present

The Hon'ble J. A. Hooper Esqre —— 1st Puisne Judge
E. P. Thompson Esqre —— 2d Puisne Judge
W. A. Morehead Esqre —— 3d Puisne Judge

Read again Calendar of Case No 25 of 1848 on the file of the Sessions Court of Salem

(Here Enter Fe No 1262 of 1848)

Read also return under date the 3d August 1848 from the Sessions Judge of Salem to the Precept of the Foujdaree Adawlut dated the 10th July 1848 directing the release of the 7th and 8th prisoners in the foregoing case and calling for translations of those parts of the record which referred to the 1st and 4th Prisoners.

(Here Enter F. C. No 1766 of 1848)

1. The Court of Foujdaree Adawlut considered the evidence in this case to be insufficient to the full conviction of the 1st and 4th prisoners and they accordingly resolve to reverse the sentences to which those prisoners have been adjudged.

Put

2. But being of opinion that strong suspicion attaches to those prisoners, the Court of Tanjore doath direct that they be required to produce Security in two sureties of Rupees 50 each for the period of two years or that in default they be imprisoned for a similar period.—

Ordered that Extract from these proceedings be sent to the Session Judge of Salem for his information and guidance.

Sent in No. 904

Read Calendar of case No 170 of 1848 on the file of the Session Court of Nellore.

(Here Enter F.R. No 1784 of 1848)

1. The Prisoner in this case (a female) was charged with Subornation of perjury and on conviction has been sentenced by the Session Judge to Imprisonment with labor Suited to her sex for such period as the Court of Tanjore Zillah may be pleased to authorize that Officer recommending that a sentence of three months Imprisonment be awarded.

2. The Court of Tanjore doath approve of the mitigation of punishment recommended

recommended in this case and authorize the Session Judge to issue his warrant for the imprisonment of the prisoner for the period specified.—

3. The Court observe that it was incumbent upon the Session Judge to record against the prisoner the prescribed sentence of four years applying for sanction for the mitigated sentence which he deemed it proper to recommend.

Ordered that Extract from these proceedings be sent to the Session Judge of Nellore for his information and future guidance.

Sent in No. 905

Read return dated the 2d Instant from the Session Judge of Combatore to the precept of the Tanjore Zillah Court under date the 26th July 1848 directing the remission of so much of the Sentence passed against the Prisoners in Criminal cases No 142 and 143 of 1848 as respects Irons.— (Here Enter F.R. No 1762 of 1848)

Read report dated the 3d Instant submitted by the Sessions Judge of Chingleput of cases pending on the 30th June and committed for trial during the month of July 1848.—

(Here Enter F.R. No 1763 of 1848)

Read

17th August 1848.

Read return dated the 3d Instant from the Session Judge of Chittoor to the precept of the Foujdaree Adalut under date the 27th July 1848 conveying their observations and orders on the cases Nos. 86, 92 and 93 of 1848 in the Criminal Reports for the month of June 1848.

(Here Enter Fa No 1764 of 1848)

Read communication dated the 2d Instant from the Session Judge of Royalseemy submitting under Circular Order of the Foujdaree Adalut No 183 Copies of the Subordinate Judge's Reports on the escape of a convict and of the Sessions Judge's Proceedings passed thereon.-

(Here Enter F A No 1765 of 1848)

Read Calendar of case No 13 of 1848 submitted by the Session Judge of Honore under date the 29th Ultimo.-

(Here Enter F A No 1775 of 1848)

Read Calendars of cases Nos 27 & 31 of 1848 submitted by the Session Judge of Calicut under date the 2d Instant.-

(Here Enter F A Nos. 1776 & 1777 of 1848)

Read Statement dated the 1st Ultimo submitted by the Session Judge of Combaconum of Batta paid to the Prosecutors and witnesses during the first half of the year 1848.-

(Here Enter F A No 1779 of 1848)

Read Statement dated the 1st Instant submitted by the Session Judge of Honore of Batta paid to Prosecutors and witnesses attending before him for the half year ending the 30th June 1848.-

(Here Enter F A No 1780 of 1848)

End F.

x

Friday
18th August 1848

F. Ab.

At a Court of the Foujdaree Adalut.

Present.

G. L. Hooper Esqr. ——— 1st Puisne Judge
C. P. Thompson Esqr. ——— 2d Puisne Judge.
W. A. Morehead Esqr. ——— 3d Puisne Judge.

Read Letter dated the 10th Instant from the Session Judge of Cuddapah, referring for the final Judgment of the Foujdaree Adalut, the Record of Case No 29 of the Calendar of the Session Court of 1848.

(Here enter F. Ab. No 1798 of 1848.)

Mr. C. 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 proof against the prisoners

1st Angayala Chinna Venkatadoogadoo.

2nd Jeroomaleegadoo.

3d Bochoo Dungadoo

and

4th Pedda Venkatadoogadoo

is

17th August 1848.

Read return dated the 3d Instant from the Session Judge of Chittoor to the precept of the Foujdaree Adalut under date the 27th July 1848, conveying their observations and orders on the cases Nos. 86, 92 and 93 of 1848 in the Criminal Reports for the month of June 1848.

(Here Enter Fa No 1764 of 1848)

Read communication dated the 2d Instant from the Session Judge of Rajahmundry submitting under Circular Order of the Foujdaree Adalut No 183 Copies of the Subordinate Judge's Report on the escape of a convict and of the Sessions Judge's Proceedings passed thereon.-

(Here Enter F A No 1765 of 1848)

Read Calendar of case No 13 of 1848 submitted by the Session Judge of Honore under date the 29th Ultimo.-

(Here Enter Fa No 1775 of 1848)

Read Calendars of cases Nos 27 & 31 of 1848 submitted by the Session Judge of Calicut under date the 2d Instant.-

(Here Enter F A Nos 1776 & 1777 of 1848)

Read Statement dated the 1st Ultimo submitted by the Session Judge of Combaconum of Batta paid to the Prosecutors and Witnesses during the first half of the year 1848.-

(Here Enter F A No 1779 of 1848)

Read Statement dated the 1st Instant submitted by the Session Judge of Honore of Batta paid to Prosecutors and Witnesses attending before him for the half year ending the 30th June 1848.-

(Here Enter Fa No 1780 of 1848)

End F.

Friday
18th August 1848

F. Dc.

At a Court of the Foujdaree Adalut.

Present.

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

Read Letter dated the 10th Instant from the Session Judge of Cuddapah, requesting for the final Judgment of the Foujdaree Adalut, the Record of Case No 29 of the Calendar of the Sessions Court of 1848.

(Here enter F. Dc. No 1798 of 1848)

Mr. C. 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 proof against the prisoners

1st Angayala Chinna Venkatadroogadoo.

2nd Taroomalay Gadoo.

3rd Bochoo Dungadoo

and

4th Pedda Venkatadroogadoo

is

18th August 1848.

is sufficient to convict them of the crime of Murder, do convict them thereof; and under the provisions of Section X. Regulation XVIII. of 1802, sentence the prisoners,

1st Angayala Chinna Venkatadoragadoo

to suffer death by being hanged at the usual time and place of Execution, and the prisoners,

2nd Tewromalleegadoo

3rd Bochoo Gungadoo

and

4th Pedda Venkatadoragadoo

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 their natural lives.

(Sent following Letter No. 906 /50

Encl. 1 H.

F. Ub.

Saturday
19th August 1848. 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 again the Papers noted
Letter dated 2nd March 1848.
Do Do 8th May " in the margin received from the Sessions Judge
Return to the Precept of Tellicherry, relative to the charge of corruption
of the Foujdaree Udalut preferred by the Deputy Assistant Commissary
under date 15th May 1848. General at Cannanore, (Prosecutor in the cases
dated 24th Decr. filed against the late Manager of the
Letter dated 2nd June 1848. Commissariat Office) against Hemayet Ally
Khan the Mookummudan Law Officer of the
Sessions Court of Tellicherry.

(Here enter F. Ub. Nos. 605-1104-1218 and 1272 of 1848.)

Read also Letter dated the 8th
June 1848 from the same officer submitting a
Report on the evidence adduced against Hemayet
Ally Khan the Mookummudan & Sudder Ameen
of the Sessions Court on the same charges.

(Here enter F. Ub. No. 1328 of 1848.)

The Court of Foujdaree Udalut
have

have read with the greatest attention the voluminous Documents which accompany the Sessions Judges Report of the 8th June last. It is not the intention of the Court at present to record any opinion on the different matters brought under their consideration: but they resolve to direct the Sessions Judge, with reference to the Statements set forth in the Enclosure No. VIII to select one or two cases in which he may think that he can satisfactorily establish the fact that Arraialagatta Avoolla and the Sudder Ameen Sha Mahomed Sahib did receive money from parties who were led to believe that by that course, those two persons would procure for them a favorable decision from the Cazee in the matters pending before him Court in which they were interested. Into these cases the Sessions Judge will make a full and particular investigation in the presence of the Sudder Ameen. The Sessions Judge will pursue the same course in regard to the Statements contained in the Enclosure No. IX relative to the Sudder Ameen having permitted the said Arraialagata Avoolla being at the time his private Servant, to sit in his Court, have access to the Public Records, and interfere

interfere with the examinations of witnesses. In the examinations of all these cases, the Sudder Ameen must be permitted to cross examine the parties; and when the whole inquiry is terminated, he must be called upon to submit any explanation or observations he may desire to make in regard to the several facts alleged against him.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Tellicherry by Precept returnable within three weeks from and after its receipt.

(Sent following precept No. 908)

Read Letter dated the 24th ultimo from the Sessions Judge of Masulipatam, referring for the final Judgment of the Foujdaree Adalut the Record of Case No. 8 of the Calendar of the Sessions Court of 1848.

(Here enter Fls. No. 1746 of 1848)

The Court of Foujdaree Adalut,

Mr. C. D. Thompson.

on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the prisoner,

Tullivia Mahalatchmee

is sufficient to convict her of the crime charged,

do

do convict her thereof; and under the provisions of Section XXXIV Act VII of 1843 and Clause third, Section VII and Clause third Section VIII Regulation XV of 1803, sentence her to be banished to the District of Nellore, and imprisoned and kept to labor suitable to her sex for and during the period of (10) ten years.—

1. The Court of Fouzdaree Udalut observe that the search on the Prisoner's house for the stolen Jewels, was made irregularly and improperly conducted, for which the Sub: Officer of Police Mungapeutty Naidoo is solely answerable. No warrant for the search was issued and the directions of the Fouzdaree Udalut contained in the Circular Orders Nos. 15 and 16, were not observed.—

2. The Court resolve to direct the Sessions Judge, who would appear not to have brought this matter to the notice of the Magistrate, to call that officer's particular attention to the subject: and at the same time to instruct him to inform the Sub: Officer of Police that his misconduct and neglect of duty in this instance is viewed with much displeasure by the Fouzdaree Udalut and that any future repetition of similar negligence

will be visited by grave consequences.

Ordered that Extracts from these proceedings be sent to the Sessions Judge of Masulipatam for his information and guidance.—

(Sent following Letter No. 909)

Read Letter dated the 5th Instant from the Sessions Judge of Cuddapah transmitting the warrant issued for the execution of the sentence of death passed on the Prisoner in Case No. XXV of 1848 on the Calendar of the Sessions Court, with the endorsement of the Subordinate Judge and copy of his report.—

(Forwarded F16. No. 1760 of 1848.)

Read report dated the 1st Instant from the Sessions Judge of Cuddapah of cases depending on the 30th June and committed for trial during the month of July 1848

(Forwarded F16. No. 1761 of 1848.)

Read Calendar of Cases No. 29 of 1848 submitted by the Sessions Judge of Coimbatore under date the 26th Ultimo.

(Forwarded F16. No. 1790 of 1848.)

Read Letter dated the 10th Instant from

from the Sessions Judge of Chingleput, stating with reference to the Foujdary Adalut Letter dated the 29th Ultimo that the Convict Jeeva Paupah has been sent back to Ganjam.

(Hereunto F. No. 1793 of 1848)

Read Calendar of Cases No. 27 of 1848 submitted by the Sessions Judge of Nellore under date the 10th Instant.

(Hereunto F. No. 1794 of 1848)

Read Letter dated the 8th Instant from the Sessions Judge of Coimbatore, forwarding a Duplicate copy of a List of a Convict sent to the Head Assistant Magistrate at Palghaut

(Hereunto F. No. 1797 of 1848)

Read Calendar of Cases No. 20 of 1848 submitted by the Sessions Judge of Bellary under date the 10th Instant.

(Hereunto F. No. 1801 of 1848)

Read Calendar of Cases No. 31 of 1848 submitted by the Sessions Judge of Coimbatore under date the 3d Instant.

(Hereunto F. No. 1802 of 1848)

Read Calendar of Cases No. 38 of 1848 submitted by the Sessions Judge of South Arcot under

date the 10th Instant.

(Hereunto F. No. 1803 of 1848)

Read Calendar of Case No. 23 of 1848 submitted by the Sessions Judge of Rajahmundry under date the 8th Instant.

(Hereunto F. No. 1804 of 1848)

Read Calendar of Case No. 15 of 1848 submitted by the Sessions Judge of Chingleput under date the 12th Instant.

(Hereunto F. No. 1813 of 1848)

Read Calendar of Case No. 27 of 1848 submitted by the Sessions Judge of Coimbatore under date the 31st Ultimo.

(Hereunto F. No. 1814 of 1848)

Read Calendar of Case No. 32 of 1848 submitted by the Sessions Judge of Calicut under date the 9th Instant.

(Hereunto F. No. 1816 of 1848)

Read Calendar of Cases No. 33 of 1848 submitted by the Sessions Judge of Coimbatore under date the 5th Instant.

(Hereunto F. No. 1817 of 1848)

Read Statement dated the 9th Instant from the Sessions Judge of Tellicherry

of

19th August 1848.

of batta paid to Prosecutor and Witness for attending before that Court during that half year of 1848.

per Enter F.C. No 1823 of 1848 fo

End 111.

F.C.

Monday 21st August 1848.

A Court of the Foujdaree Udalut.

Present-

W.S. C. S. Hooper Esqre ____ 1st Puisne Judge.

C.P. C. P. Thompson Esqre ____ 2d Puisne Judge.

W.H. W. A. Morehead Esqre ____ 3d Puisne Judge.

Read Letter dated the 1st July 1848 from the Session Judge of Salem submitting for the final judgment of the Foujdaree Udalut the Record of Case No 31 of 1848 on the Calendar of the Session Court.-

(Vide Enter F.C. No 1810 of 1848)

The Court of Foujdaree Udalut,

Mr C. S. Hooper.
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 Veerummal
alias
Remy or Ramayee.-

is sufficient to convict her of the crime charged, do convict her thereof; and under the provisions of Clause third Section VII Regulation XV of 1803, Sentence her to be imprisoned and kept to labor suitable to her sex for, and during the period of

of (5.) five years.-

(Sent following Letter No 910)

Read Miscellaneous Petition forwarded by the Session Judge of Coimbatore from Moothu Coravan and three others of Zillah Coimbatore.-

(Here enter J. M. P. No 769 of 1848.)

1. This is an application for the reversal of the sentences which have been awarded to the Petitioners the 1st, 2d, 3d, and 6th Prisoners in Case No 96 of 1847 on the file of the Session Court of Coimbatore.-

2. The Court of Sudder Adawlut are satisfied of the justice of the sentences of which the Petitioners complains and they accordingly resolve to dismiss this Petition.-

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Coimbatore for communication to the Petitioners.

(Sent in No 911)

Read Miscellaneous Petition presented on the 17th July 1848 by Chengadoo of Zillah Salem.-

(Here enter J. M. P. No 768 of 1848.)

1. This is an application for the interference

interference of the Court of Foujdaree Adalut to reverse the sentence awarded to the Petitioners Brother-in-law 1st Prisoner in Case No 76 of 1848 on the file of the Session Court of Chittoor, who has been sentenced to eight years imprisonment with hard labor in irons, in a charge of Gang Robbery.-

2. The Petitioner alleges the innocence of the Prisoner in question, who, he states, on the night in which the robbery charged against him was said to have taken place, was 30 miles distant from the spot at which it was alleged to have been committed.-

3. The Court of Foujdaree Adalut see nothing in this Petition which would induce them to question the justice of the sentence of which the Petitioner complains.-

4. The Court of Foujdaree Adalut accordingly resolve to dismiss this Petition.-

Ordered that Extract from these Proceedings be furnished to the Petitioner on his application.-

Read Miscellaneous Petition presented on the 24th July 1848 by T. Appiah Vakeel on behalf of Moodoocoolatta Naiken of Zillah

21st August 1848.—

Zillah Calicut.—

(Here enter F. No. 208 of 1848.)

1. The object of this Petition is to induce the Court of Foujdaree Udalut to order the release of the Petitioners Sons the 5th and 6th Prisoners in Case No. 24 of 1848 on the file of the Sessions Court of Calicut, the former of whom has been sentenced to one years imprisonment without irons and the latter to the same punishment for the period of six months.—

2. The Court of Foujdaree Udalut see nothing in this Petition which would induce them to question the justice of the sentence to which the Petitioner refers and which the Court of Foujdaree Udalut accordingly refuse to disturb.—

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

Read again Calendar of Case No. 9 of 1847 on the file of the Sessions Court of Coimbatore.—

(Here enter F. No. No. 9 33 of 1848.)

Read also Return under date the 20th May 1848 from the Sessions Judge of Coimbatore to the precept of the Foujdaree Udalut dated the 2nd May 1848 calling for information with reference to the

F. No. 6

21st August 1848.—

the foregoing case.—

(Here enter F. No. No. 1179 of 1848.)

The Court of Foujdaree Udalut observe that under the circumstances represented by the Sessions Judge the delay which occurred in the disposal of the case above referred to was unavoidable.

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

(Sent in No. 912)

Read Calendar of Case No. 14 of 1848 on the file of the Sessions Court of Tellicherry.—

(Here enter F. No. No. 1773 of 1848.)

1. The Court of Foujdaree Udalut observe with reference to the rule laid down in Circular Order under date 11th October 1822, that in the Calendars of all Cases referred for the final judgment of the Foujdaree Udalut the grounds of reference should be stated.—

2. The provisions of the Law quoted in this case do not appear to be applicable to the offence with which the Prisoner is charged.—

3. The Court of Foujdaree Udalut accordingly resolve to direct that the Calendar under review be returned to the Sessions Judge in order to

to its re-submission in an amended form with reference to the foregoing observations.—

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Tellicherry for his information and future guidance by Precept returnable within three days from and after its receipt.—

(Sent following Precept No. 913

Read Calendar of Cases No. 10 of 1848 on the file of the Sessions Court of Honore.—

(Here enter F.C. No. 177½ of 1848.)

1. The Prisoners in this case (6) were charged with "Robbery by open violence" and the seventh prisoner with having secreted a portion of the plundered property with a guilty knowledge of the manner in which it had been obtained.—

2. Of these the 4th Prisoner has been unconditionally released, and the 1st, 5th, and 6th Prisoners placed under requisition of security, the 7th prisoner having been sentenced to 3 years' imprisonment with hard labor in irons, under Clause Second Section IV Regulation VI of 1822 and the 2nd and 3rd declare liable to 14 years' imprisonment with hard labour in irons, in mitigation of which sentences, the Sessions Judge recommends that the prescribed

prescribed period of imprisonment should be reduced to seven years, on the ground that no aggravating circumstances appear to have been attendant on the commission of the robbery of which those prisoners have been convicted.—

3. Of this recommendation the Court of Sudder Adalut approve and authorize the Sessions Judge to issue his warrant accordingly.—

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

(Sent in No. 914)

Read Calendar of Cases No. 21. of 1848 on the file of the Sessions Court of Cumbacconum.—

(Here enter F.C. No. 177½ of 1848.)

1. The Prisoner in this case having been convicted of "Forgery" has been sentenced by the Sessions Judge to four years' imprisonment with hard labour in irons under the provisions of Clause first Section III Regulation VI of 1811; that Officer recommending that the prescribed period of imprisonment be reduced to three years on the ground that the "Forgery" of which the Prisoner has been convicted

convicted was but for a trifling amount.-

2. Of this recommendation the Court of Foujdaree Udalut approve and authorize the Sessions Judge to issue his warrant accordingly.-

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

(Sent in No. 915)

Read Criminal Reports of the Sessions Court of Combatoor for July 1848.-

(Here enter F. 86. No. 1796 of 1848).

Report B.- Case No. 110.- 1. The Court of Foujdaree Udalut observe that when the same Prisoner stands charged with two or more offences his conviction or acquittal upon each separate charge should be distinctly entered in the Report: information upon this point has been withheld in regard to the case noted in the margin and the Court direct that it now be supplied.-

Cases Nos. 145. 151. and 157.- 2. The Court of Foujdaree Udalut deem it necessary to call the attention of the Sessions Judge to the remarkable disparity exhibited in the sentences passed by the Principal and Moosliff Sudder Ameens respectively in each of these cases.- In Case No. 145, the Prisoner was charged with & having stolen a buffalo valued at 10 Rupees, and was

was sentenced to one years' imprisonment in irons and hard labor. In Case No. 151 the Prisoner was charged with having stolen a bullock also valued at Rupees 10. and was sentenced to six months imprisonment with hard labor in irons- and in Case No. 157, the Prisoners were charged with having stolen two sheep of the value of two Rupees and on conviction, the 1st Prisoner was sentenced to 18 months imprisonment with hard labor in irons. No circumstances either of aggravation or palliation are apparent in either of these cases, and in the absence of such, the Court are disposed to consider that the sentences were awarded without due discrimination.-

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

(Sent following Precept No. 916

Read Calendar of Case No. 32 of 1848 of the Sessions Court of Cuddapah for 1848.-

(Here enter F. 86. No. 1795 of 1848).-

1. In this case 8 Prisoners were charged with Gang Robbery.-

2. Adverting to the remark recorded by the Sessions Judge on this case, that "although

a

convicted was but for a trifling amount.-

2. Of this recommendation the Court of Sessions Udalut, approve and authorize the Sessions Judge to issue his warrant accordingly.-

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

(Sent in No. 915)

Read Criminal Reports of the Sessions Court of Coimbatore for July 1848.-

(Here enter F. R. No. 1796 of 1848)-

Report B.- Case No. 140.- 1. The Court of Sessions Udalut observe that when the same Prisoner stands charged with two or more offences his convictions or acquittals upon each separate charge should be distinctly entered in the Report. information upon this point has been withheld in regard to the case noted in the margin and the Court direct that it now be supplied.-

Cases Nos. 145. 151. and 157.- 2. The Court of Sessions Udalut deem it necessary to call the attention of the Sessions Judge to the remarkable disparity exhibited in the sentences passed by the Principal and Moonsiff Sudder Ameens respectively in each of these cases.- In Case No. 145, the Prisoner was charged with & having stolen a buffalo valued at 10 Rupees, and was

was sentenced to one years' imprisonment in irons and hard labor. In Case No. 151 the Prisoner was charged with having stolen a bullock also valued at Rupees 10. and was sentenced to six months imprisonment with hard labor in irons- and in Case No. 157 the Prisoners were charged with having stolen two sheep of the value of two Rupees and on conviction the 1st Prisoner was sentenced to 18 months imprisonment with hard labor in irons. No circumstances either of aggravation or palliation are apparent in either of these cases, and in the absence of such, the Court are disposed to consider that the sentences were awarded without due discrimination.-

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. 916

Read Calendar of Case No. 32 of 1848 of the Sessions Court of Cuddapah for 1848.

(Here enter F. R. No. 1795 of 1848)-

1. In this case 8 Prisoners were charged with Gang Robbery.-

2. Adverting to the remark recorded by the Sessions Judge on this case, that "although a

convicted was but for a trifling amount.-

2. Of this recommendation the Court of Foujdaree Udalut approve and authorize the Sessions Judge to issue his warrant accordingly.-

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

(Sent in No. 915)

Read Criminal Reports of the Sessions Court of Coimbatore for July 1848.-

(Here enter F. Pc. No. 1796 of 1848)-

Report B.- 1. The Court of Foujdaree Udalut observe that when the same Prisoner stands charged with two or more offences his conviction or acquittal upon each separate charge should be distinctly entered in the Report: information upon this point has been withheld in regard to the case noted in the margin and the Court direct that it now be supplied.-

Cases No. 145. 151. and 157.- 2. The Court of Foujdaree Udalut deem it necessary to call the attention of the Sessions Judge to the remarkable disparity exhibited in the sentences passed by the Principal and Moosy the Sudder Ameens respectively in each of these cases.- In Case No. 145, the Prisoner was charged with & having stolen a buffalo valued at 16 Rupees, and was

was sentenced to one years imprisonment in irons and hard labor.- In Case No. 151 the Prisoner was charged with having stolen a bullock also valued at Rupees 10. and was sentenced to six months imprisonment with hard labor in irons.- and in Case No. 157 the Prisoners were charged with having stolen two sheep of the value of two Rupees and on conviction the 1st Prisoner was sentenced to 18 months imprisonment with hard labor in irons. No circumstance either of aggravation or palliation are apparent in either of these cases, and in the absence of such, the Court are disposed to consider that the sentences were awarded without due discrimination.-

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. 916

Read Calendar of Case No. 32 of 1848 of the Sessions Court of Cuddapah for 1848.-

(Here enter F. Pc. No. 1795 of 1848)-

1. In this case 8 Prisoners were charged with Gang Robbery.-

2. Adverting to the remark recorded by the Sessions Judge on this case, that "although a

"a guard of peons is kept over the gate, the robbers
"entered the fort, effected the robbery, and retreated
"without one of their number being seized, or any
"real resistance being offered" the Court of Judicature
Adalut desired to be informed what notice has been
taken by the Magistrate of such culpable want
of exertion on the part of the Peons on guard.-

Ordered that Extracts from these
Proceedings be forwarded to the Sessions Judge
of Cuddalore by Precept returnable within Ten
days from and after its receipt.-

(Sent following precept No. 907

Read Criminal Reports dated
the 12th Instant submitted by the Sessions Judge
of Masulipatam for the months of July 1848.-

(Here enter F. 86. No. 1831 of 1848).

Read Criminal Reports dated
the 1st Instant submitted by the Sessions Judge
Combaconum for the months of July 1848.-

(Here enter F. 86. No. 1832 of 1848)

Read Criminal Reports dated the
15th Instant submitted by the Sessions Judge of
Salem for the months of July 1848.-

(Here enter F. 86. No. 1833 of 1848)

Read Criminal Reports dated the
1st Instant submitted by the Sessions Judge of
Tinnevelly for the months of July 1848.-

(Here enter F. 86. No. 1834 of 1848.)

Read Criminal Reports dated
the 15th Instant submitted by the Sessions Judge
of Cuddapah for the months of July 1848.-

(Here enter F. 86. No. 1837 of 1848.)

Read return dated the 14th
Instant from the Sessions Judge of Trichinopoly
to the Precept of the Sunderee Adalut under
date the 10th Idem - directing the unconditional
release of the Prisoners in Calendar of Case &c
No. 11 of 1848 on the file of this Court.-

(Here enter F. 86. No. 1841 of 1848.) &c

Entd WK

F. Ub.

Thursday,
24th. August, 1848.

At a Court of the Foujdaree Udalut.

Present.

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

Read Criminal Reports of the Sessions Court of Chingleput for July 1848.-

Here Enter F. Ub. No. 1818 of 1848.

Report B. Case No. 75.-

1. The three Prisoners in this Case were charged with Assault, and, on conviction, were sentenced to pay fines varying in their amount, commutable to imprisonment with hard labor in irons.-

2. The Court of Foujdaree Udalut consider the award of "irons" in this Case to be objectionable, and they accordingly direct that, if the Prisoners be still in confinement, that portion of their sentence be annulled.-

The

24th August, 1848.
Case No. 76 — 3.

The Court deem it necessary to draw the attention of the Sessions Judge to the imperfect manner in which the charge in this case has been framed, which from its obscure phraseology is scarcely intelligible.—

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

/Sent in No. 919/—

Read Letter dated 9th August 1848 from the Sessions Judge of Tinnevelly submitting with reference to the Proceedings of the Court of Tongdaree Udalut under date 27th July last, an explanation of the sentence passed by him in Case No. 24 of 1848.—

/Here Enter F.Mo. No. 1819 of 1848/

The Court of Tongdaree Udalut having perused the explanatory circumstances of the case now submitted for their consideration, are of opinion that the sentence of the Sessions Judge in the

24th August, 1848.

above Case was both just and proper.—

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Tinnevelly for his information.—

/Sent in No. 920/—

Read Letter dated the 11th instant from the Sessions Judge of Tellicherry, referring for the final Judgment of the Tongdaree Udalut, the Record of Case No. 11 of 1848 on the Calendar of the Sessions Court.—

/Here Enter F.Mo. No. 1841 of 1848/

Mr. G. L. Cooper.
Mr. E. P. Thompson 2nd.

The Court of Tongdaree 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,

"Poothiyottile Poothoo Komapen"

is sufficient to convict him of the crime of Murder, do convict him thereof; and under the provisions of Section IX Regulation VIII of 1802, sentence him to suffer death by being hanged at the

24th August, 1848.

the usual time and place of Execution.

/Sent following letter. No. 921/

Read Letter dated the 9th and Received on the 18th instant, from the Session Judge of Tinnevelly, referring for the final Judgment of the Foujdaree Adalut, the Record of Cases. No. 27 of the Calendar of the Sessions Court of 1848.

/Were Entered F. Hb. No. 1829 of 1848/

Mr. C. 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 Prisoners,

1st. Pitchen
2d. Nerenjan
3d. Moolien
4th. Moolien son of Karoopen
5th. Soodalaymootoo
6th. Soodalaymuttoo son of Pitchee
7th. Karoopen
8th. Danookody
9th. Sawmy

10th.

24th August, 1848.

10th Pitcheemoottoo
11th Sinnakunnoo

and

12th Tencarymoottoo

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 Adalut observe that the evidence for the Prosecution, in this case is so contradictory and unsatisfactory, as to render it impossible to found a conviction on it.

2. One important circumstance which is not dwelt upon by the Sessions Judge is that the body of the person alleged to have been killed has not been discovered.

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Tinnevelly for his information.

/Sent following letter. No. 922/

End. Hb.

F 11.

Friday ..... } At a Court of the Foujdaree Adalut
25th August 1848 }

Present

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

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

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

Read Letter dated 17th Instant

from the Session Judge of Combatore submitting

for the final sentence of the Foujdaree Adalut

the Proceedings in Case No 28 of 1848.

(Here enter F. A. No 1861)

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 proof against

the Prisoners,

1st Peetumy Soobbee Chetty

2d Moorooguon

3d Veeroomon

4th Pulany

and

5th Caroopyen

is sufficient to convict them of the crime

F.

of Gang Robbery, do convict them thereof, and under the provisions of Clauses third and fifth Section IV Regulation XI of 1843 and Section XXXIV Act VII of 1843, sentence the prisoners,

1st Periatamy Sooblen Chetty

and

2nd Carooppen

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] ten years each the prisoners,

2nd Moorooguk

and

3rd Karoonan

and

4th Palan

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.

(Lent Jollanning Letter No 923)

Read the following Letter dated the 31st ultimo from the Superintendent Judge of Jaffna, reporting an accident which occurred inside the Fort at Palamcottah, to a party of Convicts on Saturday the 29th ultimo.

(Here enter F.H. No 1752 of 1848)

Read also Letter dated the 5th instant from the same Officer, submitting translations of all the Depositions taken relative to the accident reported in his Letter of the 31st ultimo.

(Here enter F.H. No 1787 of 1848)

The Superintendent Judge having explained the circumstances under which the accident is supposed to have happened so far as the truth could be ascertained from the somewhat conflicting statements of the parties examined, reports, in his letter of the 5th instant, that "for the gross carelessness evinced by the Jemadar and the Jail Peons and for disregarding the orders which he had given for the conduct of the work" he has "dismissed the Jailor, Jemadar and the five Jail Peons from their situations."

2. In the opinion of the Court of Fouzdaree Adalut, the punishment awarded to the persons aforementioned, exceeds the offences proved against them respectively. Beyond the details of the actual

actual accident, the statements of the parties examined do not appear to be deserving of much credit. But the Sessions Judge's orders having been disobeyed, and the Jemadar and Peons being clearly the most to blame as they were or ought to have been present, superintending the work and the prisoners, the Court resolve to direct that they be suspended from office for six months.

The Sailer had other duties to perform and could not always be present. The Court resolve, therefore, to direct that he be suspended for two months. In both cases, the suspension will be calculated from the date of the Sessions Judge's original order.

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

(Sent in No. 924)

Read Criminal Reports submitted by the Sessions Judge of Nellore for the month of July 1848.

/Here enter F.R. No. 1825 of 1848/

The

Case No. 95
Report B

The Court of Foujdaree Adalut observe that in the report of this case, the acquittal or conviction of the Prisoner charged, should have been specified the reference to the report of a preceding case being insufficient.

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

(Sent in No. 925)

Read Calendar of Case No. 32 of 1848 submitted by the Sessions Judge of Madura under date the 19th Ultimo.

/Here enter F.R. No. 1833/

Read Calendar of Case No. 34 of 1848 submitted by the Acting Sessions Judge of Cuddalore under date the 18th Instant.

/Here enter F.R. No. 1836/

Read Calendar of Case No. 28 of 1848 submitted by the Sessions Judge of Tinnevelly under date the 19th Instant.

/Here enter F.R. No. 1840/

Saturday
26th August 1848 } At a Court of the Fouzdaree Adalut

F. 11

Present:

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 Instant from the Sessions Judge of Calicut submitting for the final sentence of the Fouzdaree Adalut the Proceedings in Case No. 33 of 1848.

/ Vide entry of Ct No. 1891 /

The Court of Fouzdaree Adalut

Mr. G. S. Hooper.
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,

"Chakoongal todiyil Ithen"

is sufficient to convict him of the crime of Culpable Homicide, for which the penalty of Deyut is awardable under the Mohammadan Law as declared in Futwas of their Law Officers, do convict him thereof,

and

and under the provisions of Clause second Section XV Regulation VII of 1802 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.

(Sent following letter No. 930)

Read letter dated 17th Instant from the Session Judge of Salem submitting the return to the death warrant in Case No. 82 of the Calendar of his Court for 1848.

(Here enter F.H. No. 1849)

Read Calendar dated 17th Instant submitted by the Session Judge of Chingleput of a Prisoner sentenced under Clause 2nd Section V Regulation VI of 1822.

(Here enter F.H. No. 1850)

Read Statement dated 1st July 1848 submitted by the Session Judge of Salem, shewing the amount realized by the labor of the Prisoners in the 2nd Quarter of 1848.

(Here enter F.H. No. 1850)

Read letter dated 12th Instant, from the Session Judge of Honore, forwarding Criminal Reports of his Court and those of the Sudder Ameen's Court at Sirsy for July last, and stating that the Report B due from the Magistrate has not yet been received and that it has been called for.

(Here enter F.H. No. 1851)

Read Criminal Reports dated 14th Instant, submitted by the Session Judge of Bellary for the month of July 1848.

(Here enter F.H. No. 1854)

Read Criminal Reports dated 15th Instant, submitted by the Subordinate Judge in charge of the Sessions Court of Madura for the month of July 1848.

(Here enter F.H. No. 1855)

Read Calendar of Case No. 32. submitted by the Sessions Judge of Combatore under date the 4th Instant.

(Here enter F.H. No. 1850)

Read letter dated 19th Instant, from the Sessions Judge of Chingleput reporting

28th August 1848.

reporting the arrival of a Convict from Cuddalore under sentence of transportation and that she has not been marked by the process prescribed by Section XXXV Regulation VII of 1802.

(Here enter F.U. No. 1852)

Read Report dated 1st instant submitted by the Deputy Superintendent of General Police Madras of Persons apprehended in the Collectorate of Madras and delivered to the Superintendent of Police during the month of June 1848.

(Here enter F.U. No. 1853)

Read Statement dated 1st instant submitted by the Sessions Judge of Chittoor of Batta paid to Prosecutors and witnesses attended before his Court from 1st January to 30th June 1848.

(Here enter F.U. No. 1854)

Read Calendar of Cases No. 284 of 1848 submitted by the Sessions Judge of Chittoor under date the 25th ultimo.

(Here enter F.U. No. 1855)

F.U.

Monday
28th August 1848. At a Court of the Foujdaree Adalut.

Present

Sir E. 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 24th July 1848 by Mottoo Gramny and others of Zillah Chingleput.

(Here enter F.U. M. P. No. 24 of 1848.)

Petitioners, who are retailers of Toddy, complain of the seizure and confiscation of some of their Toddy by the Cutwal of St. Thomas' Mount, also of a sentence of one months imprisonment which has been passed by that officer on two of their number. They state that they appealed to the Sessions Judge of Chingleput, but failed in obtaining redress, they therefore pray the interference of the Foujdaree Adalut.

2. The Court of Foujdaree Adalut observe that the subject of complaint contained in this Petition is not in its present stage within

within the province of the Sudder and Foujdaree Adalut to notice. The Petitioners, if they think fit, must in the first place address themselves to the Collector and Magisthate of the District and then to the Session Judge, and if dissatisfied with those officers decisions a further appeal will lie to this Court.

Ordered that Extract from these proceedings be given to the Petitioners on their application.

Read Miscellaneous Petition presented on the 31st July 1848 by J. Chinniah Moodily of Zillah Chittoor

/Rec.d enter.d F.C. M.P. No. 220 of 1848/

1. Petitioner prays a reconsideration of the Orders of the Foujdaree Adalut dated 15th May last, dismissing his prayer to be furnished with an attested copy of that part of the Chittoor Session Calendar of Case No. 44 of 1848, which had reference to himself.

2. Petitioner is referred to the former Orders of the Court of Foujdaree Adalut dated 3d April and 15th May 1848 and informed that they are final.

Ordered

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

Read Miscellaneous Petition presented on the 7th August 1848 by Veerasamy Chetty of Zillah Chingleput

/Rec.d enter.d F.C. M.P. No. 225 of 1848/

1. The object of this Petition is to induce the Court of Foujdaree Adalut to order the refund of a fine which has been imposed upon the Petitioner by the Officer in charge of the Police in the Cantonment of Palaveram, and to order an enquiry into the conduct of certain of the native officers of Police in that Cantonment whom the Petitioner charges with having seriously maltreated him.

2. The Court of Foujdaree Adalut cannot interfere in the matter of this Petition until the Petitioner shall produce an Extract from the proceedings of the Session Court of Chingleput to show that he had applied to the Session Judge for redress from the grievances of which he complains.

Ordered that Extract from

these

28th August 1848

these proceedings be furnished to the Petitioner on his application.

Read Criminal Reports submitted by the Agent to the Governor of Fort St George in Ganjam for the month of July 1848.

Report B.
Case No 18.

[Here enter F.Dc. No 1838 of 1848.]

The value of the spirituous liquor of which the prisoners in this case were charged with having been in illegal possession should have been specified in the statement of the charge.

Ordered that Extract from these proceedings be forwarded to the Agent to the Governor of Fort St George in Ganjam for his information and future guidance.

[Sent in No 932]

Read Calendar of Case No 39 of 1848 on the file of the Sessions Court of Salem.

[Here enter F.Dc. No 1858 of 1848.]

1.

The prisoner in this case was charged with "robbery by open violence."

2.

The Sessions Judge in connexion with this Law Officer has convicted the prisoner of the offence laid to his charge and has sentenced him to 14 years' imprisonment with hard labor in irons

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irons; but on the ground that the prisoner has not been punished on any former occasion and nothing appearing to the absence of any aggravating circumstances in the commission of the robbery of which he has been convicted, the Sessions Judge recommends that the prescribed period of imprisonment be reduced to two years.

3

Of this recommendation the Court of Foujdaree Adalut approve and they authorize the Sessions Judge to issue this warrant accordingly.

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

[Sent in No 923]

Read Calendar of Case No 40 of 1848 on the file of the Sessions Court of Salem.

[Here enter F.Dc. No 1859 of 1848.]

1.

In this case five prisoners have been convicted of the offence of "Housebreaking and theft" and have been sentenced by the Sessions Judge to 7 years' imprisonment with hard labor in irons.

2.

On the ground that the prisoners have

have not been furnished on any former occasion, the Sessions Judge recommends that the period of Imprisonment awarded be reduced to four years.

3. The Court of Foujdaree Udalut approve of the mitigation of punishment proposed by the Sessions Judge in this case, and authorize that Officer to issue his warrant accordingly.

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

(Entered No 934)

Read the following Letter dated the 22nd ultimo from the Sessions Judge of Salem

(Fair entry Fo 16. No 7641 of 1848)

1. The Sessions Judge submits for the orders of the Foujdaree Udalut a correspondence with the Magistrate of Salem and the Papers connected with it, relative to Case No 700 of 1848 on the file of the Subordinate Court in which the Prisoners were charged with "Misdemeanour and Fraud"; and the case was disposed of by the Subordinate Judge who acquitted

acquitted the Prisoners on the ground that the Moosty Sudder Ameen had declared in answer to a question put to him, that the prisoners were not liable to any punishment.

2. The Magistrate of Salem not being satisfied with this decision, has requested the Sessions Judge to refer the whole matter for the consideration and orders of the Foujdaree Udalut.

3. The Court of Foujdaree Udalut have thought it right to lay this case before the Cazee-ool-Cozat who has declared that the Moottadar has according to the Mahummudan Law, been guilty of a Fraud, and rendered himself liable to Discretionary Punishment: and that the party who agreed at his instigation, to personate B, provided that at the time, he had attained to years of discretion, would likewise be liable to discretionary punishment.

4. With reference to this opinion, the Court of Foujdaree Udalut deem it proper to direct that the parties be apprehended and brought to trial for the offences with which they respectively stand charged. The

Magistrate

Magistrate will, of course, take the necessary measures to ascertain whether or not at the time he committed the offence the accused had, as required by the Mohummudan Law, attained to years of discretion.

5. The Court observe that the Question put by the Subordinate Judge to the Moofty Sudder Ameen, was not a proper one. It should have stopped at the words "having reference to the Division." By proceeding to assert that "the substitution is thus manifestly irregular but in the case in question, it is not proved that A acted with any intent to defraud or actually injure any person" the Subordinate Judge placed on record his own views of the matter at issue and thereby must have necessarily biassed the Judgment of the Mohummudar Sudder Ameen.

6. The Court direct that a copy of the answer of the Cazee and Coorjah be sent to the Session Judge of Salem, with instructions to furnish a transcript of the same to the Subordinate Judge and Mooftey Sudder Ameen, for their information and future guidance respectively.

Ordered

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

(Letter No 935)

First Question.

A Mohtadar A is desirous of procuring a division of his State and assigning a portion of it to a Relation B. Permission is given for this arrangement by the Revenue authorities, but subsequently owing either to the refusal of B to enter into his views or to some other cause, he A instigated a third person C to personate B and sign the Moochilka, having reference to the division.

Is A guilty of a criminal act under the Mohummudan Law, and if so, of what? and to what punishment is he liable?

Answer

As the instigation involves Deceit and Fraud, A is liable to Tazeer or Discretionary Punishment proportioned to his offence.

Second

Second Question

Is C who, at the instigation of A, personated B, liable to punishment under the Mohummadan Law?

Answer.

If C had arrived at years of Discretion, and the age of Puberty he would be liable to Tazeer for his share in the transaction: but if he had not arrived at that age, he would not be liable to punishment: but would be entitled to release.

Read again Miscellaneous Petition presented by the Vakeel T. Ramachundriah on behalf of Canothe Manally late Nazir of the Zillah Court of Tellicherry praying his restoration to Office.

(Reverter M. P. No. 37 of 1848)

Read also Return dated the 10th June and Supplemental Return dated the 12th July 1848 from the Sessions Judge of Tellicherry to the Precept of the Court of Foujdaree Udalut under date the 1st May 1848 calling upon him to submit the Records on which he deemed Canothe Manally unworthy of being longer

employed in his situation of Nazir of the Civil and Sessions Courts and likewise the Proceedings held by the Joint Magistrate on which that Officer's report dated the 5th October 1847 was founded.

(Reverter T. Cs. Nos. 1331 and 1567 of 1848)

The Sessions Judge has forwarded with the Supplemental Return above recorded a translation of the Record called for on the 1st May last, with a copy of the Sessions Court's Proceedings of the 22nd November 1847, directing his dismissal and of the Appendix and of the Joint Magistrate's Proceedings in the matter

2. The Court of Foujdaree Udalut have very carefully considered the whole of the Papers now submitted, and are unable at all to concur in the opinion arrived at by the Sessions Judge and Joint Magistrate in regard to the character and conduct of the Petitioner.

3. It appears to the Court that the charge brought against him originated in jealousy on the part of the Native Officers of Police in consequence of his success in the performance of duties which properly pertained to them

but

but in the execution of which they failed or at least were unable to effect any thing without his aid: - and partly also, in their animosity in consequence of his having made charges against them in his Report.

4.

The Court are not of opinion that the facts of the case, as exhibited in the Record, in any way support the unfavorable inferences drawn by the Sessions Judge and Joint Magistrate.

5.

The Court are of opinion that the charges against the Petitioner Canothe Mamally are not proved, and that, indeed, there is the strongest reason to believe that they are wholly groundless: and under this view of the Case they deem it proper to direct that that individual be immediately restored to his situation.

6.

And the Court trust that the arrangements which have intermediately been made by the Sessions Judge are such as to admit of his paying over to Canothe Mamally, the whole of the arrears of salary which have accrued since his removal.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of

F. No.

28th August 1848.

of Jellacherry by Precept returnable within seven days from and after its receipt.

(Such following precept No. 936

Ordered also that Extract from these proceedings (omitting last paragraph) be furnished to the Petitioner's Vakeel on his application.

Read Criminal Reports submitted by the Sessions Judge of Calicut for the month of July 1848.

(Here enter F. No. 1828 of 1848)

Magistrate's Report.

Case No. 9

Adverting to the nature of the punishment awarded in this case, the Court of Foujdaree Adalut conclude that the assault of which the prisoner was convicted, was not of the aggravated nature which might have been inferred from the heading affixed to the statement of the charges.

2.

The Court of Foujdaree Adalut observe that the citation of Section LIV Act VII of 1843 in support of sentences awarded by the Magistracy under the provisions of Section VII Regulation X of 1816 is unnecessary.

Cochin Criminal Reports Cadie No. 73

3.

This case having elicited no orders from the Court of Sessions, the report is

read

need not have been transmitted.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Calicut for his information and for communication of paras: 1 and 2 to the Magistrate of Malabar for the information of the Head Assistant Magistrate.

Sent in № 937 /

Read Criminal Reports submitted by the Sessions Judges of Tellicherry for the month of July 1848.

/ Reference Fde. № 1845 of 1848 /

Report B
Case № 55.

The Court of Foujdaree Udalut direct that it may be explained what meaning is intended to be conveyed by the expression made use of in the statement of the charge in this case that the prisoner "made away with" the individual with whose murder he stands charged.

2. The manner in which it is supposed that the individual referred to has been "made away with" should have been distinctly stated.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge

of Tellicherry for his information and guidance by precept returnable within 4 days from and after its receipt.

(Sent following Precept № 938

Read Criminal Reports of the Sessions Court of Tellicherry for July 1848.

/ Reference Fde. № 1852 of 1848 /

Magistrate's Report B
Cases № 3 and 7

1. The same Prisoner was charged in each of these cases with "Assault" and in the latter number was sentenced to "one months "confinement in Jail with Labor and fifteen Rupees "fine to be commuted, if not paid, into another "months confinement."

2. The Court of Foujdaree Udalut are unable to judge of the propriety of this sentence until informed whether the Prisoner was found guilty of the offence charged against him, in both of these cases, or whether he was convicted in the latter number alone. The Sessions Judge will accordingly be pleased to call upon the Magistrate to furnish explanation upon this point, and submit the same for the consideration of the Foujdaree Udalut.

Ordered that Extract from these proceedings

28th August 1848.

proceedings be forwarded to the Sessions Judge of Tellicherry by Precept returnable within V. days from and after its receipt.

(Sent following Precept No 739

Read Criminal Reports of the Sessions Court of Rajahmundry for July 1848.

Report A Case No 33. Here enter F. C. No 1555 of 1848.

1. The Court of Foujdaree Adalut observe that Report B of this case has not been submitted for their consideration and they direct that it be now forwarded without delay.

Report B Case No 70.

2. The Court further observe with reference to the charge in this Case, that the manner in which the Prisoners effected their entrance into the Shroffs House should have been distinctly set forth.

Ordered that a Precept from this proceedings be forwarded to the Sessions Judge of Rajahmundry by Precept returnable within V days from and after its receipt.

(Sent following Precept No 740

Read 7th

F. C.

Tuesday 29th August 1848 — At a Court of the Foujdaree Adalut

Present

Hon. G. S. Cooper Esqre — 1st Puisne Judge
C. D. Thompson Esqre — 2d Puisne Judge
W. A. Morehead Esqre — 3d Puisne Judge

Read Form A of Criminal Case No 61 of 1848, disposed of by the Sessions Judge of Guntoor.—

(Here enter F. C. No 1875 of 1848)

1 The Court of Foujdaree Adalut require an explanation of the delay of 6 weeks, which was allowed to occur in this Case, between the complaint made to the Assistant Magistrate, and the examinations of the witnesses by the Head of Police of Guntoor.—

2 The Court further direct that the Magistrate be instructed to point out to the Head of Police the great want of judgment he has evinced in sending up a Case of this nature for trial before

the

the Sessions Court.-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Guntoor by Precept returnable within 7 days from and after its receipt-

(Sent following Precept No. 941

Read Criminal Reports submitted by the Agent to the Governor of Fort St. George at Kurnool for July 1848-

(Here enter F.U. No. 1878 of 1848)

The Court of Foujdaree Udalut deem it necessary to remind the Agent that the Monthly Criminal Reports should be dispatched from his office on the 15th of each month- The Reports now under consideration have been delayed one day in excess of that period-

Ordered that Extract from these Proceedings be forwarded to the Agent at Kurnool for his information and future guidance

(Sent in No. 942)

Read the following letter under date the 16th instant from the Agent to the Governor of Fort St. George in the District

District of Kurnool

(Here enter F.U. No. 1879 of 1848)

1. In the foregoing letter the Agent submits a Summary of the evidence against *Allay Ramunna a prisoner charged with Assault and wounding, and considering the proof adduced sufficient for his conviction, recommends that a sentence of 7 years imprisonment be passed upon him-

2 The Court of Foujdaree Udalut concur with the Agent in the conviction of the prisoner and resolve under the provisions of Clause Seventh Section II Regulation XV of 1803, to sentence him to imprisonment with hard labor in irons for and during the period of (5) five years.-

Ordered that Extract from these Proceedings be forwarded to the Agent to the Governor at Kurnool for his information.-

(Sent in No. 943)

End 11th

Sgts

F. 11.

Wednesday
30th August 1848 } At a Court of the Toydaree Adalut

Present

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

Read the following Letter dated the 10th instant from the Magistrate of Nellore.

/Here enter F. 11. No. 1864 of 1848/

1. The Magistrate submits translations of certain Depositions given by one Cundy Sutchmadoo before the Head of Police of the Toonmallapoor Division and the Assistant Magistrate, purporting to give information regarding the perpetration of a Gang Robbery committed on the night of the 4th July 1848, in the houses of Tunneeroo Nobeesatty and Pedda Ramesatty in the Village of Podalacoor, when property was stolen to the value of Rupees 682. 12 -.

2. The Magistrate observes that although every search has been made, no property has been found, and no persons have confessed

confessed. but those who have been apprehended, are suspicious characters: and the Magistrate considers it necessary, in order to bring the case to an issue, that an opportunity should be allowed of examining this individual Cundy Lutchmadoo as a witness on oath leaving the confirmation of his pardon to the Session Judge, on the final trial of the case, if he should prove himself worthy of credit and not be discovered to be a principal in the Robbery."

3. Under the circumstances represented in the letter above recorded, the Court of Fouydaree Adalut, in exercise of the authority vested in them by Section XII Regulation XIII of 1802 resolve to authorize the offer of a pardon to Cundy Lutchmadoo, on the terms and conditions specified in Section XX Regulation VIII of 1802.

Ordered, that Extract from these Proceedings be sent to the Magistrate of Nellore for his information.

(Sent in No 944)

Read further return dated 27th ultimo from the Session Judge of Bellary to the precept of the Court of Fouydaree Adalut under date the 28th August 1847, calling for communication of the Magistrate's return respecting the conduct of the Head of Police of Anantapoor in connection with Criminal Case No. 62 of 1847

(Here enter F. H. No. 1779)

Read Report dated 1st Instant submitted by the Session Judge of Rajamundry of cases pending before him for a period exceeding 25 days during the month of July 1848.

(Here enter F. H. No. 1781)

Read Report dated 3d Instant submitted by the Session Judge of Masulipatam of cases pending on 30th June and committed for trial during the month of July 1848.

(Here enter F. H. No. 1782)

Read

30th August 1848.

Read Letter dated 5th Instant from the Session Judge of Trichinopoly submitting the Statements of Petty Offences & of Crimes and Misdemeanors for the 1st half year ending 30th June 1848.

(Here enter F. H. No 1783)

Read Return dated 12th Instant, from the Session Judge of Chittoor to the precept of the Foujdaree Udalut under date the 7th August 1848 requiring explanation of the delay which occurred in the trial of case No 19 of 1848 in which the Prisoner was convicted of forgery.

(Here enter F. H. No 1811)

Read Letter dated 12th Instant, from the Session Judge of Guntoor forwarding the Criminal Reports for the month of July 1848.

(Here enter F. H. No 1812)

Read Report B dated 12th Instant, submitted by the Session Judge of Mangalore of persons apprehended in his Zillah and delivered to the Subordinate Judge in the Month of July 1848.

(Here enter F. H. No 1824)

No 1811.

x

Friday
1st September 1848.

F. H.

At a Court of the Foujdaree Udalut.

Present.

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

Read again letter dated the 14th July 1848, from the Agent to the Governor in Kurnool, submitting for the final Judgment of the Foujdaree Udalut the Record of Case No 41 of 1848 on his Calendar.

(Here enter F. H. No 1503 of 1848)

Read also return dated the 19th August 1848 from the Agent to the Governor in Kurnool to the Precept of the Foujdaree Udalut, under date the 5th August 1848, directing an additional investigation to be made in respect of certain points connected with Case No 41 of 1848 on the Agent's file.

(Here enter F. H. No 1902 of 1848)

Mr G. S. Hooper
and
Mr E. D. Thompson

That Court of Foujdaree Udalut, on a deliberate consideration of all the circumstances of

of the case in evidence before them, being of opinion that the proof against the prisoner

"Sun peeveegadoo"

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.

1. Adverting to the 6th & 7th paragraphs of the Agent's Report now received, the Court of Foujdaree Udalut observe that that Officer has not succeeded in explaining away the irregularity of his proceedings. It appears that besides being arraigned, the prisoner was twice examined; once after the prosecutor's deposition, and once at the close of the proceedings.

2. The Court further observe that the Agent was not justified in erasing the date when the Trial commenced on the first page of the Record returned to him for his information. He should have stated that a wrong date had been entered, which would have been sufficient.

3. The Agent will be pleased, in future to be careful to notify in the fly-sheet, against each deposition, on what pages of the proceedings, the depositions are to be found.

Ordered that Extract from these proceedings be forwarded to the Agent of the Governor in Canara for his information and future guidance.

Sent following Letter No 946 /

Read Letter dated the 25th Ultimo from the Sessions Judge of Calicut, submitting for the final Judgment of the Foujdaree Udalut the Record of Case No 34 of 1848 on his Calendar.

/ Vide enter T. Flo. No 1929 of 1848. /

Mr C. 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 proof against the prisoner,

"Tiru Mellpoodoscoodeh Donney Chandoo"

is sufficient to convict him of severe wounding and Arson, for which, according to the Mahummedan Law, as declared in futwas of their

Law

Law Officers discretionary punishment is awardable, do convict him thereof and under the provisions of Clause third Section VII and Clause third, Section VIII Regulation XV of 1803 and Section XXXIV Act VII of 1843, sentence him to be imprisoned for (10) Ten years, and to be banished during the period of his sentence from the District in which his place of abode is situated, and kept to hard labor in irons on the public roads or other public works in the Zillah of Coimbatore.

(Sent following Letter No. 947)

Read Criminal Reports of the Sessions Court of Chittoor for July 1848.

(Here enter F.No. 1826 of 1848)

Magistrates Report

A

Case No 7

The Court of Foujdaree Adalut observe that the date on which the offence in this case was committed has not been specified in the charge, and they request that this omission may in future 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. 948)

Saturday,
2nd September 1848.

F.No.

At a Court of the Foujdaree Adalut.

Present.

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

Read Letter dated the 23rd ultimo from the Sessions Judge of Mangalore, referring for the final Judgment of the Foujdaree Adalut the record of Case No. 28 of 1848 on the Calendar—

(Here enter F.No. 1921 of 1848)

Mr. G. J. 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

1st Cat. Hussenay

is sufficient to convict him of the crime of wounding, for which according to the Mohummudan Law, as declared in Futwas of their Law Officers, discretionary punishment is awardable, do convict him thereof; and under the provisions of Section third Act VII of 1843, and Clause third, Section VII Regulation

1st September 1848.

Law Officers, discretionary punishment is awardable, do convict him thereof and under the provisions of Clause third Section VII and Clause third, Section VIII Regulation XI of 1803, and Section XXXIV Act VII of 1843, sentence him to be imprisoned for (10) Ten years, and to be banished during the period of his sentence from the District in which his place of abode is situated, and kept to hard labor in irons on the public roads or other public works in the Zillah of Coimbatore.

(Sent following Letter No. 947)

Read Criminal Report of the Sessions Court of Chittoor for July 1848.

(Herewith F.No. 1826 of 1848)

Magistrates Report

A

Case No. 1.

The Court of Foujdaree Udalut observe that the date on which the offence in this case was committed has not been specified in the charge, and they request that this omission may in future 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. 948)

End. 1st

7

F. U.

Saturday,
2nd September 1848.

At a Court of the Foujdaree Udalut.

Present.

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

Read Letter dated the 23rd Ultimo from the Sessions Judge of Mangalore, referring for the final Judgment of the Foujdaree Udalut the record of Case No. 28 of 1848 on the Calendar.

(Herewith F. U. No. 1921 of 1848)

Mr. J. S. Hooper

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 Cutt Hassenay

is sufficient to convict him of the crime of wounding for which according to the Moohummudan Law, as declared in Futwas of their Law Officers, discretionary punishment is awardable, do convict him thereof; and under the provisions of Section 4th Third, Section VII Regulation 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 publics works, for and during the period of (2) Two years.

(Sent following Letter N° 949

Read Calendar of Case N°21 of 1848 submitted by the Sessions Judge of Bellary under date the 17th ultimo.

(Here enter F.C. N°1871 of 1848)

Read Calendar of Cases N°s 39 and 39 of 1848 submitted by the Sessions Judge of Mangalore under date the 18th ultimo.

(Here enter F.C. N°s 1872 and 1874 of 1848)

Read Criminal Reports for the month of July last submitted by the Agent to the Governor of Vizagapatam under date the 15th ultimo.

(Here enter F.C. N°1877 of 1848)

Read Calendar of Case N°30 of 1848 submitted by the Sessions Judge of Mangalore under date the 17th ultimo.

(Here enter F.C. N°1885 of 1848)

Read Statement dated the 1st July 1848 from the Sessions Judge of Tinnevelly of Batta

Batta paid to Prosecutors and witnesses attending before that Court from 1st January to 30th June 1848.

(Here enter F.C. N°1887 of 1848)

Read return dated the 16th ultimo from the Sessions Judge of Honore to the precept of the Foujdaree Adalut under date the 4th idem conveying their remarks on the Criminal Report B of the Sudden Ameen of Tiroy for the month of June last.

(Here enter F.C. N°1890 of 1848)

Read return dated the 24th ultimo from the Sessions Judge of Salem to the precept of the Foujdaree Adalut under date the 14th idem on review of the Calendar of Case N°37 of 1848 on the file of the Session Court, and calling for an explanation regarding the commitment of the case.

(Here enter F.C. N°1905 of 1848)

Read Calendar of Case N°17 of 1848 submitted by the Sessions Judge of Mangalore under date the 19th ultimo.

(Here enter F.C. N°1896 of 1848)

Read Calendar of Case N°46 of 1848 submitted by the Sessions Judge of Cuddapah under

2d September 1848.

under date the 23d Ultimo.

(Here enter F. Ho. No. 1908 of 1848)

Read Calendar of Cases No. 12 of 1848 submitted by the Sessions Judge of Tinnevelly under date the 22d Ultimo.—

(Here enter F. Ho. No. 1909 of 1848)

Read Calendar of Cases No. 34 of 1848 submitted by the Sessions Judge of Coimbatore under date the 10th Ultimo.—

(Here enter F. Ho. No. 1912 of 1848)

Read Calendar of Cases No. 26 and 27 of 1848 submitted by the Sessions Judge of Tanjore under date the 24th Ultimo.—

(Here enter F. Ho. No. 1913 of 1848)

Read Calendar of Cases No. 35 of 1848 submitted by the 2d Sessions Judge of Cuddalore under date the 25th Ultimo.—

(Here enter F. Ho. No. 1914 of 1848)

Read Letter dated the 18th Ultimo from the Acting Sessions Judge of Chingleput, reporting the proceedings of the Prisoner in Case No. 6 on the Calendar of the Session Court for 1848.

(Here enter F. Ho. No. 1915 of 1848)

End. 44.

F. U

At a Court of the Foujdaree Adalut

Present

Monday 4th September 1848.

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 17th July 1848 by Mungah of Vellah Chittoor.—

(Here enter F. M. P. No. 206 of 1848)

This is an application for the reversal of the sentence awarded to the Petitioner's husband the 2d Prisoner in Case No. 6 of 1848 on the file of the Sessions Court of Chittoor.—

2. The Court of Foujdaree Adalut resolve to direct that an English Translation of the record of the Case referred to be submitted for their consideration.—

Ordered that Extract from these Proceedings be sent to the Subordinate Judge in charge of Sessions Court of Chittoor by Precept returnable

returnable within XV days from and after its receipt.-

(Sent following Precpt. No. 954

Ordered also that Extract from these Proceedings be granted to the Petitioner on his application.-

Read again Miscellaneous Petition presented on the 17th July 1848 by Mahomed Seliman of Zillah Trichinopoly.

(Here enter T. M. P. No. 207 of 1848)

Read also the return under date the 7th August 1848 from the Sessions Judge of Trichinopoly to the precpt of the Foujdaree Adalut dated the 7th idem forwarding the foregoing Petition to that Officer with instructions to pass such orders thereon as the case might seem to require.-

(Here enter T. M. P. No. 1904 of 1848)

1. On perusal of the foregoing return the Court of Foujdaree Adalut observe that the alteration in the list of Jail Duffadars of which the Petitioner

complains was made by the late Acting Sessions Judge in consequence of the Petitioners name having been improperly and apparently without the knowledge of the late Sessions Judge placed first on the list in supercession of four others who had been promoted to ranks of Duffadar before him.-

2. Under these circumstances the Court of Foujdaree Adalut resolve to reject the Petitioners application.-

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Trichinopoly for his information.-

(Sent in No. 955

Ordered also that Extract from these Proceedings be granted to the Petitioner on his application.-

Read Miscellaneous Petition presented on the 31st July 1848 by Appavoo Oodian of Zillah Combaconum.-

(Here enter T. M. P. No. 210 of 1848)

1 The Petitioner reiterates the prayer of his former Petitions presented on the 15th November 1847 and 25th April 1848.-

for

for the restoration of certain property of which he alleges that he has been deprived.

2 The Court of Sudder Adalut observe that this case has been finally disposed of and they direct that the Petitioner be warned against presenting any further applications on the subject to which this Petition refers.-

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

Read Miscellaneous Petition presented on the 31st July 1848 by Lutchmee of Lillah Trichinopoly.-

(Hereenter F.U.M.P. No 218 of 1848)

1. The Petitioner is a relative of the three Prisoners in Case No 26 of 1847 on the Calendar of the Session Court of Trichinopoly, who were convicted of maltreating and torturing the Prosecutrix and sentenced to (10) years imprisonment.

2 Petitioner maintains the innocence of the Prisoners and asserts that the maltreatment of which the Prosecutrix complained

complained merely consisted in the precautionary measures which the Prisoners were compelled to adopt on account of her insanity - She therefore prays their release.

3. The Court of Foujdaree Adalut observe that the Case in which the Petitioner's relatives were concerned was disposed of by them upon a mature consideration of the Record, and they can discover nothing in this Petition which would induce them to doubt the propriety of the Sentence passed upon them.-

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

Read Miscellaneous Petition presented on the 7th August 1848 by Ramabadracharry of Lillah Chittoor.-

(Here enter F.U.M.P. No 234 of 1848)

1 Petitioner states that on the death of his Father about 6 or 7 years ago, the family property valued at 500 and odd Pagodas was placed under his charge,

as

as Head of the family: that, subsequently dissensions having arisen among the Brothers it was agreed that the property should be divided, and a Punchayet was appointed for that purpose; but that previous to the decision of the said Punchayet having been given, his brothers, the 1st and 2d Defendants together with the other Defendants who were the members of the Punchayet proceeded in a gang, and having broken open the room in which the property was deposited took the whole of it away and thereby deprived him of his share.- Petitioner states that he appealed both to the Magisterial and judicial authorities but without success. he prays therefore the interference of the Fouydaree Adalut.-

2. Before passing any orders on this Petition, the Court of Fouydaree Adalut resolve to forward the English translation thereof to the Sessions Judge, who will be pleased to institute an enquiry into the several allegations of the Petitioner,

and

and submit a report upon the same to the Fouydaree Adalut.-

Ordered that Extract from these Proceedings be forwarded to the Subordinate Judge in charge of the Session Court of Chittoor by Precept returnable within X days from and after its receipt.-

(Sent following Precept No. 956

Ordered also that Extract from these Proceedings be granted to the Petitioner on his application.-

Read Miscellaneous Petition presented on the 7th August 1848 by Accama Naiken of Tillah Madura

Here enter S.C. M.-P. No. 226 of 1848

1. This is an application for the reversal of the sentences awarded to the 1st and 2d Prisoners in Case No. 12 of 1847 on the file of the Session Court of Madura.-

2 The Court of Fouydaree Adalut reject this application having been satisfied from a perusal of the record of the Case referred to, of the justice of the sentence

of

as Head of the family: that, subsequently dipensions having arisen among the Brothers it was agreed that the property should be divided, and a Punchayet was appointed for that purpose; but that previous to the decision of the said Punchayet having been given, his brothers, the 1st and 2d Defendants together with the other Defendants who were the members of the Punchayet proceeded in a gang, and having broken open the room in which the property was deposited took the whole of it away and thereby deprived him of his share.- Petitioner stated that he appealed both to the Magisterial and judicial authorities but without success he prays therefore the interference of the Fouzdaree Udalut.-

2. Before passing any orders on this Petition, the Court of Fouzdaree Udalut resolve to forward the English translation thereof to the Sessions Judge, who will be pleased to institute an enquiry into the Several allegations of the Petitioner,

and

and submit a report upon the same to the Fouzdaree Udalut.-

Ordered that Extract from these Proceedings be forwarded to the Subordinate Judge in charge of the Session Court of Chittoor by Precept returnable within X days from and after its receipt.-

(Sent following Precept No. 956

Ordered also that Extract from these Proceedings be granted to the Petitioner on his application.-

Read Miscellaneous Petition presented on the 7th August 1848 by Accama Naiken of Zillah Madura

Here enter S.C. M.P. No. 226 of 1848

1. This is an application for the reversal of the Sentences awarded to the 1st and 2d Prisoners in Case No. 12 of 1847 on the file of the Session Court of Madura.-

2 The Court of Fouzdaree Udalut reject this application having been satisfied from a perusal of the record of the Case referred to, of the justice of the Sentences

of

of which the Petitioner complains.

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

Read Calendar of Case No. 34 of the Sessions Court of Combaconum for 1848.

(Here enter F.W. No. 1897 of 1848)

1. In this Case two Prisoners were charged with "Theft" and on conviction were sentenced by the Sessions Judge to Seven years' imprisonment with hard labor in irons.

2 The Sessions Judge now recommends a mitigation of that Sentence to four years' imprisonment.

3. The Court of Foujdaree Adalut observe that the Sessions Judge has omitted to state the grounds upon which the conviction as mitigation of the Prisoners Sentence in this Case admissible, and without this information the Court are unable to comply with his recommendation for the same.

4 The Sessions Judge will now be pleased to supply this omission and will at the same time be pleased to state the amount and

value of the Stolen property recovered from the Prisoners.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Combaconum by Precept returnable within 40 days from and after its receipt.

Sent following precept No. 959

E.B.M.

Read Return dated the 26th ultimo from the Sessions Judge of Chicacole to the Precept of the Foujdaree Adalut under date the 1st Idem calling for an explanation as to the cause of the delays on the part of the Sessions Judge, the Mahomedan Law Officer, and the Translator, in Case No. 6 of 1848 of the Calendar of the Sessions Court.

(Here enter F.W. No. 1937 of 1848.)

F. U.

Tuesday
5th September 1848.

At a Court of the Foujdaree Udalut.

Present

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

Read letter under date the 25th August 1848 from the Subordinate Judge in charge of the Sessions Court of Chittoor

(Here enter F. U. No. 1919 of 1848.)

1. In the foregoing letter the Subordinate Judge in charge requests instructions, with reference to an order passed by the late Sessions Judge that the sentences passed by Sudder Ameens in their capacity of Criminal Judge should not be carried into effect until they are approved of by the Sessions Judge.-

2. The Court of Foujdaree Udalut concur with the Subordinate Judge

5th September 1848.

Judge in charge in considering the proceedings preferred to be objectionable, and they direct that it be cancelled and that all sentences of Sudder Adawlut be carried into effect immediately upon being passed.

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

(Sent in No. 958)

Read Letter dated 17th August 1848 from the Sessions Judge of Honore transmitting Criminal Reports received from the Magistrate of Canara for July 1848.

Report B Case No. 1

(Here enter J.D. No. 1898 of 1848)

1. The Prisoner in this case was charged with having in conjunction with others not apprehended carried off 23 Marcals of Salt from the pans, and was sentenced by the Magistrate to furnish two securities for his good conduct in the amount of Rupees 100 each for one year; failing which, he was to be imprisoned for

for that period.

The Court of Foujdaree Adawlut are of opinion that the Magistrate was not authorized in demanding security from the Prisoner for so long a period as one year, and they direct that the term be reduced to six months, which is the utmost penalty of imprisonment which the Magistrate was empowered to award, had the Prisoner been actually convicted of the Crime charged.

The Court observe that the value of the Salt stolen by the Prisoner should have been specified in the statement of the charge.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Honore for his information and guidance, and for communication to the Magistrate of Canara for the future guidance of that Officer.

(Sent in No. 959)

Read Criminal Reports of the Sessions Court of Chicacole for July 1848.

(Here enter J.D. No. 1916 of 1848)

The

5th September 1848.

Principal Sudder Ameen of Vizagapatam Report B Case No 25.

1.

The Court of Tondaree Uda
-but observe that the alteration made by
the Acting Sessions Judge in the punishment
quoted by the Principal Sudder Ameen
in support of the sentence passed in this
Case, was unnecessary - Section VII Regu
-lation X of 1816 being equally applicable
with Clause fourth, Section III Regulation VI
of 1822 to the punishment.

Ordered that Extract from
these proceedings be forwarded to the
Sessions Judge of Chicacole for his in
-formation. -

(Sent in No 960)

Read Calendar of Case
No 11 of 1848 on the file of the Session Court
of Cuddapah.

(Here enter F.U. No 1907 of 1848.)

1.

The prisoners in this case
four in number were charged with "op
-pression and abuse of authority," and
on conviction have been sentenced by the
Sessions Judge to Imprisonment with
hard labor in irons, the 1st for five years,
the 2d for one year, and the 3d and 4th for
three

F.U.

5th September 1848.

three years under the provisions of Clause
seventh Section II Regulation XV of 1803.

2.

Adverting to the observa
-tions recorded by the Sessions Judge re
-garding the conduct of the Head of Police
of Podavendla in reference to the case
under review the Court of Tondaree Uda
-but direct that the Magistrate of
Cuddapah be called upon to state his
opinion as to the propriety of retaining
that individual in the responsible
situation of Head of District Police -

Ordered that Extract from
these proceedings be forwarded to the
Sessions Judge of Cuddapah for his in
-formation and guidance and for com
-munication to the Magistrate by precept
returnable within x days from and after
its receipt.

(Sent following precept No 961)

Read Calendar of Case
No 34 of 1848 on the file of the Session
Court of Cuddapah -

(Here enter F.U. No 1870 of 1848)

The

5th September 1848.

The Court of Foujdaree Udalut
- but desire to be informed what measures
have been adopted by the Magistrate
in regard to the Head of Police of Chittoor
Tsloak who it is observed has been sus-
-pended from office in consequence of his
conduct on the occasion of the robbery
with which the 1st and 2d prisoners in
this case were charged. -

Ordered that Extract from
these proceedings be sent to the Sessions
Judge of Cuddapah for communication
to the Magistrate by preapt returnable
within x days from and after its preapt.

(Sent following preapt No 962

Read return dated the 26th
Ultimo from the Sessions Judge of Coimbatore
to the preapt of the Foujdaree Udalut under
date the 25th Idem directing him to state whether
or not the Prisoner in Criminal Case
No 140, was convicted of the charge laid
against him. -

(Here enter F.U. No 1926 of 1848/50

End 7/12.

Friday
8th September 1848.

J. W.

Mixd Court of the Fouzdaree Udalut

Present

G. S. Hooper Esqre 1st Puisne Judge
C. P. Thompson Esq. 2d Puisne Judge
W. A. Morehead Esq. 3d Puisne Judge

Read the following letter from the Agent to the Governor of Fort St. George in the District of Kurnool under date the 29th Ultimo Forwarded No. 1957 of 1848

1 In the foregoing letter the Agent submits a summary of the evidence against two prisoners charged with Gang robbery and considering them convicted of the crime, recommends that they be sentenced to (14) fourteen years imprisonment.

1 Ca[illegible]gadoo
2 Paguerigadoo.

2 The Court of Fouzdaree Udalut concur in the conviction of the prisoners and resolve under the provisions of Clause third Section IV Regulation XV

8th September 1848 of 1803 to confirm the said Sen-
-tence of (14) fourteen Years imprison-
-ment with hard labor in irons
proposed to be passed upon them
respectively.-

Ordered that Extract
from these Proceedings be forwarded
to the Agent to the Governor in
Kurnool for his information
Section No. 966

Ed Whi

J. W.

Saturday 9th September 1848.— At a Court of the Sonjdaree Udalut.

—Present—

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

P. S — C. P. Thompson Esqre — 2d Puisne Judge.

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

Read Letter dated the 24th ultimo from the Sessions Judge of Chittagong submitting for the final judgment of the Sonjdaree Udalut the Record of Case No. 7 of 1848 on the Calendar of the Session Court.—

(Here enter Rec. No. 1951 of 1848.)

Mr. G. S. Hooper. — The Court of Sonjdaree 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

"Chunta Samoodoo"

is sufficient to convict him of the crime of Culpable Homicide, for which the penalty of Deyut is awardable under the Mohummedan Law as declared in fatwas of their Law Officers, do convict him thereof, and under the provisions of Clause Second Section XV. Regulation VIII of 1802 and Section XXXIV Act VII of 1843, do

Sentence

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 (5) five years.-

(Sent following Letter No. 967) A

Read Letter dated the 26th Ultimo from the Session Judge of Chicacole, referring for the final judgment of the Foujdaree Udalut, the Record of Case No. 8 of the Calendar of the Session Court of 1848.-

(Here enter F. C. No. 1966 of 1848.)-

Mr. G. S. Hooper.-
and
Mr. W. R. 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 proof against the prisoner,

"Dwarapoo Venkayah"

is sufficient to convict him of Wounding, for which according to the Mohummudan Law as declared in futwas of their Law Officers, discretionary punishment is awardable, do convict him thereof, and under the provisions of 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 (2) two years.-

The Court of Foujdaree Udalut observe

observe that no Deposition was taken from the Prosecutor by the Police Officer, which there ought to have been. A Letter written by the former to the latter was received and recorded as the charge against the Prisoner - which was irregular. The Session Judge will communicate this remark to the Magistrate for the information and future guidance of the Police Officer.-

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

(Sent following Letter No. 967) B.

Read return dated the 25th Ultimo from the Session Judge of Cuddapah to the Precept of the Foujdaree Udalut under date the 21st Idem calling for information regarding the notice which the Magistrate had taken of the misconduct of the Peons on duty at the time of the Gang robbery in the Port of Tumoolmadoogoo.-

(Here enter F. C. No. 1903 of 1848.)-

Read letter dated the 25th Ultimo from the Session Judge of Bellary - forwarding copy of a Report from the Subordinate Criminal Judge relative to the escape and re-apprehension of a Security Prisoner from the custody of his guard on the

the 18th instant, as also of a correspondence preceding the receipt thereof.—

(Here enter F. C. No. 1927 of 1848)

Read letter dated the 29th Ultimo from the Session Judge of Chingleput—reporting the arrival of a Convict from Rajahmundry, under sentence of transportation, who has been marked by the process prescribed by Section XXXV Regulation VII of 1802.—

(Here enter F. C. No. 1930 of 1848)—

Read letter dated the 29th Ultimo from the Session Judge of Cuddapah—reporting the execution of the Prisoner Ayyazala Sinna Venkatasoojudoo in Case No. 29 of the Calendar for 1848.—

(Here enter F. C. No. 1933 of 1848)—

Read Calendars of Cases Nos. 21 and 22 of 1848 submitted by the Session Judge of Nellore under date the 30th Ultimo.—

(Here Enter F. C. Nos. 1941 and 1942 of 1848)

Read Report dated the 2nd Instant submitted by the Session Judge of Nellore of Cases pending during the month of August 1848.—

(Here Enter F. C. No. 1958 of 1848)

Read Calendar of Case No. 35 of 1848 submitted

F. C.

9th September 1848.—

submitted by the Session Judge of Combaconum under date the 31st Ultimo.—

(Here enter F. C. No. 1960 of 1848)—

Read Calendar of Case No. 17 of 1848 submitted by the Session Judge of Honore under date the 24th Ultimo.—

(Here enter F. C. No. 1962 of 1848)

Read Calendar of Case No. 35 of 1848 submitted by the Session Judge of Coimbatore under date the 17th Ultimo.—

(Here enter F. C. No. 1963 of 1848)

Read Calendar of Case No. 45 of 1848 submitted by the Session Judge of Cuddapah under date the 4th Instant.—

(Here enter F. C. No. 1964 of 1848)

Read Calendar of Case No. 30 of 1848 submitted by the Session Judge of Tinnevelly under date the 31st Ultimo.—

(Here enter F. C. No. 1967 of 1848)

Read Report dated the 1st Instant submitted by the Session Judge of Masulipatam of Cases pending on the 31st July and committed for trial during the month of August 1848.—

(Here enter F. C. No. 1968 of 1848)

Read Report dated the 2nd Instant submitted

9th Sept

9th September 1848.—

Submitted by the Sessions Judge of Cuddapah of Cases pending on the 31st July and committed for trial during the months of August 1848.—

(Here enter F. 86. No. 1969 of 1848.)

Read Report dated the 2d Instant submitted by the Sessions Judge of Salem of Cases pending on the 31st August 1848 before him for a period in excess of 25 days calculated from the date of commitment.—

(Here enter F. 86. No. 1970 of 1848.)—

Read Report dated the 2d Instant submitted by the Sessions Judge of Guntoor of Cases pending on the 31st July and committed for trial before him during the months of August 1848.—

(Here enter F. 86. No. 1971 of 1848.)

Read Calendar of Cases No. 25 of 1848 submitted by the Sessions Judge of Rajahmundry under date the 31st Ultimo.—

(Here enter F. 86. No. 1973 of 1848.)

Read Calendar of Cases No. 22 of 1848 submitted by the Sessions Judge of Bellary under date the 2d Instant.—

(Here enter F. 86. No. 1976 of 1848.)—

End

F: C:

Monday 11th September, 1848.

At a Court of the Toujdaree Adalut.

Present

GHH G: S: Hooper Esqre ——— 1st Puisne Judge

CPT E: P: Thompson Esqre ——— 2nd Puisne Judge

WM W: T: Morehead Esqre ——— 3rd Puisne Judge

Read Miscellaneous Petition presented on the 29th May 1848. by Avadiah Pillay of Zillah Trichinopoly.—

(Here enter F: C: Mi: P: No: 162 of 1848).

1. Petitioner reiterates the prayer contained in the Petition presented by him to the Court of Toujdaree Adalut on the 17th January last, and prays that the fine of Rupees 5 imposed upon him by the Court in their Proceedings under date 1st May 1848, may be refunded.—

2. The Court of Toujdaree Adalut can discover nothing in this Petition which might induce them to view the conduct of the Petitioner in a different light, and refuse therefore to disturb the Orders already passed.—

Ordered that Extract from these Proceedings be given to Petitioner on his application.

Read again Miscellaneous Petitions presented on the 26th June 1848. by Coonjoyee Columda Padiachy

Padiachy Sevaccanny and Mungalum of Zillah Cuddalore.

(Here enter F: Ct: M: P: Nos 180, 181, 182 & 184 of 1848).

Read also Return dated 28th August 1848 made by the Acting Sessions Judge of Cuddalore to the Precept of the Foujdaree Adalut dated 7th August 1848, directing that officer to submit for the consideration of the Foujdaree Adalut, an English translation of the Record in Session Case No: 25 of 1848, and to suspend the sentence on the Prisoners in the Case until further Orders.—

(Here enter F: Ct: No: 1935 of 1848).

1. In this case five Prisoners were charged with Gang Robbery, and on conviction by the Acting Session Judge, were severally sentenced to 14 years imprisonment with hard labor in irons.—

2. The Record of the Case was called for in consequence of the Court of Foujdaree Adalut having been led to question the propriety of its disposal, and after a careful and deliberate consideration of the same, the Court are of opinion that the guilt of the 1st 2d and 4th Prisoners is clearly and satisfactorily established, and they accordingly direct that the sentences recorded against them be carried into immediate execution.—

3. But with regard to the 3d and 5th Prisoners the Court of Foujdaree Adalut are unable to

to concur with the Acting Session Judge in deeming the evidence sufficient to warrant their conviction, and they direct their immediate and unconditional release.—

The third Prisoner is said to have

4

confessed, and with the fifth Prisoner was accused by the other Prisoners. Before the Session Court however nothing is elicited against him, he as well as the other Prisoners having denied their alleged previous confessions.—

5. The Court attach no credit to the asserted recognition of the Prisoners by the Prosecutor and first and second witnesses at the time of the robbery: the fact of their having failed to mention it to the 3d witness, when he came to the spot immediately after the commission of the Crime, appears to the Court to be quite conclusive as to its falsity, which is much confirmed from the circumstance of the alleged recognition having been made solely by the light of the Stars.—

6. The Court do not consider the fact of Prosecutor's swearing to the identity of the small piece of cloth worn by the 5th Prisoner, unsupported by other evidence, to be sufficient ground for a conviction.—

Ordered that Extract from these

Proceedings

Proceedings be forwarded to the Acting Sessions Judge of Cuddalore for his information and guidance by Precept returnable within III days from and after its receipt.

(Sent following Precept No. 968).

Ordered also that Extract from these Proceedings be furnished to the Petitioner on their application.—

Read Miscellaneous Petition presented on the 31st July 1848 by Venkatasawmy Naiken of Zillah Salem.—

(Here enter F. C. Dr. P. No. 219 of 1848).

1. The Petitioner, adverting to the Proceedings of Foujdaree Adalut under date 10th July 1848 directing him to apply to the Subordinate Judge of Salem in regard to his restoration to the situation of Sirkil Peon, states that he has so applied, but without effect. He therefore again prays the interference of the Court of Foujdaree Adalut.—

2. Before disposing of this Petition the Court of Foujdaree Adalut resolve to forward the English translation thereof to the Sessions Judge, who will be pleased to report whether any obstacle exists to the Petitioner's re-employment in the manner solicited.—

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Salem for his information and guidance by Precept returnable in

in X days from and after its receipt.—

(Sent following Precept No. 969)

Read Miscellaneous Petition presented on the 28th August 1848 by K. Seroomalrow Vakeel on behalf of Davoo Chetty of Zillah Mangalore.—

(Here enter F. C. Dr. P. No. 234 of 1848).

1. The Petitioner, adverting to the Proceedings of the Foujdaree Adalut dated 24th July last, now submits a copy of the order passed by the Assistant Magistrate of Canara, and prays the Court to afford him redress.—

2. The Court of Foujdaree Adalut observe that they are still unable to pass any Orders on this Petition in consequence of the omission of the Petitioner to submit for their consideration an attested Copy of the Order of the Sessions Judge of Mangalore refusing to interfere with that of the Acting Magistrate. On the production of this Order the Court will be prepared to dispose of this Petition.

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

Read Letter under date the 26th August 1848 from the Sessions Judge of Rajahmundry submitting Copies of the Warrant for the execution of the 1st Prisoner in Case No. 28 of 1848, and of the Letter

letter from the Subordinate Judge, showing that the final sentence of the Court of Foujdaree Udalut in the case in question had been duly executed.—

(Here enter F: D: No. 1931 of 1848).

The Court of Foujdaree Udalut observe that under the provisions of Section XIII Regulation VIII of 1802, the original warrant should have been transmitted to the Foujdaree Udalut and they direct that that document be now submitted.—

Ordered that Extract from these Proceedings be sent to the Session Judge of Rajahmundry by precept returnable within III days from and after its receipt.—

(Sent following Precept No. 970).

Read again Calendar of Cases No. 33 of 1848 on the file of the Session Court of Salem.—

(Here enter F: D: No. 1755 of 1848).

Read also return under date the 30th August 1848 from the Session Judge of Salem to the precept of the Foujdaree Udalut dated the 11th August 1848 directing the submission of the English Translation of the record of the foregoing Case.—

(Here enter F: D: No. 1944 of 1848).

1 The prisoner in this case was charged with the wilful Murder of his wife, and having

having been convicted of homicide has been sentenced by the Session Judge to five years imprisonment with hard labor in irons, under the provisions of Clause Second, Section XV Regulation VII of 1802.—

2. On an attentive consideration of the entire record of this case the Court of Foujdaree Udalut are confirmed in the opinion which induced them to direct that the proceedings should be submitted for their consideration, that the evidence is insufficient to establish against the prisoner the offence of which he has been convicted by the Court of Session.—

3. The Court accordingly resolve to direct that the prisoner be unconditionally released forthwith.—

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

(Sent in No. 971)

Read Criminal Reports submitted by the Session Judge of Guntoor for the Months of August 1848.—

(Here enter F: D: No. 1959 of 1848).

Case No. 62.

The Court of Foujdaree Udalut infer that the remarks recorded by the Session Judge

Judge regarding the conduct of the Head of Police in committing this Case to the Criminal Court have been communicated to the Magistrate who will be pleased to warn the Head of Police to exercise greater circumspection in the performance of his duties in future.—

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Guntoor for his information and for communication to the Magistrate.—

(Sent in No. 972)

Read Miscellaneous Petition presented on the 24th July 1848 by Ruugum and two others of Zillah Salem.—

(Here enter F. Gr. P. No. 212 of 1848)

1. This is an application for the reversal of the Sentences awarded to the Prisoners in Case No. of 1848 on the file of the Session Court of Salem.

2. The Court of Foujdaree Adalut direct that an English Translation of the record of the case be referred to be submitted for their consideration, and that the Sentences awarded be suspended until further Orders.—

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

(Sent following Precept No. 973)

Read

Read again Calendar of Case No. 11 of the Session Court of Mangalore for 1848.—

(Here enter S: Gr: No. 1251 of 1848).

Read also Return dated 24th August 1848. made by the Session Judge of Mangalore to the Precept of the Foujdaree Adalut dated 10th July 1848 calling for such portions of the Record as relate to the 1st 2nd 3rd and 4th Prisoners in Case No. 11 of 1848.—

(Here enter F: Gr: No. 1925 of 1848).

1. In this Case 7 Prisoners were charged with "Gang Robbery".—

2. The Session Judge convicted the 1st and 2nd Prisoners of the crime charged, and sentenced them to 14 years imprisonment with hard labor in irons. The 3rd & 4th Prisoners were deemed liable to suspicion, and were called upon to find two sureties each in fifty rupees for the period of two years. The 5th 6th & 7th Prisoners were acquitted, and unconditionally released.—

3. On perusal of the Calendar, the Court of Foujdaree Adalut seeing reason to question the propriety of the disposal of the Case, called for the Record, and after a careful, and deliberate consideration of the same, the Court are of opinion that the evidence is insufficient to justify the conviction of any of the Prisoners of the crime charged.—

4 The asserted recognition by the

Prosecutor

Prosecutor of the 1st 2nd and 3rd Prisoners at the time of the Robbery appears to the Court unworthy of credit, and that it was so considered by the Tahsildar is evident from his refusal at first to act upon it by directing the release of the Prisoner.—

5. The subsequent discovery of the property seems to the Court to be equally undeserving of confidence. The property alleged to have been discovered in the Prisoners houses was of a very common description, and such as might have been expected to be met with there: it was in no way concealed, but was found lying openly in their huts and cooking sheds, and to the fact of its being the property of the Prosecutor no satisfactory testimony has been adduced.—

6. Further, it appears to the Court that the property found in the Prisoners' houses does not tally with the List of property given in by the Prosecutor as containing the particulars of the articles of which he had been robbed; for instance, among the property found in the 1st Prisoners house is mentioned one Copper pitcher weighing 11¼ Seers, price Rupees 4. 8.— on referring to the List given in by the Prosecutor no such item can be found.—

7. The Court here deem it proper to draw the attention of the Session Judge to a mistatement which appears at the end of the 7th Witness's deposition

8. In the answer to the 6th question the witness deposes that "the character "Shree" was inscribed on the Chemboo No. 2. which is still visible" and in the memorandum attached to the deposition, and recorded on the 25th March it is stated that "the Chemboo bears an inscription of the character "Shree".—

9. But from the 8th Question and its answer, recorded on the 27th March it would appear that the said character is not perceptible. The Memorandum, therefore, is evidently incorrect; and being officially recorded, was calculated to mislead the Court; when finally disposing of the Case.—

10. For the foregoing reasons the Court of Fouzdaree Adalut resolve to direct the immediate and unconditional release of the 1st and 2nd Prisoners. If the 3rd and 4th Prisoners are still in confinement, they, also, must be immediately set at liberty, if released on security, their Bail Bonds must be cancelled.—

11. The Court request that the Session Judge will in future when sending up Trials, observe that the pages of the Record are duly numbered agreeably to their Circular instructions issued under date 5th February 1844.—

Ordered that Extract from these Proceedings be forwarded to the Session Judge of

11th September 1848.

of Mangalore for his information and guidance by Precept returnable within III Days from and after its receipt.—

(Sent following Precept No. 974).—

End 7th.

F. U.

Thursday 14th September 1848.

At a Court of the Foujdaree Adalut.

Present.

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

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

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

Read letter dated the 29th August 1848.

from the Session Judge of Rajahmundry submitting the record of trial in Case No. 24 on the Calendar of the Session Court for 1848.—

(Here enter F. U. No. 2014 of 1848).

The Court of Foujdaree Adalut, on

Mr. E. P. Thompson and Mr. W. A. Morehead

a deliberate consideration of all the circumstances of the Case in evidence before them, being of opinion that the proof against the prisoner,

"Aurikaravoola Bampamah"

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. 978).

Read return dated the 4th Instant

from the Session Judge of Trichinopoly to the precept of the Foujdaree Adalut under date the 28th Ultimo

Ultimo on review of the Criminal Reports for the month of July 1848 calling on him to explain meaning intended to be conveyed by the expression made use of in the Statement of the charge in Case No. 55 of 1848. on the file of the Principal Sudder Ameen of Trichinopoly that the Prisoners made away with the individual with whose murder they stood charged and observing that the manner in which it is supposed the Individual referred to had been made away with should have been distinctly stated.—

(Here enter F: C: No. 1983 of 1848).

Read Calendar in Case No. XXXX of 1848. submitted by the Sessions Judge of Madura under date the 5th Instant.—

(Here enter F: C: No. 1990 of 1848).

Read return dated the 5th Instant from the Sessions Judge of Rajahmundry to the precept of the Foujdaree Adalut under date the 28th Ultimo directing the submission of the Report called for in Case No. 33 of 1848. on the Magistrate's File.—

(Here enter F: C: No. 1994 of 1848).

Read return dated the 7th Instant from the Sessions Judge of Guntoor to the precept of the Foujdaree Adalut under date the 29th Ultimo requiring an explanation of the delay of 6 weeks in which

14th September 1848.

which was allowed to occur in Criminal Case No. 61 of 1848. on the file of the Sessions Court of Guntoor.—

(Here enter F: C: No. 1996 of 1848).

Read report dated the 4th Instant, submitted by the Sessions Judge of Mangalore of Cases pending on the 31st July and committed for trial in the Month of August 1848. before the Sessions Court.—

(Here enter F: C: No. 2000 of 1848).

Read Calendar in Case No. 48 of 1848. submitted by the Sessions Judge of Cuddapah under date the 7th Instant.—

(Here enter F: C: No. 2004 of 1848).

Read Calendar in Case No. XVII of 1848. submitted by the Sessions Judge of Tellicherry under date the 23rd Ultimo.—

(Here enter F: C: No. 2006 of 1848).

Read Calendar in Case No. 31 of 1848. submitted by the Sessions Judge of Nellore under date the 8th Instant.—

(Here enter F: C: No. 2007 of 1848).—

F. 116.

Friday,
15th September, 1848.

At a Court of the Fouydaree Udalut.

Present

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

Read Letter dated the 6th instant from the Sessions Judge of Tellicherry, referring for the final Judgement of the Fouydaree Udalut, the Record of Case No. 14 of 1848 of the Calendar of the Sessions Court.—

Here Enter F. 116. No. 2028 of 1848.

Mr. G. S. Hooper.

The Court of Fouydaree 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,

"Cherangott Nattamwottil alias Natarawittil Chandoo"

is sufficient to convict him of the crime of Culpable Homicide, for which

the

the penalty of Deyut is awardable under the Mahummudan Law, as declared in futwas of their Law Officers, do 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 and kept to hard labor in irons on the public roads or other public works for and during the period of (10) ten years.—

/Sent following letter No. 979/-

Read Letter dated the 30th Ultimo from the Sessions Judge of Honore, referring for the final Judgment of the Foujdaree Udalut, the Record of Case No. 14 of 1848 of the Calendar of the Sessions Court.—

/Here Enter F.H.C. No. 2013 of 1848/-

Mr. G.S. Hooper.
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

that the proof against the prisoner,

1st. Karaina alias Nanoo

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.—

/Sent following letter No. 980/-5

Ea 744

F. 86.

Saturday,
16th September, 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 again Calendar of Case No. 14 of 1848 on the file of the Session Court of Chittoor.

//Here Enter F. 86. No. 1231 of 1848//

Read also return under date the 4th July 1848 and Supplemental return under date the 25th August 1848 the former from the Session Judge and the latter from the Subordinate Judge in charge of the Session Court of Chittoor directing the submission of an English Translation of the Record of the foregoing case.

//Here Enter F. 86. Nos. 1462 & 1918 of 1848//

1. On an attentive consideration of the entire Record of this Case the Court

of Tongdaree Udalut concur in the conviction of the 1st, 2d, and 3d Prisoners of the offence laid to their charge and of the propriety of the sentences to which they have been respectively adjudged.

2d The Court however are of opinion that the evidence is insufficient to justify the conviction of the 4th and 5th Prisoners which it is observed rests entirely upon their confessions before the Police Authorities subsequently retracted before the Criminal and Sessions Courts and the statements of the 1st, 2d, 3d Prisoners.

3d The Court of Tongdaree Udalut accordingly direct that the 4th and 5th prisoners in this case be unconditionally released forthwith.

Ordered, that Extract from these Proceedings be forwarded to the Subordinate Judge in charge of the Sessions Court of Chittoor by precept returnable within 15 days from and after its receipt.

(Sent following precept. No. 981)

Read Letter dated the 5th instant from the Sessions Judge of Cuddapah, preferring for the final Judgement of the Tongdaree Udalut, the Record of Case No. 33 of the Calendar of the Sessions Court. (Vide Entry F/C. No. 2003 of 1848.)

Mr. A. Hooper and Mr. C. P. Thompson

The Court of Tongdaree 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 Pullapotoola Nadepiah

2d Vengummah

and

4th Colla Muddegaudoo

is sufficient to convict them of the crime charged, do convict them thereof; and sentence the prisoners,

1st Pullapotoola Nadepiah

and

4th Colla Muddegaudoo

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

public roads or other public works, for and during the period of their natural lives;

and the Prisoner

2d Venguvanah

to be imprisoned for the period of her natural life, and to be banished from the District in which her place of abode is situated and to be kept to labor suitable to her sex, in the Zillah Jail at Masulipatam.

But the Court, being of opinion that the Prisoner,

3d Sambasevadoo

is not convicted on presumptive proof, or on the evidence of credible witnesses or on his own confession, do acquit him, and direct that he be set at liberty.

The Court of Poydaree Udalut have sentenced the 2d Prisoner to Imprisonment for Life, on the grounds advanced by the Sessions Judge.

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Cuddapah for his information.

Sent following letter. No. 982 / —

Monday
18th September 1848. } At a Court of the Poydaree Udalut.

Present:

G. A. Thompson Esqre ——— 1st Puisne Judge.

C. B. Thompson Esqre ——— 2nd Puisne Judge.

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

No. VI.

Read Extract from the Minutes of Consultation in the Judicial Department under date the 5th September 1848. No. 598. communicating the orders of Government on the Report submitted to by the Poydaree Udalut relative to the expediency of mitigating or remitting certain of the sentences passed on the parties convicted of having taken part in the disturbances in the District of Cuddapah under the leadership of Chursimma Reddy.

(Referred to No. VI. No. 1977 of 1848.)

The Government having signified its approval of the suggestions offered by the Poydaree Udalut in regard to the cases on the Calendars of the late Special Commissioners at Cuddapah, the Court resolve to issue the following instructions

Cuttoo Reddy

18th September 1848.

Case No 2. 2. Subbadar Kawergadee and Pursapoolay Subbadar are to be released on producing security for their good behaviour for two years, each in two sureties of twenty four Rupees each surety.

3 The Sessions Judge of Trichinopoly in whose jail these prisoners are now confined, will, immediately upon the receipt of these instructions, forward them under proper custody, to the Sessions Judge of Cuddapah who, on their arrival, will call upon them for the required security

4 Puravoy Khothadee is to be released unconditionally. The remaining portion of the sentence of Payment a Tanka rozadee is remitted and he also will be immediately and unconditionally set at liberty. The sentence of Sheikh Balay is reduced to five years Imprisonment, which the Sessions Judge will communicate to that prisoner, issuing at the same time a fresh warrant in which the period of Imprisonment will be calculated from the date of the Original Warrant.

Case No 3. 5 Sambaa Bhagee and Thimmee Nagoolu the

18th September 1848.

the 2nd and 11th prisoners in this case, are to be released on producing security each in two sureties of twenty five Rupees each surety, for two years.

Case No 5. 6 In this case, the 2d prisoner Madaru Sahib is to be released on security, on the same terms as to regards amount and time, as in Case No 2. The sentences passed on the Prisoners

3rd Pondacerla Patiera

and

5th Pammeelaty

are reduced to five years. The Sessions Judge will issue fresh warrants accordingly, and make the necessary communication to the Prisoners.

Case No 19. 7 The three prisoners in this Case, are, immediately upon the receipt of these instructions, to be discharged out of custody, unconditionally.

Case No 25. 8 The 1st 2nd 3d and 6th Prisoners in this case are to be immediately discharged unconditionally, if they have not already been released on security. If released,

the

18th September 1848.

The Bail bonds are to be cancelled.

Cases Nos 13 and 14.

The three prisoners in Case No 13
1st Poolla Venkatah and the two others
5th Pocha Venkatah
6th Pallan
No 14. Alla Nayagan

released on finding Security on the
terms indicated in regard to Case
No 2.

Ordered that Contract from
these Proceedings be sent to the Sessions
Judge of Cuddalore by Precept returnable
within Sixty weeks from and after the
receipt.

(Sent following Precept No 984)

Ordered also that Contract
from these Proceedings (paragraphs 2 and 3)
be sent to the Sessions Judge of Trichinopoly
by Precept returnable within one week from
and after its receipt.

(Sent following Precept No 985)

Read letter under date
the 7th June 1848, from the Acting Sessions
Judge of Cuddalore, forwarding an Extract
from the Proceedings of the Sessions Court
under date the 7th June 1848, held on the
perusal of the record in Case No 30 of 1848

on

P.C.

18th September 1848 on the file of the Criminal Court
of the Collector.

(Collector P.C. No 1282 of 1848)

Read also letter under date
the 18th August 1848 from the Principal
Sudder Ameen of Cuddalore, submitting
for the consideration of the Sessions
Calendar copies of correspondence with
the Acting Sessions Judge with reference
to Case No 59 of 1848, on the file of the
Criminal Court.

(Collector P.C. No 1865 of 1848)

See both the cases above referred
to the prisoners were charged with having
conspired and the object of the Prosecution
was proved to their own and meaning also
as appropriated to their own use and meaning
received by them knowing the premises of
that nature.

The prisoners in Case No 30
were convicted by the Principal Sudder
Ameen the 1st to four: and the 2d and 3d to
three years the Imprisonment with hard labor
in Irons.

These sentences were confirmed
by the Court of Sessions.

In

4. In Case No. 39 six prisoners were sentenced by the Principal Sudder Ameen to one year's Imprisonment with hard labor in irons under the provisions of Clause fourth, Section III Regulation VI of 1822, which sentences have been annulled by the Acting Sessions Judge, that Officer considering the offence proved to be "Fraud" rather than "Theft" and accordingly directing that the prisoners should be sentenced respectively to three months Imprisonment with hard labor in irons under the provisions of Section VII Regulation X of 1816.

5. The Courts of Tonjdaree Udalut are clearly of opinion that the offence of which the Prisoners in Case No. 39 are convicted must be held to be a "Theft" and that with reference to the time which they were convicted of having taken (Rupees 148) the sentence passed by the Principal Sudder Ameen was correct.

6. And for the same reason viz. the amount of the item taken, the Court observe that if the designation applied to the offence by the Acting Sessions Judge were correct,

it would have been incumbent upon that Officer to order the commitment of the Prisoners for trial before the Sessions Court on a charge of extensive Fraud under the provisions of Clause seventh, Section II Regulation XV of 1803.

Ordered that Extract from these Proceedings be sent to the Acting Sessions Judge of Cuttack for his information and future guidance and for communication to the Principal Sudder Ameen.

Sent in No. 986

Read again Calendar of Case No. 31 of 1848 on the file of the Sessions Court of Combaconum.

(Here enter F.C. No. 1877 of 1848)

Read also return under date the 7th September 1848 from the Sessions Judge of Combaconum, to the precept of the Tonjdaree Udalut dated the 4th September 1848 directing that officer to state the grounds for his recommendation of a mitigation of the prescribed sentence in the foregoing Case.

(Here enter F.C. No. 1993 of 1848)

The

18th September 1848.

The Court of Fongdaree Udalut do not consider the reasons assigned by the Sessions Judge sufficient to justify any reduction of the prescribed sentence in the case under review.

Ordered that Extracts from these Proceedings be sent to the Sessions Judge of Combaconum for his information.

(Sent in a/c 987)

Read again Calendar of Cases No. 1140 of 1848 on the file of the Sessions Court of Tellicherry.

(Here enter F.C. No. 1773 of 1848)

Read also returns under date the 29th August 1848 from the Sessions Judge of Tellicherry to the precept of the Fongdaree Udalut under date the 21st idem directing the re submission of the foregoing Calendars in an amended form.

(Here enter F.C. No. 1965 of 1848.)

1. The Court of Fongdaree Udalut observe that the Calendars in its amended form does not specify the particular grounds upon which the cases has been referred

FU

18th September 1848 referred for the final judgments of the Fongdaree Udalut, not being competent to the Sessions Judge to pass a sentence of Imprisonment for any period short of life.

2. The Court of Fongdaree Udalut direct that the specific grounds of reference may be distinctly stated.

Ordered that Extracts from these Proceedings be sent to the Sessions Judge of Tellicherry for his information and guidance by precept returnable within 7 days, from and after its receipt.

(Sent following precept No. 988)

Read again Criminal Reports submitted by the Sessions Judge of Tellicherry for the months of July 1848.

(Here enter F.C. No. 1852 of 1848.)

Read also returns under date the 4th September 1848, from the Sessions Judge of Tellicherry, to the precept of the Fongdaree Udalut dated the 28th August 1848, requiring the submission of certain information in regard to

Cases

Cases Nos 1 and 2 in the Criminal Report of the Joint Magistrate of Malabar for the month of July 1848.

(Here enter F.C. No 1995 of 1848)

On perusal of the Reports A of the Cases above referred to, the Court of Fonjdaree Udalut are satisfied of the propriety of the sentence to which the prisoner has been adjudged.

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

(Entd. No. 989)

Read a Miscellaneous Petition presented on the 12th August 1848 by Mamalee Kunnal of Ellala Combacanum.

(Here enter N.M.P. No 228 of 1848)

Read again also Calendar of Case No 21 of 1847 on the file of the Sessions Court of Combacanum.

(Here enter F.C. No 1284 of 1847)

1. The Petitioner seeks the reversal of the sentence awarded to her son the second prisoner in the foregoing Case

case who was sentenced to five years Imprisonment with labor in irons, and to receive 100 lashes on his conviction of having assaulted the Prosecutor's daughter with the intent to ravish her.

2. The Petitioner asserts that her son was entirely innocent of the offence laid to his charge.

3 The Court of Fonjdaree Udalut have attentively considered the abstracts of the evidence as contained in the Calendar of the Case to which the Petitioner refers, and are satisfied of the justice of the conviction of the 2d Prisoner, and of the propriety of the sentence to which he has been adjudged.

4. The Court accordingly resolve to dismiss this Petition.

Ordered that Extracts from these Proceedings be granted to the Petitioner on her application.

Read a Miscellaneous Petition of Pachy Nayer, forwarded by the Sessions Judge of Tellicherry, and filed on the 7th August 1848.

(Here enter F.C. No 221 of 1848)

The

18th September 1848

1. The Petitioner is the wife of the 2d Prisoner in Case No 2 of 1848 on the Trichinopoly Calendar, who was convicted of "Gang Robbery" and sentenced to 14 Years imprisonment with hard labor in irons.

2. Petitioner maintains the innocence of her husband, and states that the charge was falsely preferred against him through the enmity of the Prosecutor Dutchinamoorthy, and others. She avers that the search in the Prisoner's house for the stolen property was conducted with much delay, and great irregularity, and accuses one Nunny with having fraudulently placed a jewel in one of Copper utensils belonging to the Prisoner, with the view of fixing the guilt upon him. She states that on her Mother in law informing the Prisoner of this circumstance, she was abused and beaten by Dutchinamoorthy and Nunny, which fact is well known to the Village Moonsiff and others - as well as the notorious character which the said Dutchinamoorthy bears for perfirming false

P No.

18th September 1848 false charges, and for which he has been previously punished - Finally Petitioner prays the release of her husband.

3. Before disposing of this Petition the Court of Foujdaree Udalut resolve to forward the English translation thereof to the Sessions Judge, who will be pleased to examine the Village Moonsiff with regard to the search made in the 2d Prisoner's House, and to the property therein found, reporting the result for the information of the Foujdaree Udalut.

Ordered that Extracts from these Proceedings be forwarded to the Sessions Judge of Trichinopoly by Precept returnable within X days from and after its receipt.

(Sent following precept No 990)

Read a Miscellaneous Petition presented on the 10th July 1848 by Rungasawdar Pillay of Villah Courtacarum.

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

Read also returns under date the 7th September 1848 from the Sessions Judge

Judge of Combaconum, to the precept of the Tonjolaree Udalut dated the 7th August 1848, directing that Officer to call for the proceedings held by the Magistrate in the matter of the foregoing Petition, and to pass orders thereon reporting the same to the Tonjolaree Udalut.

(Here enter F. C. No. 1992 of 1848)

1. The Sessions Judge states in his return that the wall to which the Petitioner refers was pulled down because it was in a state of dilapidation and was rebuilt by the people of the street in which it is situated and of whom it appears from the proceedings held by the Magistrate, that it is the common property.

2. The assertion of the Petitioner in regard to the improper demolition of the wall in question being therefore unfounded, the Court of Tonjolaree Udalut resolve to dismiss this Petition.

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

(Stud in C. P. 991)

Ordered

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

Read a Miscellaneous Petition presented on the 7th August 1848, by T. Appiah Pattar on behalf of Badam Sirabhiah of Pillah Rajahmundry.

(Here enter F. C. No. 1993 of 1848)

1. Petitioner appeals from an Order of the Sessions Judge of Rajahmundry dated 22d July 1848 confirming one issued by the Magistrate of that Pillah to the Head of Police Cocanada, directing that Officer to remove the street posts erected by the Petitioner in front of his House situated in the Village of Cocanada; on the ground that the said posts projected into the street beyond their proper limits. Petitioner states that he applied both to the Magistrate and Sessions Judge to convene a Punchayet for investigating the matter agreeably to the provisions of Section III Act XXI of 1841, but his request was refused; the latter functionary imposing upon him a fine of Rupees 5 for preferring

a

Judge of Combaconum, to the precept of the Tonjolaree Udalut dated the 7th August 1848, directing that Offices to call for the proceedings held by the Magistrate in the matter of the foregoing Petition, and to pass orders thereon reporting the same to the Tonjolaree Udalut.

(Here enter F. C. No. 1992 of 1848)

1. The Sessions Judge states in his return that the wall to which the Petitioner refers was pulled down because it was in a state of dilapidation and was rebuilt by the people of the Street in which it is situated and of whom it appears from the proceedings held by the Magistrate, that it is the common property.

2. The assertion of the Petitioner in regard to the improper demolition of the wall in question being therefore unfounded, the Court of Tonjolaree Udalut resolve to dismiss this Petition.

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

(Stud in C. No. 991)

Ordered

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

Read a Miscellaneous Petition presented on the 7th August 1848, by S. Appiah Vahista on behalf of Badam Serabhiah of Pillah Rajahmundry.

(Here enter F. C. No. 1223 of 1848)

1. Petitioner appeals from an Order of the Sessions Judge of Rajahmundry dated 22d July 1848 confirming one issued by the Magistrate of that Pillah to the Head of Police Cocanada, directing that Officer to remove the street piale erected by the Petitioner in front of his House situated in the Village of Cocanada; on the ground that the said piale projected into the street beyond their proper limits. Petitioner states that he applied both to the Magistrate and Sessions Judge to convene a Punchayet for investigating the matter agreeably to the provisions of Section III Act XXI of 1841, but his request was refused, the latter functionary imposing upon him a fine of Rupees 5 for preferring

a

a contumacious and vexatious Appeal.

2. Petitioner asserts that the Pials before his hands do not project beyond the proper limits, and prays, therefore, that the said orders directing their removal may be reversed, and the fine imposed upon him by the Sessions Judge remitted.

3. Before disposing of this Petition the Court of Pongalarea Udalaht resolve to call upon the Sessions Judge to state for their information upon what state the encroachment was, as stated in his proceedings of the 22d July prohibited by the Magistrate in person, and whether the injunction provided for in Section 11 Act XXI of 1841 was issued to the party by the Magistrate or not; and, if it was, on what date.

4. The Sessions Judge will also be pleased to forward a translation of the Petition No. 45 of 1848 presented to by the Petitioner to the Sessions Court.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Rayatanunday by Precept returnable within

No
18th September 1848.

within X days from and after its receipt.

(Sent following precept No. 992.)

Read a Miscellaneous Petition presented on the 21st August 1848 by Rungachary of Dillah Trichinopoly.

(Here enter O.C. No. D. No. 230 of 1848.)

1. Petitioner appeals from an Order dated 27th June 1846 of the Sessions Judge of Trichinopoly, refusing to set aside one of the Magistrate of that Dillah, directing the Petitioner to find Security in two Sureties each for Rupees 100.

2. The Court of Pongalarea Udalat refuse to take this Petition into their consideration, the matter of complaint to which it refers having occurred in June 1846, or more than two years ago.

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

Read a Miscellaneous Petition forwarded by the Sessions Judge of Coimbatore from Arroopahella Chetty and two others, prisoners

prisoners in Case No. 139 of 1848 on the file of the Criminal Court of Coimbatore.

(Here enter F. C. M. P. No. 229 of 1848)

1. The Petitioners seek the reversal of the sentences of Imprisonment and fine which have been awarded to them in the case above referred to, on a charge of having severely maltreated and illegally detained in their house and extorted money from certain individuals whom they charged with theft.

2. The Petitioners assert that they are entirely innocent of the offence of which they have been convicted by the Principal Sudder Ameen, and aver that the charges have been preferred and sustained at the instigation of certain influential persons in Coimbatore whose enmity they have incurred.

3 They state that the Principal Sudder Ameen refused to admit them to bail and to call to examine certain witnesses named by the 2nd prisoner to prove that he was absent from Coimbatore at the time that the offence with which

which he was charged was said to have been committed.

4. The Court of Foujdaree Adalut deem it proper to direct that an English translation of the record of this case may be submitted for their consideration, and that the execution of the sentences to which the prisoners (Petitioners) have respectively been adjudged be suspended until further orders.

5 The Principal Sudder Ameen will be pleased to state whether the assertions of the Petitioners are correct in regard to his refusal to admit them to bail and the non-examination of the witnesses named by the 2nd Prisoner.

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

(Sent following precept No. 993)

Records Calendar of Case No. 36 of 1848 on the file of Sessions Court of Cuddalore.

(Here enter F. C. No. 1991 of 1848)

The

18th September 1848.

1. The prisoner in this case was charged with "Sodomy", and on conviction has been sentenced to five years imprisonment with hard labor in irons.

2. The Court of Sungdaree Udalut direct that the age of the Prosecutor in this case may be reported for their information.

Ordered that Extract from these Proceedings be forwarded to the Acting Session Judge of Cuddalore by special peon payable in 10 days from and after its receipt.

(Sent following precept. No. 994.)

Mahomed Sulaman of Chingleput moves the Court to return the enclosures in his Miscellaneous Petition No. 14 of 1848.

Ordered accordingly.

J. C.

P. S.

W. H.

J. H.

No. 110

Tuesday 19th September 1848.

At a Court of the Sungdaree Udalut

Present

G. I. Hooper Esq. 1st Puisne Judge

E. D. Thompson Esq. 2d Puisne Judge

H. A. Morehead Esq. 3d Puisne Judge

Read again Calendar of Case No. 25 of 1848 on the file of the Session Court of Cuddalore.

(Here enter J. H. No. 1491 of 1848)

Read also petition under date the 30th August 1848 from the Session Judge of Cuddalore to the precept of the Sungdaree Udalut dated the 26th July 1848 demanding the transmission of an English Translation of the record of the foregoing case.

(Here enter J. H. No. 1508 of 1848)

1. The two first Prisoners in this Case) were charged with having broken into an apartment in the house of the 3d Prisoner in which the Prosecutor was lodging and with having stolen therefrom Jewels and other property valued at Rupees 528-0-4

The

2.

The 3d Prisoner with having concealed his knowledge of the said robbery knowing it to have been committed by the 1st and 2d Prisoners

3

The Sessions Judge in concurrence with the Law Officer has convicted the Prisoners of the offence charged against them and has sentenced them to Imprisonment with hard labor in irons, the first and second for four and the 3d for the period of three years

4

On an attentive perusal of the record the Court of Sudder Udalut consider the evidence insufficient for the conviction of the 1st and 2d Prisoners and they resolve to direct that the 1st Prisoner be unconditionally released forthwith the circumstance of a copper vessel having been found in the back yard of his house unsupported by other evidence being in the opinion of this Court insufficient to establish his guilt

5

The Court consider that suspicion attaches to the 2d Prisoner and they accordingly direct that he be required to produce two securities in the sum of 20 Rupees each for his good

19th September 1848

behaviour and appearance when required for the period of two years, or in default that he be imprisoned for a similar period

6

Of the conviction and sentence awarded to the 3d Prisoner, the Court of Sudder Udalut approve

7

The Court of Sudder Udalut in conclusion deem it proper to point out to the Sessions Judge that he was incorrect in passing sentence upon the 1st and 2d Prisoners in this case under the provisions of Clause seventh Section II Regulation XV of 1803 and that under the circumstances of the case the proper course would have been to propound a third question to the Mahomedan Law Officer for the purpose of removing the bar to trial and then to record sentence under Section XXI Regulation VII of 1802, applying for a mitigation under Section IV Regulation I of 1825

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Combatore for his information and future guidance by Precept returnable within 7 days from and after its receipt

(Sent following) Precept No 997

Read

2. The 3d Prisoner with having concealed his knowledge of the said robbery knowing it to have been committed by the 1st and 2d Prisoners

3 The Sessions Judge in concurrence with the Law Officer has convicted the Prisoners of the offences charged against them and has sentenced them to Imprisonment with hard labor in irons, the first and second for four and the 3d for the period of two years

4 On an attentive perusal of the record the Court of Foujdaree Udalut consider the evidence insufficient for the conviction of the 1st and 2d Prisoners and they resolve to direct that the 1st Prisoner be unconditionally released forthwith, the circumstance of a copper vessel having been found in the back yard of his house unsupported by other evidence being in the opinion of the Court insufficient to establish his guilt

5 The Court consider that suspicion attaches to the 2d Prisoner, and they accordingly direct that he be required to produce two securities in the sum of 20 Rupees each for his good behaviour

19th September 1848

behaviour and appearance when required for the period of two years, or in default that he be imprisoned for a similar period

6 Of the conviction and sentence awarded to the 3d Prisoner, the Court of Foujdaree Udalut approve

7 The Court of Foujdaree Udalut in conclusion deem it proper to point out to the Sessions Judge that he was incorrect in passing sentence upon the 1st and 2d Prisoners in this case under the provisions of Clause seventh Section II Regulation XV of 1803 and that under the circumstances of the case the proper course would have been to propound a third question to the Mahomedan Law Officer for the purpose of removing the bar to trial and then to record sentence under Section XXI Regulation VII of 1802, applying for a mitigation under Section IX Regulation I of 1825.

Ordered that a Extract from these Proceedings be forwarded to the Session Judge of Cuttack for his information and future guidance by Precept returnable within 7 days from and after its receipt.

(Sent following) Precept No 997

Read

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 July to the 31st December 1846, is as follows:-

	Persons Summoned	Persons Apprehended without Summons or Warrant	Persons Punished
From the 1st of July to the 31st December 1846	1522	915 1169	2638
From the 1st of January to the 30th June 1847	3637	1046 1284	3307

4 Of the 3307 persons punished by the Village Police 2357 were confined in the Village Constable and 950 in the Stocks.

5 Out of 3637 persons brought before them, 4612 were for Petty Offences or Affrays and 1014 for Petty Thefts. Of the former 3435 were punished & of the latter 867.-

The

6. The total number of Persons brought before the District Police from the 1st January to the 30th June 1847, for Petty Offences, punishable by themselves, was 6064, besides whom there were also 1175 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 6806.-

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 1846.-

	Total number of Persons summoned	Acquitted on the Merits of the Case	Discharged from Recognizance to appear and not called upon	Discharged without Recognizance to appear and not called upon	Dismissed on the Merits of the Case	Total Number of Persons brought before the District Police	Convicted of Petty Offences punishable by themselves	Convicted of Assaults	Convicted of Petty Thefts	Number of persons convicted by the District Police
From 1st July to 31st December 1846	6891	0	2289	2239	2084	6593	6730	2	1178	
" 1st January to 30th June 1847	6179	2924	1961	1658	1865	6863	95	1021		
Decrease	712						272	93		
Increase		681	675	2776	1088	1567			157	

In

9

In the number of persons acquitted, as shown above, are included those against whom the complaint preferred was considered to be wilfully false and malicious, amounting to 431, an increase compared with the preceding half year, of 21 persons declared to have been falsely and maliciously accused 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, inclusive of those punished after reference to the Magistrate.

Punishment	Half year ending 30th June 1848.	Half year ending 30th June 1847.
Fined	16521	1303
Confined in the Choultry with or without labor	2622	3220
Confined in the Stocks	136	147
Flogged	160	353.

11

In regard to the 253 persons returned as having been flogged by the District Police, it is necessary to

21st September 1848. 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.-

Magistracy 12 Before the Magistracy there were brought during the Half year under review, 3740 persons for petty offences, besides whom there were 36 persons whose cases had not been disposed of at the close of the previous six months, making a total of 3776 persons. In the preceding half year the total number was 3853.-

* 3833
× 3776
57 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 1847.

	Persons summoned or under examination	Acquitted	Discharged upon their own admission or dismissed for default or other cause	Convicted	Total disposed of	Persons under examination at the close of the period	Total
From 1st of January to 30th June 1847	3776	1708	517	1517	3742	34	3776

Statement

21st September 1848

Statement shewing the manner in which the persons convicted before the Magistracy were punished.-

	Fines	Imprisoned	Floggd	Total punished
From 1st January to 30th June 1847	1034	403	80	1517

14 Of the 1708 persons acquitted by the Magistracy, there were 23 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 16.

15 Of the 3776 persons charged with petty Offences, 2448 persons were brought up for petty Assaults, 305 persons for petty thefts, 276 persons for abuse of authority as Police Officers, 172 persons for cattle stealing, or killing Cattle, petty cases of 119 persons for breaches of certain revenue laws, 111 persons for resistance to the process of a Magistrate not attended with aggravating circumstance. Of the 276 persons

21st September 1848 charged with abuse of authority, only 89 were convicted and punished, 83 by fine and 6 by imprisonment.-

16 The following is a General Statement in which the number of persons brought before the Village and District Police and the Magistracy for Petty Offences with the number acquitted and punished during the last half of the Year 1846. and the 1st half of the Year 1847, have been contrasted.

	During the half year ending 31st December 1846				During the half year ending 30th June 1847			
	Summoned and depending.	Acquitted	Discharged at the Redemand next Year	Punished	Summoned and depending	Acquitted	Discharged at the next Year	Punished
Village Police	4522	915	1169	2438	5637	1046	1284	3307
District Police	68910	22899	22392	22439	62779	21924	19616	18623
Magistracy	3833	1790	395	1612	3776	1708	517	1577
	77265	25604	23956	26489	70692	24678	21417	23547

17 The above Statement exhibits a decrease as compared with the preceding half year of 6573 persons brought before the Native Police Officers and Magistracy.

18 The Items permitted to the

21st September 1848

the Magistrates by the District Police Officers on account of the 13003 persons who were fined by them, the amount in the aggregate, to 0 Rupees 12062-14-9.

Crimes and Misdemeanors

Statement Nos 3 and 4

19. The total number of Crimes and Misdemeanors committed during the half Year ending on the 30th June 1847, including those not disposed of at its commencement, as exhibited in the Statement No 3 with its details in No 4, Amounts to 2974, in which it is calculated that 8170 persons were concerned, being 314 Cases and 1004 persons less than in the preceding six months.

20 Of the 19316 persons supposed to have taken part in the offences ascertained to have occurred during the period embraced in this report, 9955 persons appear to have escaped apprehension, which is 1044 persons less than are believed to have eluded apprehension during the previous half year.

21st September 1848 21. The following Statement exhibits the nature of the heinous Crimes committed during the first half of the Year 1847.-

	Half Year ending 30th June 1847.	
	Cases	Persons
Murder	95	326
Culpable Homicide	34	90
Robbery and a Murder	17	134
Gang Robbery attended, with or without aggravating Circumstances	605	7364
Robbery by a Single individual	29	30
House breaking by day	78	145
Do by Night	1475	3560
Theft	1116	2608
Receiving Stolen goods	81	216
Arson	158	296
Sodomy	2	3
Rape	35	53
Procuring abortion	32	62
Forgery	40	91
Perjury	12	14
Maiming or Wounding	142	340
Revenue Laws (breaches of certain)	91	228
Murder, Severe wounding, Robbery and Arson	1	500
Poisoning	6	10
Child Exposure	1	2
Harbouring Thieves	4	11
Administering Intoxicating drugs	9	18
Suicide	25	25

22 It will be seen that the number of cases brought before the Magistracy during

during the half year under review, is 329, including 803 persons, of which 51 Cases and 85 persons were disposed of by the Magistrates under the provisions of Section XIV Act VII of 1843.-

23 In the Districts of Bellary Guntoor Masulipatam Nellore Salem and Vizagapatam.

no Cases were disposed of by the Magistracy under the authority vested in them by the Act above mentioned. This has already been noticed to the Magistrates of those Districts, who have certified that they will adopt all due measures to render the Law operative in future.-

Statements Nos 5 and 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 1847.-

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 2169, including 4586 prisoners.-

26 In the preceding half Year the total number of Cases was 2356 including 4964 prisoners, being a decrease in the half year under review of 187 Cases and 378 prisoners.-

27 Of the Cases brought and depending before the Subordinate Courts, 89 were Cases of Murder, 45 of Culpable Homicide, 12 of Robbery and Murder, 9 of Poisoning 84 of Maiming and Wounding, 8 of Rape, 14 of Procuring abortion, 2 of Sodomy, 85 of Gang Robbery attended with aggravating circumstances, 208 of Gang Robbery without aggravating circumstances, 20 of Robbery by a Single individual, 28 of Arson, 43 of Housebreaking by day, 243 of Housebreaking by night, 322 of Theft, 67 of Receiving Stolen goods

21st September 1848 goods, 25 of Forgery, 52 of Perjury
6 of Subornation of Perjury or Forgery
121 of Breaches of Revenue Laws &c &c

28. Of the 4586 persons brought before the Subordinate Courts.

913 Were released unconditionally against 7 of whom the charge was considered wilfully false and malicious.
64 Were released on Security
61 Were detained on a demand of Security
1249 Were convicted and punished in cases cognizable by the Subordinate Courts.

29. In cases cognizable by the Sessions Courts.

843 Were released by the Subordinate Courts against none of whom the charge was considered wilfully false and malicious
17 Were released on Security
54 Were detained on a demand of Security
1155 Were committed for trial
222 Were under examination
3 Were admitted as approvers
5 Died
4586

30 Of the 1249 persons who were convicted and punished by the Subordinate Courts

789 Were imprisoned
340 Were fined
8 Were flogged
26 Were imprisoned and fined
86 Were imprisoned and flogged
1249

31 The number of persons

Convicted

F. 20

21st September 1848. Convicted and punished in the preceding half year was 1561, the number committed was 1262, and the number unconditionally released in cases either punishable by themselves or by the Courts of Session was 1590. in the half year under review this number as shown above, was 1756.

32. The reports required in para 4 of the Minutes of Consultation under date the 24th October 1839 № 853, and submitted by the Session Judges regarding the manner in which the Moodee Ameens have exercised the Criminal Jurisdiction conferred upon them by Regulation III of 1833, shew that generally those Officers 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 1847.

34 The cases of every description which came before those Courts

21st September 1848

Courts during the Six months under review, together with those not disposed of at the close of the preceding report, were 550, including 1370 persons, being 170 persons less than were brought before the Session Courts during the 2nd half of the year 1846.-

35 Of the 1370 persons who were committed for trial, 495 were released unconditionally, of whom 13 were considered to have been falsely and maliciously accused, 102 were released on Security and 369 were convicted and punished.-

36 Of these latter

14 Were flogged and imprisoned for a term not exceeding 7 years.-

28 Do. Do. not exceeding 7 years

104 Were imprisoned for a term exceeding 7 years without flogging

223 Were imprisoned for 7 years and under without flogging

369

37 There were 84 Cases including 207 Prisoners referred to the Foujdaree Udalut, 42 Cases containing 164 Prisoners remained to be disposed of by the Sessions Courts at the close of the half year, 20 Prisoners were sent back

21st September 1848 back to the Subordinate Courts to be disposed of by those tribunals, the trial of 1 Prisoner was postponed pending the result of a further Enquiry which the Magistrate was required to institute, 3 Prisoners were discharged from the bar and 9 Prisoners died.-

38 The greatest number of Cases brought before the Session Courts were at

Salem	79	of which 26 Cases were referred to the Foujdaree Udalut		
Coimbatore	62	6	do	do
Mangalore	56	5	do	do
Combaconum	44	7	do	do
Cuddalore	44	1	do	do
Cuddapah	38	5	do	do
Calicut	30	9	do	do
Chittoor	28	5	do	do
Honore	22	2	do	do
Trichinopoly	21	none were referred		

39 Of the 84 Trials referred to the Foujdaree Udalut by the Session Courts, the Futwas delivered by their Law Officers and the verdict given by the Assessors, were concurred in by the Session Judges in 49 Trials, but they

Nature

21st September 1848 nature of the offences made the Trials
referrible, and 35 Cases were referred
because the Session Judges did not
approve of the Sentences of their Law
Officers or the verdict of the Assessors

Statement No. 40

Statement No. of exhibits

Foujdaree Adalut the operations of the Foujdaree Adalut
during the 1st half of the Year 1847.-

41 It shews that at the date
of the last report there were 63 Cases
including 84 prisoners which had
not been disposed of and that there
were received during the half year under
observation 89 Trials including 330 Prisoners,
making together 102 Trials and 414 Prisoners,
whereof 43 were trials for Murder, 5 Cases
of Murder and Robbery, 4 Cases of
Culpable Homicide, 27 Cases of Rebel-
lion Murder and Robbery, 1 Case
of Assault and Wounding, 3 Cases of
Rape, 12 Cases of Gang Robbery, attended
with aggravating circumstances, 3
Cases of Gang Robbery, without
aggravating circumstances, 1 Case of
House breaking by night, 1 Case of
Theft and giving intoxicating drugs

F. W

21st September 1848 1 Case of Theft and 1 Case of attempt
at Murder.-

42 Of the 102 Trials, 92 were
disposed of within the half year under
review, leaving 10 Cases undisposed of
at the close of the report. Of these ten
Cases thus left undisposed of, nine
were received in the last month
of the half year and of these, seven
within the last week of that month.-

43 Of the 92 Cases containing
373 prisoners in which the Courts of
Foujdaree Adalut proceed to Judgment

143 Prisoners were released unconditionally } Of whom 94 were considered
20 None ordered to be released on security } convicted by the Sessions Judges
206 Were convicted and sentenced to punishment. Of whom 3 were
considered not convicted
by the Sessions Judges
4 Were returned to the Sessions Judges to be disposed of by them.
373

44 Of the 206 Prisoners convicted

19 Were sentenced to suffer death
23 Transported without flogging
2 Imprisoned for life without flogging.
6 Flogged and Imprisoned for more than 7 and not more than
14 Years
29 Imprisoned for more than 7 and not more than 14 Years
without flogging
125 Imprisoned for 7 Years and under without flogging.-
1 Released in consideration of the extreme Youth &c-
1 Released in consideration of the imprisonment already
undergone.
206

45 In conformity to the in-
structions contained in the 22d
Para

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 25 Cases referred to the Foujdaree Udalut, he-
-cause 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 Udalut in 15 Cases-
46.- The subjoined statement exhibits the information required by the Honorable the Court of Directors in the 4th Para of their General letter under date the 20th March 1833 as to the "number of Sentences disposed "by each Judge of the Foujdaree "Udalut whether sitting singly or "whether more than one Judge be present

		Singly	Conjointly	Attached to the Court during the whole year
H. T. Prinsep Esq:	1st Judge	5	59	
C. P. Thompson Esq:	2d Judge	5	60	Do:-
W. A. Morehead Esq:	3d Judge	6	58	Do:-

47 A Statement is also transmitted shewing the number of trials disposed of by the Foujdaree Udalut

21st September 1848 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 March 1833.-

48 With reference to the instruction 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 Court's 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

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 25 Cases referred 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 Session Judges was confirmed by the Foujdaree Adalut in 15 Cases.

46.- The subjoined statement exhibits the information required by the Honorable the Court of Directors in the 4th 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 sitting singly or "whether more than one Judge be present

	Singly	Conjointly	Attached to the Court during the whole Period
W. S. Hoop Esq. 1st Judge	5	39	
C. P. Thompson Esq. 2d Judge	5	60	D.-
W. A. Morrhead Esq. 3d Judge	6	58	B.-

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48 With reference to the instruction 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 Court's 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

21st September 1848

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.-

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 1847 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 E exhibits the labours 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 Right Honorable

F.R.C.

21st September 1848 Honorable the Governor in Council.

(Sent in No. 1002)

Read letter dated 16th instant from the Sessions Judge of Nellore requiring for the final judgment of the Sudder Adalut the record of Case No. 24 of the Calendar of the Sessions Court of 1848.-

(Here enter Fl. No. 2072 of 1848)

The Court of Sudder Adalut

Mr. C.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 proof against the prisoner

1st Dhondi Braya

is sufficient to convict him of the crime of Severe Wounding, for which, according to the Mohummadan Law as declared in futwas of their Law Officers, discretionary punishment is awardable, do convict him thereof, and under the provisions of Clause third Section VII Regulation XX of 1803 and Regulation VIII of 1828, sentence him to receive 195 lashes with a cat o nine tails, and to be imprisoned and kept to hard labor

in

21st September 1848 in irons on the public road or other public works for and during the period of (10) Ten Years.—

But being of opinion that the Prisoner

2d Grant la Lakshmacka

is not convicted on presumptive proof or on the evidence of credible witnesses or on her own confession, the Court do acquit her, and direct that she be set at liberty.—

The Court of Fouzdaree Udalut are of opinion that the evidence is not sufficient to justify a requisition of security from the 2d prisoner. It is not proved that she took any part in the attack upon her husband. She did not confess to it: and there is nothing to show that she even counselled it.—

2. The Court observe that in recommending the requisition of security, the Sessions Judge has omitted to mention the term in which the 2d prisoner should be bound.—

Ordered that Extracts

21st September 1848 from these Proceedings be sent to the Sessions Judge of Salem for his information.

(Sent following letter No. 1003)

Read letter dated the 11th Instant, from the Sessions Judge of Coimbatore submitting for the final Judgment of the Foujdaree Udalut, the Record of Case No. 30 of 1848 of the Calendar of the Session Court

(Vernacular No. 2031)

M. G. Hooper and M. 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 proof against the prisoners

1st Ramanaiken

and

2d Mahyanlon

is sufficient to convict them of the crime charged, do convict them therefore of, and under the provisions of Clause third Section VII and Clause third Section VIII Regulation XV of 1803, Sentence them to be imprisoned for 14 fourteen years and to be banished during the period of their Sentence

from

21st September 1848

from the District in which the pla
of abode is situated, and to be kept
hard labor in irons on the Public
roads or other public works in
Zillah Zaid of Chittoor

The Court of Sungdaree
Udalut observe that the crime of
two Prosecutors, the Sein Peon and
the Talary mentioned in Chapters
62 and 63 of the Police Regulation
ought to have been examined.

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

(Sentence following letter No. 1004)

Read communication re
ceived from the General Judicial Offic
Transmitting the Criminal Reports
for the 1st half of 1847.

(Vide enter 702. 66. 206. 225. 2127. 2138.
2278. 2363. 2416. 2472. 2518. 2533. 2615.
2680. 3028. 3071. 3088. 3121. 3125. 3135.
3147. 3153. 3183. 3282. 3291. 3313.)

Monday
25th September 1848.

F 116.

At a Court of the Sungdaree Udalut

Present

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

Read Miscellaneous Petition
forwarded by the Session Judge of Trichinopoly
from Soondara Pillay of that Zillah
(Here enter F 116. Mr. D. No. 201 of 1848.)

Read also return under date
the 4th Instant from the Session Judge of
Trichinopoly to the precept of the Sungdaree
Udalut dated the 12th August 1848 directing
that Officer to review the Proceedings in Criminal
Case No. 25 of 1848 on the file of the Criminal
Court.

(Here enter F 116. No. 1997 of 1848.)

It is observed that the Session Judge
has deemed it proper to place the individuals
charged in the Case referred to under a requisition
of Security.

Ordered that Extract from these
Proceedings

Proceedings be forwarded to the Session Judge of Trichinopoly for communication to the Petitioner.

(Sent in No. 1011

Read Miscellaneous Petition

presented on the 31st July 1848 by T. Appasamy Thakur on behalf of Mootoo Vaithia Mudaliar Inhabitant of Tillah Cattaur

(Here enter D. & M. S. No. 215 of 1848)

1. The Object of this Petitioner is to induce the Court of Tanjore to Publish to issue an Order directing the release of the 5th and 6th Prisoners in Case No. 24 on the file of the Session Court of Cattaur for 1848, who were charged with Perjury and Forgery and severally sentenced to 7 and 5 Months imprisonment respectively.

2. The Court of Tanjore Would not are unable to discover any thing in this Petition which would lead them to doubt the justness of the Prisoners conviction or the propriety of the Sentence passed upon them, and therefore refuse to disturb it.

3. The Court observed that the 3d Prisoner was

was exempted under their instructions from the infliction of "Irons."

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

Read Miscellaneous Petition

presented on the 4th September 1848 by Valaiyanal of Tillah Chittoor

(Here enter D. & M. S. No. 236 of 1848)

1. Petitioner prays the release of her son Kistnasawmy Chetty "Prisoner in Case No. 19 of 1848 on the Calendar of the Session Court of Chittoor, convicted of Forgery and sentenced to 5 years imprisonment with labor in irons.

2. Petitioner denies the guilt of her son, and asserts that the Document in question was forged by his step-brother, named Kistnappah Chetty - she adverts to the age of her son and to the badness of the testimony against him as proofs of his innocence, and concludes by praying that the Record of the Case be called for, and the Prisoner released.

The

3. The Court of Foujdaree Udalut seeing reason to question the propriety of the disposal of this Case resolved to direct that an English translation of the entire Record be submitted for their consideration with the least practicable delay.

4 The Sentence recorded against the Prisoner will remain in abeyance pending the receipt of further instructions from the Court of Foujdaree Udalut.

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. 1012

Ordered also that Extract from these Proceedings be granted to the Petitioner on her application.

Read Miscellaneous Petition presented on the 11th September 1848 by Arcanee Nattien of Tillah Madura.

(Here enter F. Ud. M. P. No. 240 of 1848)

1 Petitioner* reiterates her prayer for the release of the 1st and 2d Prisoner in Case No. 12 of 1847 on the

*M. P. No. 226 / 1848

file of the Sessions Court of Madura.

2 Petitioner is referred to the Proceedings of the Foujdaree Udalut under date 4th September 1848, rejecting her former Petition, and informed that they are final.

Ordered that Extract from these Proceedings be given to the Petitioner on his application.

Read Miscellaneous Petition presented on the 11th September 1848 by Valayoodan late Jail Peon of Cuddalore.

(Here enter F. Ud. M. P. No. 241 of 1848)

1 Petitioner who was a Jail Peon at Cyrindy, submits a Certificate of his Discharge granted by the Superintendent of Government Roads and prays that he may be re-employed in the public service at Cuddalore.

2 Petitioner is referred to the Acting Session Judge of Cuddalore, by whom he will doubtless be re-employed, when an opportunity occurs; in the mean time Petitioner is recommended to return to Cuddalore.

Ordered that Extract from these Proceedings be given to the Petitioner on his application.

Read

Read Miscellaneous Petition
presented on the 4th Septembr 1848 by Lebba
Naiken and another of Tillah Madura
(Here enter T. C. & P. No 239 of 1848)

1 Petitioners pray the cancellation
of an Order of the Session Judge of Madura,
directing the apprehension of two individuals named
Parsonal Naiken and Chinna Tayen on the
ground that they preferred a false accusation of
Gang Robbery against certain named in the
Petition.

2 The Court of Foujdaree Udalut
refuse to interfere in the manner solicited by the
Petitioner, whose prayer is accordingly rejected.

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

Read Criminal Reports of the Session
Court of Combaconum for the Month of August 1848
(Here enter F. C. No 2058 of 1848)

Report B
Case No 60

1 The Court of Foujdaree Udalut desire
to be informed whether the 1st Prisoner was convicted of the
charge preferred against him in this Case, as well as in the
preceding number, and the Court direct that in future, the
Session Judge will be pleased to observe that when
the same Prisoner stands charged with two or more
offences, his conviction or acquittal upon each charge
is distinctly recorded in the Report.

Ordered that Extract from these
Proceedings be forwarded to the Session Judge of
Combaconum for his information and future guidance
by Receipt returnable within III days from and after
its receipt.

(Sent following Receipt No 1013)

Satimabedee and another of
Chingleput, move the Court to return the enclosures
in their Miscellaneous Petition No 87 of 1848.

Ordered accordingly.

Krisnappen of Chittoor moves the
Court to return the enclosures in his Miscellaneous
Petition No 197 of 1848.

Ordered accordingly.

Valayodan late Jail Peon of
Cuddalore, moves the Court to return the enclosures
in his Miscellaneous Petition No 241 of 1848.

Ordered accordingly.

Mooneyappa Moodely of Chittoor
moves the Court to return the enclosures in his
Miscellaneous

25th September 1848.

Miscellaneous Petition N° 179 of 1848.

Ordered accordingly.

End 11

Read Criminal Reports submitted by the Session Judge of Nellore for the Month of August 1848.

(Here enter J. No. N° 2062 of 1848)

Report B.

Case N° 99

1. The Court of Foujdaree Adalut see reason to question the propriety of the sentence awarded in this Case, and they accordingly direct that a detailed report of the proceedings may be submitted for their consideration and that the sentence be suspended until further orders.

2. The Court observe that the award of "irons" is unauthorized by the provisions of the Law under which the sentence in this case has been passed.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Nellore by Precept returnable within 7 days from and after its receipt.

Sent following Precept N° 1014

End 11.

J. No.

Tuesday 26th September 1848.

At a Court of the Foujdaree Adalut.

Present

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

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

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

Read again Calendars of Cases N°s 7 and 9 of 1848 on the file of the Sessions Court of Masulipatam.

(Here enter J. No. N°s 1488 and 1489 of 1848.)

Read also return under date the 7th August 1848 and Supplemental return under date the 9th September 1848 from the Sessions Judge of Masulipatam to the precept of the Foujdaree Adalut dated the 18th July 1848 directing the submission of an English translation of the records of the foregoing Cases.

(Here enter J. No. N°s 1792 and 2041 of 1848.)

1. Four prisoners charged in Case N° 7 with robbery by open violence and in Case N° 9 with smuggling salt having been convicted of both offences have been sentenced severally to fourteen years' imprisonment with hard labor in irons.

On

2. On an attentive consideration of the records of these Cases the Court of Sirgdaree Udalut are of opinion that with reference to the delay which occurred in preferring the charge the evidence is insufficient to the conviction of the prisoners of the offence charged against them in Case No. 7.—

3. The charge in question was not preferred for five days after the robbery was said to have been committed nor until the prisoners had been apprehended for the minor offence.—

4. And with reference to the charge in Case No. 9 the Court of Sirgdaree Udalut consider the imprisonment which the prisoners have already undergone to be a sufficient punishment for their offence.—

5. The Court of Sirgdaree Udalut accordingly resolve to direct that the prisoners in question be unconditionally released forthwith.—

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Masulipatam for his information and guidance by Precept returnable within V days from (and) after its receipt.—

(Sent following Precept No. 1016

Read

26th September 1848.

Read Criminal Reports submitted by the Acting Sessions Judge of Cuddalore for the months of August 1848.—

(Hereunder F. 26. No. 2064 of 1848.)

Adverting to the extremely trivial nature of the offence charged against the prisoner in this case the Court of Sirgdaree Udalut deem it proper to direct that the Magistrate will prohibit the Police Officers under his jurisdiction from committing to the Court cases of this nature of which they are clearly competent to dispose of themselves.—

Report B.—
Case No. 68.—

Ordered that Extract from these proceedings be forwarded to the Acting Sessions Judge of Cuddalore for his information and for communication to the Magistrate of South Arcot for the information and guidance of that Officer.

(Sent in No. 1017

Read Criminal Reports submitted by the Magistrate of Tanjore for the months of August 1848.—

(Hereunder F. 26. No. 2069 of 1848)

Report B.
Case No. 9.—

The Court of Sirgdaree Udalut observe that the names of parties not brought to trial should not be inserted in the lists of prisoners

26th September 1848.—

prisoners entered in the Criminal Reports.—

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Combaconum for communication to the Magistrate of Tanjore.—

(Sent in No. 1018

Read Criminal Reports of the Sessions Court of Masulipatam for the month of August 1848.—

(Here enter F. 96. No. 2079 of 1848)

Report B. Case No. 22 and 26.—

1. The same Prisoner "Irangadoray" was charged in each of these Cases with "House breaking and Theft by night;" but whether or not he was convicted of the offence charged against him in the former as well as in the latter number, the Court of Foujdaree Udalut are unable to determine. The Sessions Judge will now be pleased to supply this information, and he will, in future, be careful to observe, that when the same Prisoner stands charged with two or more offences his acquittal or conviction upon each separate charge is distinctly specified in the Report.—

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Masulipatam by Precept returnable within

III

26th September 1848.

III days from and after its receipt.—

(Sent following Precept No. 1019

Read Calendar of Case No. 45 of the Sessions Court of Madura for 1848.—

(Here enter F. 96. No. 2082 of 1848.)

1. The Prisoner in this case was charged with "House breaking and Theft."—

2. The Sessions Judge, in concurrence with the Futwa of the Law Officer, convicted the Prisoner of the crime charged; but as the case presents no features of aggravation, and as there is reason to believe that the value of the property has been greatly exaggerated by the Prosecutor the Sessions Judge recommends, that the imprisonment to which the Prisoner is liable be reduced to two (2) years.—

3. On the grounds stated by the Sessions Judge the Court of Foujdaree Udalut approve his recommendation for a mitigation of the Prisoner's Sentence to two years' imprisonment with hard labor in irons, and authorize the Sessions Judge to issue his Warrant accordingly.

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

(Sent in No. 1020

Read

Read Return dated 11th September 1848 made by the Sessions Judge of Cuddapah to the Precept of the Tsiydaree Adalut dated 5th September 1848 requiring the opinion of the Magistrate of Cuddapah as to the propriety of retaining the Head of Police of Pooleroandla Talook, after the remarks recorded against him by the Sessions Judge in Calendar No 41 of 1848.—

(Here enter F. C. No 2026 of 1848.)

1. After a careful consideration of all the circumstances connected with this case, the Court of Tsiydaree Adalut are constrained to concur with the Magistrate in his opinion that the Head of Police of the Pooleroandla Talook has, by his highly culpable conduct in the present instance, proved himself utterly unfit to be entrusted with the responsible duties of the situation, in the public service, which he now holds.— The Court accordingly resolve to direct that he be dismissed therefrom on the receipt of these Orders.—

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Cuddapah for his information and for communication to the Magistrate for the guidance of that Officer.—

(Sent in No 1021)

Read Calendar of Case No 3 of 1848 on the file of the Sessions Court of Combaconum

(Here enter F. C. No 2055 of 1848.)

1. Three prisoners in this case have been sentenced to fourteen years imprisonment with hard labor in irons on a charge of "Highway Robbery."

2. The Court of Tsiydaree Adalut consider that the period of Imprisonment awarded to the prisoners in this case may with propriety be reduced to five years, and they direct that the Sessions Judge will issue his warrant accordingly.—

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Combaconum by precept returnable within 1 days from and after its receipt.—

(Sent following Precept No 1022)

Read Return dated 11th "September 1848 made by the Sessions Judge of Cuddapah to the Precept of the Tsiydaree Adalut dated 5th "September 1848, requiring to know what steps have been taken by the Magistrate towards the Head of Police of the Chitvail Talook, who was suspended from office in consequence of his conduct on the occasion of the Gang Robbery, which formed the charge in

Calendar

26th September 1848.—

Calendar No. 36 of 1848.—

(Here enter F. 16. No. 2027 of 1848.)

1.

Under all the circumstances of the case, the Court of Foujdaree Adalut are disposed to consider that a further suspension from office for one year will be adequate punishment for the culpable indifference and remissness exhibited by the Head of Police of Chitwail in regard to the above case. But the Court at the same time direct that it be intimated to that Officer, that a repetition of similar conduct on his part will be followed by his immediate dismission from his situation, and that it is expected he will merit the leniency now shewn towards him by a more active and faithful discharge of the responsible duties, with which he is entrusted.—

2.

The suspension of the Head of Police of Chitwail, under these orders, will be considered to commence from this date.—

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Cuddapah for his information and for communication to the Magistrate for the information and guidance of that Officer.—

(Sent in No. 1024.)

Entd WH

F. 11.

Wednesday, 27th September, 1848.

At a Court of the Foujdaree Adalut.

Present:

G. J. Hooper Esqre — 1st Puisne Judge,
C. P. Thompson Esqre — 2d Puisne Judge,
W. A. Morehead Esqre — 3d Puisne Judge,

GJH
CPT
WAM

Read letter dated 23d Instant from the Sessions Judge of Combaconum submitting for the final Sentence of the Foujdaree Adalut the Proceedings in Case No. 36 of 1848.

(Here enter F. 11. No. 2129)

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,

"Permal Nacken"

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. 1024)

Read

Read Return dated 22d August 1848 from the Session Judge of Chittoor to the precept of the Foujdaree Adalut under date the 11th August 1848 requiring to be informed under what circumstances the apprehension of the Prisoners in Case No. 28 of 1848 was delayed until 5th June and also of the cause of the delay in the investigation before the Assistant Magistrate.

/ Here enter F. H. No. 1899 /

Read Report dated 15th Instant submitted by the Session Judge of Tellicherry of a Case disposed of by the Principal Sudder Ameen in the month of August 1848.

/ Here enter F. H. No. 2097 /

Read Criminal Report A dated 18th Instant submitted by the Session Judge of Guntoor of Case No. 69 of 1848 disposed of by him in the Month of September 1848.

/ Here Enter F. H. No. 2098 /

Read Report B dated 15th Instant submitted by the Agent to the Governor at Vizagapatam of Persons apprehended in the separate

Tracts and delivered to the Agency in the month of August 1848.

/ Here Enter F. H. No. 2100 /

Read letter dated 18th Instant from the Session Judge of Tellicherry returning death warrant signed by the Court of Foujdaree Adalut in Case No. 11 of 1848 on his Calendar, and reporting due execution thereof.

/ Here Enter F. H. No. 2102 /

Read Statement dated 19th Instant submitted by the Acting Sessions Judge of Cuddalore of Batta paid to Prosecutors and witnesses who attended before his Court during the 1st half of 1848.

/ Here enter F. H. No. 2103 /

Read Report dated 19th Instant submitted by the Sessions Judge of Madura of Cases pending (on the 31st August) and committed for trial during the month of September 1848.

/ Here Enter F. H. No. 2104 /

End H.

27th September 1848.

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Friday,
29th September 1848.

F. M.

At a Court of the Foujdaree Udalut.

Present.

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

Read again Miscellaneous Petition presented on the 24th July 1848 by Rungunaud & two others of Zillah Salem.

[Here enter F. M. P. No. 212 of 1848]

Read also letter under date the 19th Instant from the Sessions Judge of Salem returning for amendment the Extract from the proceedings of the Court of Foujdaree Udalut dated the 11th September 1848 containing the orders passed upon the foregoing Petition.

[Here enter F. M. No. 2099 of 1848]

1. The Court of Foujdaree Udalut observe that in consequence of a clerical error the case referred to in the foregoing proceedings was designated as No. 191 of 1848 instead of 1847.

2. The Court of Foujdaree Udalut direct

direct that an English Translation of the record of the latter case be submitted for their consideration with the least practicable delay.

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

(Sent following Precept Nº 1025

Read Letter dated the 21st Instant from the Sessions Judge of Calicut, submitting for the final Judgment of the Foujdaree Udalut, the Record of Case Nº 39 of 1848, of the Calendar of the Session Court

/ Seventeen Nº 2138 /

Mr. C. 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 proof against the Prisoner,

"Eukoonen Marja"

is sufficient to convict him of the crime of Severe Wounding with intent to kill, for which according to the Mohummudan Law, as declared in fatwas of their Law Officers, discretionary punishment is

awardable, do convict him thereof, and under the provisions of Clause third Section VII and Clause third Section VIII Regulation XV of 1803, and Section XXXV Act VII of 1843, sentence him to be imprisoned for (14) fourteen years, and to be banished during the period of his sentence from the District in which his place of abode is situated, and kept to hard labor in irons on the public roads or other public works in the Zillah of Coimbatore.

Adverting to parah: 5 of the Sessions Judge's Letter, the Court of Foujdaree Udalut observe that under the Provisions of Section XXIII Regulation IX of 1816, the Sessions Judge is himself competent to direct the payment of the sum of Rupees (100) one hundred for the meritorious services rendered by the party to whom he refers.

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

Sent following Letter Nº 1026 / 7

End 7th

D S R

Saturday,
30th September 1848

F. Pc.

At a Court of the Fouzdaree Adalut.

Present:

G. A. Hooper Esqre ——— 1st Puisne Judge
C. P. Thompson Esqre ——— 2d Puisne Judge
W. A. Morehead Esqre ——— 3d Puisne Judge.

Read Letter dated 15th September 1848 from the Sessions Judge of Tinnevelly requesting for the final judgment of the Fouzdaree Adalut the Record of Case N.30 of 1848 of the Calendar of the Sessions Court.

(Decr. F. Pc. N.210 of 1848)

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 prisoners

1st Veerabutteron

and

2nd Sungaralingom

is sufficient to convict them of Assault and trespass for which according to the Mooturmudan Law

Mr. G. A. Hooper.

WCM

30th September 1848

Law as declared in Letters of these Law Officers, discretionary punishments is awardable to consist therein thereof, and under the provisions of Clause third Section VII Regulation XV of 1843 and Section XXXIV Act VII of 1843, sentences them to be imprisoned and kept to hard labor in irons on the public roads or other public works for one year during the period of (3) three years.

The Court desires to be informed of the result of the reference made by the Sessions Judge to the Magistrate with regard to the 10 Witnesses in this case.

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

(Sent following Letter No 1027)

Read Letter dated the 4th Instant to from the Sessions Judge of Calicut stating with reference to para 3 of the Proceedings of the Sessions Udalur under date the 28th Ultimo held on the Criminal Reports for July last that the Sessions Judge's sentence in No 8 was equally applicable to the sentence in No 7

/Received in Ft St. No 1999 of 1848/

Read Calendar of Cases No 27 of 1848

30th September 1848.

submitted by the Sessions Judge of Tinnevelly under date the 8th Instant.

/Received in Ft St. No 2008 of 1848/

Read Calendars of Cases No XL and XLII of 1848 submitted by the Sessions Judges of Madura under date the 7th & 8th Instant.

/Received in Ft St. No 2009 and 2010 of 1848/

Read Calendar of Cases No 31 of 1848 submitted by the Sessions Judge of Tinnevelly under date the 7th Instant.

/Received in Ft St. No 2012 of 1848/

Read Letter dated the 8th Instant from the Sessions Judge of Coimbatore submitting with reference to the remarks of the Principal Sudder Ameen in his Criminal Report of Case No 792 of 1848 certified copies of a Precept and Extract from the proceedings of the Sessions Court issued to the Magistrate of Coimbatore, as well as of the Return made by that Officer and Translation of an Ayeer which accompanied the above return.

/Received in Ft St. No 2017 of 1848/

Read Criminal Reports for the months of July and August 1848 submitted by the Agent to the Governor of Fort St. George at

30th September 1848.

at Rungpore under date the 9th Instant.

/Herewith F.C. No. 2022 of 1848/

Read Calendars of Cases No. 25 26 and 32 of 1848 submitted by the Sessions Judge of Nellore under date the 12th Instant.

/Herewith F.C. Nos. 2033 2034 and 2035 of 1848/

Read Calendars of Cases No. 32 29 and 33 of 1848 submitted by the Sessions Judge of Tinnevelly under dates the 9th and 11th Instant.

/Herewith F.C. Nos. 2036 2037 and 2038 of 1848/

Read Calendars of Cases No. XLI XLIII and XLIV of 1848 submitted by the Sessions Judge of Madura under dated the 12th and 14th instant.

/Herewith F.C. Nos. 2039 2046 and 2047 of 1848/

Read Calendars of Cases No. 34 37 and 38 of 1848 submitted by the Sessions Judge of Mangalore under dated the 9th and 11th Instant.

/Herewith F.C. Nos. 2048 2049 and 2050 of 1848/

Read Calendar of Case No. 10 of 1848 submitted by the Sessions Judge of Masulipatam under date the 4th Instant.

/Herewith F.C. No. 2051 of 1848/

F. C.

Monday 2nd October 1848.

At a Court of the Foujdaree Udalut

Present

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

Read Criminal Reports submitted by the Sessions Judge of Tinnevelly for the Month of August 1848.

(Herewith F.C. No. 2032 of 1848.)

Report B Case No. 107

1 The Magistrate will be pleased to point out to the Head of Police by whom this case was committed that a person verbally making a false information before a Daloya cannot be considered guilty of the offence provided against by Regulation IX of 1832 which especially refers to cases of false complaints preferred before a Head of District Police.

Case No. 112

2 The Court of Foujdaree Udalut are of opinion that this case should have been committed for trial by the Sessions Court under the provisions of Clause fourth Section II Regulation VI of 1822, the Circumstances of

of the offence charged having been attended with wounding removing it from the jurisdiction of the lower Court.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Tinnevelly for his information and for communication of para. 1 to the Magistrate and of para. 2 to the Principal Sudder Ameen for the information and future guidance of those Officers.

(Sent in - N. 1029)

Read Calendar of Cases No 37 of 1848 on the file of the Sessions Court of Cuddalore.

(Here enter Ex. Vol. No 2043 of 1848)

1.

The Prisoners in this Case were charged with having murdered the Prosecutrix sister in law by striking her on the temple and with having suspended her body to a beam.

2.

The Sessions Judge concurs with the Law Officer in the acquittal of the prisoners but being of opinion that they labor under strong suspicion has placed them respectively under requisitions of security

On

On perusal of the abstract of the evidence recorded in the Calendar the Court of Foujdaree Adalut are unable to concur in the opinion recorded by the Sessions Judge that the testimony adduced was insufficient to establish the Prisoners guilt.

4 It appears to the Foujdaree Adalut to be satisfactorily proved that the death of the deceased was caused by a severe blow inflicted either by the 1st or 2nd Prisoners and that her body was suspended to a beam as stated in the charge.

5 Admitting that the fatal results of the blow inflicted were not instantaneous it seems most probable the subsequent suspension of the deceased prevented all possibility of recovery; under which circumstances and adverting to the attempt to bury the corpse without reporting the same which is clearly established, the Court consider the evidence adduced sufficient to render the Prisoners liable to punishment, unless the witnesses when examined before the Court of Session retracted their previous depositions.

Ordered that Extract from

these

these Proceedings be sent to the Acting Sessions Judge of Cuddalore for his information.

(Sent in No. 1039)

Read Calendars of Cases Nos. 29, 29, 30, 31, 32 and 33 of 1848 on the file of the Sessions Court of Combaconum.

/Here enter S. C. No. 2053 of 1848/

1

The Prisoners in these Cases were respectively charged with the Perjury and on conviction have been sentenced to four years imprisonment with hard labor in irons.

2

On consideration of the Calendar and of evidence contained in the Calendar the Court of Sonjdaree Udalut are of opinion that the period of imprisonment awarded to the Prisoners may with propriety be reduced to one year, and they direct that the Sessions Judge will issue his warrant accordingly.

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 Rect. No. 1031)

Read Criminal Reports submitted by the Sessions Judge of Chingleput for the Month of August 1848.

/Here enter S. C. No. 2059 of 1848/

The Court of Sonjdaree Udalut observe that a verdict of Conviction or acquittal in regard to the offence charged in each of the Cases noted in the margin should have been recorded.

Cases Nos. 82, 83.

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

(Sent in No. 1032)

Read Criminal Reports submitted by the Subordinate Judge in charge of the Criminal Court of Chittoor for the Month of August 1848.

/Here enter S. C. No. 2065 of 1848/

The Court of Sonjdaree Udalut direct that these reports be returned to the Sessions Judge in order to their resubmission in an amended form with reference to the Circular Instructions of the Sonjdaree Udalut dated the 26th August 1848. the names of the Taluk and village in

Cases Nos. 121, 127, 128, 129, 130, 131, 133, 134, 136, 138, 139, 140, 141, 142, 144, 150, 151, 153, 154, 155, 156

which

which the offences charged were alleged to have been committed, having been entirely omitted in the cases noted in the Margin.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Chittoor for his information and guidance by Precept returnable within 4 days from and after its receipt.

(Sent following Precpt. No 1033)

Read Criminal Reports submitted by the Sessions Judge of Trichinopoly for the month of August 1848.

/Here enter G. O. No 2060 of 1848./

The Court of Zoujdaree Udalut desire that it may be explained under what circumstances three Duffadars were employed in the Jail during the period under review on a Salary of Rupees 8-8- each, the usual Salary of the Jail proves being Rupees 5 per mensem.

2. The Court of Zoujdaree Udalut further direct that the excess of four which is observed in the number of Extra proves employed during the period embraced in the foregoing reports may be explained.

Ordered

2nd October 1848.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Trichinopoly for his information and guidance by Precept returnable within 4 days from and after its receipt.

(Sent following Precpt No 1034)

Read Criminal Reports of the Session Court of Calicut for August 1848.

/Here enter G. O. No 2080 of 1848./

Report B
Case No 145.

The Court of Zoujdaree Udalut observe that the offence committed by the Prisoner in this Case, being one of "House breaking" as well as of "theft" should have been so designated in the heading prefixed to the Statement of the charge.

Case No 146

2 The Court further observe that in this Case, the punishment awarded to the prisoner being cumulative, a notice to that effect should have been inserted at the foot of the sentence.

Case No 148

3 The Court request that in future the Sessions Judge will observe that, when the same prisoner stands charged with two or more offences, his conviction or acquittal (as the case may be) may be distinctly

distinctly stated in the Report. Information upon this point has been written in regard to the Case noted in the margin.

Case No. 151.

4 With reference to the trifling value of the property stolen by the Prisoner in this Case, the Court of Foujdaree Udalut are of opinion that a mitigation of his sentence may, with propriety, be allowed, and under the provisions of Section XXXIII Act VII of 1843, the Court resolve to direct that the term of his imprisonment be reduced to three months.

Magistrate's Report B
Case No. 11.

5 The Court infer from the leniency of the sentence passed by the Asst Assistant Magistrate in this case, that the robbery of the jewels was not proved against the prisoner.

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

(Sent following Precept No. 1035)

Rad Criminal Reports of the Sessions Court of Rajahmundry for the Month of August 1848.

(Herewith enter F. U. No. 2088 of 1848.)

The

Report B
Case No. 89

1 The Court of Foujdaree Udalut observe that no "Heading" has been prefixed to the Statement of the Charge in this Case.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Rajahmundry for his information

(Sent in No. 1036)

Rad Criminal Reports submitted by the Sessions Judge of Bellary for the Month of August 1848.

(Herewith enter F. U. No. 2089 of 1848.)

Report A
Case No. 134

The Court of Foujdaree Udalut trust that the remarks recorded by the Sessions Judge in Para 8 of his Proceedings on the Case noted in the margin in regard to the omission on the part of the Judge Ameen to insert the date of the examination at the time that the record was taken down, will be duly attended to by that Officer.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Bellary for his information and for communication to the Sudr Ameen

(Sent in No. 1037)

Rad

Read Calendar of Cases Nos 38, 39 and 40 of the Sessions Court of Combaconum for 1848.

(Here enter F.C. No 2056 of 1848.)

In each of these Cases one Prisoner was charged with "perjury"

2. The Sessions Judge, in concurrence with the verdict of the Assessors, convicted the Prisoners respectively of the Crime charged, and sentenced each to four years imprisonment with hard labor in irons

3. The Court of Foujdaree Adawlut are of opinion that the ends of justice may be adequately attained by a mitigation of the Prisoner's sentence to one year's imprisonment with hard labor in irons, and under the provisions of Section XXXV Act. VII of 1843 the Court resolve to direct that the term of their imprisonment be reduced to that period

4 The Sessions Judge will be pleased to issue fresh warrants in accordance with the foregoing resolution.

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 1038)

Read Criminal Reports for the Month of August 1848 submitted by the Sessions Judge of Cuddapah under date the 14th Ultimo.

(Here enter F.C. No 2060 of 1848)

Read Criminal Reports for the Month of August 1848 submitted by the Sessions Judge of Salem under date the 14th Ultimo.

(Here enter F.C. No 2061 of 1848)

Read Criminal Reports for the Month of August 1848 Submitted by the Sessions Judge of Madura under date the 11th Ultimo.

(Here enter F.C. No 2063 of 1848)

Read Criminal Reports for the Month of August 1848 Submitted by the Sessions Judge of Mangalore under date the 13th Ultimo.

(Here enter F.C. No 2067 of 1848.)

Read Calendar in Case No XXXII of 1848 Submitted by the Sessions Judge of Calicut under date the 13th Ultimo.

(Here enter F.C. No 2070 of 1848.)

Read

Read Calendar in Case No. 26 of 1848 Submitted by the Sessions Judge of Guntoor under date the 16th Ultimo.

(Here enter F. M. No. 2071 of 1848)

Read return dated the 15th September 1848 from the Sessions Judge of Rajahmundry to the Precept of the Foujdaree Adalut under date the 11th September 1848. directing him to Submit the Original Warrant issued to the Subordinate Court for the execution of the 1st Prisoner in Case No. 20 (not No. 28) of 1848 on the Calendar.

(Here enter F. M. No. 2073 of 1848)

Read letter dated the 14th September 1848 from the Sessions Judge of Coimbatore forwarding with reference to the remark of the Principal Sudder Ameen in his Criminal Report of Case No. 174 of 1848 A Certified Copies of a Precept and Extract from the Proceedings of the Session Court issued to the Magistrate of Coimbatore; as well as of the return made by that Officer and translation of an Arzee which accompanied the above return.

(Here enter F. M. No. 2075 of 1848)

Read return dated the 18th September 1848 from the Acting Session Judge of Cuddalore to the Precept of the Foujdaree Adalut under date the 11th September 1848 directing him to carry the sentences passed against the 1st 2nd and 4th Prisoners in Session Case No. 25 of 1848 into immediate execution and to release unconditionally the 3rd and 5th Prisoners in the above Case.

(Here enter F. M. No. 2086 of 1848.)

Read Criminal Reports for the Month of August 1848 Submitted by the Session Judge of Honore under date the 15th Ultimo.

(Here enter F. M. No. 2105 of 1848.)

Read Calendar of Trials held before the Session Court of Tinnevelly from 1st January to 30th June 1848 submitted by the Session Judge of Tinnevelly under date the 1st July 1848.

(Here enter F. M. No. 2111 of 1848.)

Read return dated the 19th September 1848 from the Sub Criminal Judge in charge of the Session Court of Chittoor to the Precept of the Foujdaree Adalut under date the 16th September 1848 concurring

concurring in the conviction of the 1st 2nd and 3d Prisoners in Cass No 14 of the Calendar 1848 of the offence laid to their charge, and of the propriety of the sentences to which they have been respectively adjudged, and directing that the 4th and 5th Prisoners be unconditionally released forthwith.

(Here enter Sr Ft No 2115 of 1848.)

Read return dated the 21st September 1848 from the Principal Sudder Ameen in charge of the Sessions Court of Cuddalore, to the Precept of the Sanjdaree Adalut under date the 18th Ultimo, directing him to report the age of the Prosecutor in Sessions Case No 36 of 1848.

(Here enter Sr Ft No 2116 of 1848.)

Ent 7th

F U.

Wednesday
4th October, 1848.

At a Court of the Foujdaree Udalut.

Present,

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

Read the following letter from the Agent to the Governor in the District of Vizagapatam under date the 29th August 1848.

(Herewith F U. No 1985 of 1848)

In the foregoing letter the Agent submits a report of the trial of four Prisoners* charged with "Housebreaking and Theft" and considering the evidence adduced sufficient for their conviction, recommends that a sentence of 3 years imprisonment be passed upon them.

The Court of Foujdaree Udalut concur with the Agent, and resolve under the provisions of Section XXI Regulation VII of 1802 Section IV Regulation I of 1825 and Section XXXIV Act XII of 1843 to sentence them respectively to imprisonment with hard labor in irons for and during

* Mahalashmi Rama Lachy
Vellanah Appaya
Bandely Ramasoy
Yendemoory Pedigadoo

during the period of three (3) years.

Ordered that Extract of these Proceedings be forwarded to the Agent to the Governor in the District of Vizagapatam for his information.

(Sent in No. 1044

Read Calendar of Case No. 26 of 1848 on the files of the Session Court of Rajahmundry

(Here enter F. C. No. 2005 of 1848)

Read also Letter under date the 16th ultimo from the Session Judge of Rajahmundry submitting copy of a letter from the Magistrate having referred to the release without punishment of the prisoner in the foregoing case

(Here enter F. C. No. 2131 of 1848)

1. The Prisoner in this Case was charged with having cut off the Prosecutors two ears.

2. The Session Judge in concurrence with the Law Officer acquits the Prisoner on the ground that the act charged was justified by the circumstances under which it was committed, viz: in consequence of the Prisoner having detected the Prosecutor in the act of committing adultery with his wife.

3. On perusing the abstract of the evidence recorded

4th October 1848

preended in the Calendar the Court of Foujdaree Udalut are unable to concur in the foregoing verdict.

4 The Court of Foujdaree Udalut observe that there is no evidence in support of the Prisoner's assertion that the Prosecutor was in the act of committing adultery with the 1st witness when surprised by the Prisoner; the 1st witness having deposed that the Prosecutor made an attempt to die with her but failed under which circumstances the mutilation the Prosecutor received at the hands of the Prisoner cannot by Law be justified.

5 Supposing however, that the Prosecutor had been caught in the act of adultery the Court of Foujdaree Udalut cannot believe that he would have submitted to have both his ears cut off without resistance, or that the Prisoner could have effected this double mutilation in a transport of fury and without assistance.

6 The Court of Foujdaree Udalut observe that the Zillah Surgeon has recorded a Certificate to which the Session Judge has omitted to refer, that "this injury must have been done with considerable deliberation and the circumstances of the case as recorded in the Calendar appear to the

Foujdaree

Foujdaree Udalut to be in favor of this supposition.

In the judgment of the Court of Foujdaree Udalut the opinion of the Session Judge that the Prisoner was justified in murdering the Prosecutor cannot be upheld and they consider the release of the perpetrator of such an outrage much to be regretted, when the impression which such a measure is likely to create in the district, is taken into consideration.

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

(Sent in No. 1045

Read the following letter under date the 19th September 1848, from the Agent to the Governor in the (District of Kurnool.

(Here enter F. C. No. 2123 of 1848)

Mr. E. B. Thompson.

Case No. 48 of 1848. Kurnool Agents file.

1. In this letter the Agent submits a report of the trial of three* Prisoners who were charged with participation in the crime which formed the subject of Case No. 46 of 1848 of this file namely, Gang Robbery.

2. The Agent acquitted and released the two

*1st Latchmegadoo.
2d Chellumgadoo.
3d Emaun Sahib.

two first Prisoners, but considering the evidence adduced against the third, sufficient for his conviction, he recommends that a sentence similar to that passed in Case No. 46 be awarded to him.

3. The Court of Foujdaree Udalut concur with the Agent, and resolve under the provisions of Clause third Section IV Regulation XII of 1803 and Section XXXII Act VII of 1843, to confirm the proposed sentence of (14) fourteen years imprisonment with hard labor in irons on the Prisoner 3d Emaun Sahib.

Ordered that Extract of these Proceedings be forwarded to the Agent to the Governor at Kurnool for his information.

(Sent following letter No. 1046

Read the following letter without date from the Agent to the Governor of Fort St. George in the (District of Vizagapatam

(Here enter F. C. No. 2025 of 1848.)

1. In this letter the Agent submits a report of the facts of the Case on evidence against a Prisoner named Boyanah Goravador who was charged with Culpable Homicide, and convicting the Prisoner,

Prisoner, he recommends that a sentence of three years imprisonment be passed upon him.

2. In this connexion the Court of Foujdaree Udalut concurs, and they resolve, under the provisions of Clause second Section XV Regulation VII of 1802 and Section XXXII Act VII of 1843, to sentence the Prisoner to imprisonment with hard labor in irons for and during the period of (4) four years.

Ordered that Extract of these Proceedings be sent to the Agent to the Governor in the (District of Vizagapatam for his information.

Sent in No. 1047

Read Calendars of Cases Nos. 32, 33, 36, and 40 of 1848. submitted by the Session Judge of Mangalore under date the 18th ultimo.

(Here enter Nos. 2117. 2118. 2119 and 2120 of 1848)

Read return dated the 19th ultimo from the Session Judge of Mangalore to the Precept of the Foujdaree Udalut under date the 11th September 1848. directing the release of the 2d, 3d, and 4th Prisoners in Case No. 4 on the Calendar for 1848.

(Here enter F. Ut. No. 2131 of 1848)

Read

4th October 1848.

Read Calendar of Case No. 37 of 1848, submitted by the Session Judge of Calicut under date the 20th ultimo.

(Here enter F. Ut. No. 2135 of 1848)

Read Calendar of Case No. 19 of 1848. submitted by the Session Judge of Honore under date the 16th ultimo.

(Here enter F. Ut. No. 2136 of 1848.)

Read Criminal Reports A and B of the Joint Magistrate of Cochin, submitted by the Session Judge of Calicut under date the 22d ultimo.

(Here enter F. Ut. No. 2139 of 1848)

Read Calendar of Case No. 50 of 1848 submitted by the Session Judge of Cuddapah under date the 25th ultimo.

(Here enter F. Ut. No. 2144 of 1848)

Read return dated the 20th ultimo from the Session Judge of Trichinopoly to the Precept of the Foujdaree Udalut under date the 18th September 1848. directing him to forward under proper custody certain Prisoners at present in confinement in the Jail under his charge and concerned in the

4th October 1848

Prisoners

4th October 1848

years im

2

Friday
October 1848

J. No.

At a Court of the Zorgedaree Udalut

Present

WR. The S. Cooper Esqre — 1st Puisne Judge.
PR. The S. Thompson Esqre — 2nd Puisne Judge.
H-M. W. A. Morehead Esqre — 3rd Puisne Judge.

Read Calendar of Cases &c.
49 of 1848 of the Sessions Court of
Cuddapah.

(Record Entry J. No. 1. 243 of 1848)

In this case the 1st and 2nd
Prisoners were charged with "House breaking
and Theft" the 3rd Prisoner with receiving
part of the stolen property knowing it
to be such.

2 The Futwa of the Law Officer
convicted the Prisoners of the respective
crimes laid to their charge; and the
Sessions Judge, concurring therein, sen-
tenced the 1st and 2nd Prisoners to 7
years imprisonment, and the 3rd Prisoner
to two years imprisonment, each with
hard labor in irons.

3 As this appears to be
the

6th October 1848.

the first offence committed by the first Prisoner, the Sessions Judge recommends that his sentence be mitigated to four years imprisonment with hard labour in irons

But the grounds recorded by the Sessions Judge, the Court of Judicature Adalut approve his recommendation for the mitigation of the first Prisoners sentence, and do hereby direct the issue Warrant accordingly.

Ordered that Extracts from these Proceedings be forwarded to the Sessions Judges of Vizagapatam & Chicacole for his information and guidance.

(True extr. &c.)

Read Calendar of Cases No. 30 of 1848 of the Sessions Court of Guntoor.

(Here enters F.C. No. 2145 of 1848.)

With reference to the remarks recorded by the Sessions Judge in regard to the committal of this case, the Court of Zemindary Adalut direct that

6th October 1848.

that the Magistrate be instructed to caution his Assistants to more circumspection for the future.

Ordered that Extracts from these Proceedings be forwarded to the Sessions Judges of Guntoor for his information, and for communication to the Magistrates for the guidance of their Officers.

(True extr. &c.)

Read Criminal Reports of the Sessions Courts of Chicacole for August 1848.

(Here enters F.C. No. 2151 of 1848.)

The Court of Zemindary Adalut desire that the Principal Sudder Ameen of Vizagapatam, and Sudder Ameen of Chicacole may be called upon to explain the cause of one Prisoner having been employed in excess of the prescribed number in guarding the Convicts worked outside the Jail under their respective charge during the period under review.

Ordered

6th October 1848.

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

(Sent following Precept to)

Read a letter dated the 29th ult. Ultimo from the Sessions Judge of Backergunge referring for the final Judgment of the Foujdaree Adalut the Record of Case No. 21 of the Calendar of the Sessions Court.

(And Letter No. 2184 of 1848)

Mr. G. P. Thompson.

The Court of Foujdaree Adalut on a deliberate consideration of all the circumstances of the case as evidenced before them, being of opinion that the proof against the Prisoner "China Venadegunden" is sufficient to convict him of the crime charged do convict him thereof and under the provisions of Clause Second Section IV Regulation XV of 1803, and Section XXXIII Act VII of 1843 sentence him

F. A.
6th October 1848

him to be imprisoned for the term of seven years, and to be banished during the period of his sentence from the District in which his place of abode is situated, and to be kept to hard labor in irons on the public roads or other public works, as the Court of Nizamut Adawlut may direct.

(Sent following Letter No. 35

End 16

Saturday,
7th October, 1848

F.C.

At a Court of the Foujdaree Adaw

Present

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

Read letter dated the 26th ult.o from the Sessions Judge of Calicut referring for the final Judgment of the Foujdaree Adawlut the record of case No 38 of 1848 of his calendar.—

(Here Enter F.C. No 2170 of 1848)

M.E. — G.S. Hooper
Mr. E.P. Thompson — Dun

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,

"Keyekedel Mako"

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.—

(Vide following letter No. 1061

Read letter dated the 30th ult.o

from

from the Sessions Judge of Gumtoor referring for the final Judgment of the Foujdaree Adawlut the record of Case No 31 of 1848 of his Calendar

(Here Enter Fl. No 2197 of 1848)

Mr G.A. Hooper and 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

'Rangum Chintaloo'

is sufficient to convict him of the crime of Perjury, do convict him thereof, and under the provisions of Clause First Section III Regulation VII of 1811, and Section XXXIV Act VII of 1843 sentenced 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 (1) One year.

(Sent following letter No 1062

Read letter dated 18th September 1848 from the Sessions Judge of Tinnevelly referring for the final Judgment of the Court of Foujdaree Adawlut the Trial in case No 32 on the Calendar of the Sessions Court of Tinnevelly for 1848.

(Here Enter Fl. No 2137 of 1848)

Mr G.A. Hooper and Mr M.A. Morehead

The Court of Foujdaree Adawlut on a

7th October 1848.

deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the Prisoner

Aroomoogum

is sufficient to convict him of the crime of "House breaking and Theft" 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 (5) Five years.

The Court of Foujdaree Adawlut are constrained to differ from the view taken of this case by the Sessions Judge, deeming the evidence against the Prisoner far too conclusive as to his guilt to admit of doubt. The Court have accordingly sentenced him to 5 years imprisonment with hard labor in irons.

2. The Court are of opinion that the Mattoo Peon should have been examined as a Witness for the prosecution.

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

(Sent in No 1063

Read letter under date the 26th September 1848.

7th October 1848.

1848 from the Acting Magistrate of North Arcot.

(Here Enter F.R No 2149 of 1848)

1. The Magistrate forwards for the consideration of the Court of Foujdaree Udalut copies of a correspondence with the Subordinate Criminal Judge in regard to the trial of a case of theft committed in the Zillah of Salem the perpetrator of which has been apprehended within the limits of the Zillah of Chittoor.-

2. The Magistrate is of opinion that according to the principles of English Law the case may be tried by the Criminal Court at Chittoor the Bandy and Bullocks which the Prisoner is charged with having stolen having been discovered in his possession within the limits of that Zillah and that under these circumstances no special sanction is necessary for the trial of the case by the Subordinate Court of Chittoor.-

3. In this opinion the Court of Foujdaree Udalut concur and they consider the case under review to be one in which the principles of English Law may with propriety be adopted in the absence of any provision to the contrary in the Madras Regulations.-

F.R.

7th October 1848.

4 The Court of Foujdaree Udalut accordingly direct that the trial of the case referred to be proceeded with in the Subordinate Criminal Court of Chittoor.-

Ordered that Extract from these proceedings be sent to the Acting Magistrate of North Arcot for his information.-

(Sent in No. 1064

Ordered also, that Extract from these proceedings be sent to the Subordinate Judge of Chittoor for his information and guidance.-

(Sent in No. 1065

Read Calendar of Case No 370 of 1848 on the file of the Session Court of Coimbatore.-

(Here Enter F.R No 2165 of 1848)

Before finally disposing of this case the Court of Foujdaree Udalut direct that an English Translation of such portions of the record as have reference to the 3rd prisoner and of the confessions made by the 1st and 2d Prisoners before the Subordinate Court be submitted for their consideration.-

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

by

by precept returnable within XV days from and after its receipt.-

(Sent following Precept No 1066

Read letter dated the 11th Ultimo from the Agent to the Governor in Ganjam, submitting Criminal Report No 2 of the Agents Court together with the Report B from his Principal Assistant for last month.-

(Here Enter F R No 2066 of 1848)

Read Calendar of Case No 31 of 1848 submitted by the Session Judge of Vizagapatam under date the 14th Ultimo.-

(Here Enter F R No 2081 of 1848)

Read letter dated the 15th Ultimo from the Agent to the Governor of Fort St George at Vellore returning the death warrant issued by the Judges of the Tanjore Circuit in Case No 41 of 1848 on the file of the Agent to the Governor at Vellore and enclosing copy of a report from Assistant Agent Lieutenant Russell regarding its execution.-

(Here Enter F R No 2085 of 1848)

Read Calendar of Case No 15 of 1848 submitted by the Session Judge of Tellicherry under

under date the 18th August 1848.-

(Here Enter F R No 2093 of 1848)

Read Calendar of Case No 6 of 1848 submitted by the Session Judge of Calicut under date the 16th Ultimo.-

(Here Enter F R No 2095 of 1848)

Read Calendar of Case No 46 of 1848 submitted by the Session Judge of Madura under date the 18th Ultimo.-

(Here Enter F R No 2096 of 1848.)

End 7th.

W. H.

Monday
9th October 1848.

P. Vo

At a Court of the Fongdaree Volalut

Present

The Hon'ble G. S. Hooper Esq^re — 1st Puisne Judge
" C. P. Thompson Esq^re — 2nd " "
" W. A. Morehead Esq^re — 3rd " "

Read. Miscellaneous Petition presented on the 24th July 1848 by Sonny Sibby, Tarrumapparden Lillah, Stellore.

(Vide order P.C. No. P. No. 210 of 1848)

The Petitioner prefers a charge of Assault and Robbery against certain individuals named in this Petition, whom he accuses of having forcibly taken away certain documents with the view of defeating his claims upon them. Petitioner details at length the various steps which he has taken to obtain redress, which having proved unsuccessful, he now appeals to the Court of Fongdaree Volalut.

The Court of Fongdaree Volalut observe that they are precluded from interfering in the manner solicited by

by the Petitioner, who should in the first instance have gone to "Podelaty" as directed by the Magistrate, and if dissatisfied with the result of the enquiry held by the Head of Police of that Taluk, he could have appealed again to the Magistrate, from the Magistrate to the Sessions Judge, and finally, if still dissatisfied, to this Court.

3 This course the Petitioner is recommended now to pursue by applying again to the Magistrate for redress in person, from whose Order, if dissatisfied he can appeal to the Sessions Judge, and eventually to the Court of Zoujdaree Udalut.

Ordered that Extracts from these Proceedings be given to the Petitioner on his application.

Read Miscellaneous Petition presented on the 4th September 1848 by Calastry Ramasamy of Villah (Petitioner

(Here enter T.C. M.C. No 237 of 1848)

1 The Petitioner formerly a Paid Peons at Chittoor who has recently undergone

undergone a sentence of six months Imprisonment on a charge of adultery prays the Court of Zoujdaree Udalut to pass an order declaring that no bar exists to his re-employment in the public Service.

2 Under all the circumstances of the case to which the Petitioner refers, the Court of Zoujdaree Udalut see no objection to the re-employment of the Petitioner in the public service in any suitable situation in which a vacancy may occur.

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

Read Miscellaneous Petition presented on the 18th September 1848 by V. Varadanmah of Villah Cuddapah

(Here enter T.C. M.C. No 232 of 1848)

1 The Petitioner renews the application contained in his former Petition for the release of his brother the 2nd Prisoner in Case No 14 of 1848 on the file of the Sessions Court of Cuddapah.

The

9th October 9th October 1848.

2. The Petitioner as prayed the orders contained in the proceedings of the Pongalarce Udalut under date the 1st July 1848 which are declared final.

Ordered that Extract of these Proceedings be given to the Petitioner on his application.

Read a Miscellaneous Petition presented on the 18th September 1848 by Chinniah Sastrien of Villah Chingleput.

(Here enter F. No. M. P. No 253 of 1848)

1. Petitioner reiterates the prayer contained in his Petitions Nos 68 and 154 of 1848, which were disposed of by the Court of Pongalarce Udalut in their Proceedings under date 20th March and 29th May last.

2. To these Proceedings the Petitioner is now referred and informed that no other orders can be passed in the matter of his complaint.

Ordered that Extract of these Proceedings be given to the Petitioner on his application.

Read

F. No.
9th October 1848

Read a Miscellaneous Petition presented on the 4th September 1848 by Sowmy Moodely and another of Villah Chittoor.

(Here enter F. No. M. P. No 235 of 1848)

1. Petitioners pray to be furnished with an attested copy of the decision of the Court of Pongalarce Udalut passed on the 20th December 1847 in Case No 44 of the Chittoor Calendar for 1847 also with copy of the Courts order passed in the same month on the Petition presented by them regarding that decision, together with copies of the other papers connected with the same case.

2. The Court of Pongalarce Udalut observe that no order or decision was passed by them on Case No 44 of the Chittoor Calendar on the date specified by the Petitioners, and unless the Petitioners furnish further particulars in regard to the papers which they require (such as the number dates &c.) the Court of Pongalarce Udalut are unable to take into

into their consideration the propriety of granting their request.

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

Read the following letter under date the 27th Ultimo from the Agent to the Governor in the District of Kurnool.

(Here enter No. 2175 of 1848.)

Case No. 314 of 1848 /
Kurnool Agents File.

In the foregoing letter the Agent submits a summary of the evidence taken in his Court against a prisoner named Gureeb Shaw who was charged with "uttering Counterfeit Coin," and convicting him, he recommends that a sentence of (7) seven years' imprisonment be awarded.

2. The Court of Fouzdaree Adalut concur with the Agent, in the conviction of the Prisoner and they resolve under the provisions of Clause first Section VI Regulation II of 1822 and Section XXXIV. Act VII of 1843 to confirm the Sentence proposed to be passed upon him, of imprisonment with hard labor in irons for and during

during the period of (7) seven years.

Ordered that Extract from these Proceedings be forwarded to the Agent to the Governor of Fort Saint George at Kurnool for his information.

/Sent in No. 1067/

Read Letter dated 30th September 1848 from the Sessions Judge of Trichinopoly, submitting for the final judgment of the Court of Fouzdaree Adalut the Record of Case No. 13 of 1848 of the Sessions Court of Trichinopoly.

(Here enter P.C. No. 2213 of 1848.)

1. The Court of Fouzdaree Adalut observe that in the Memorandum attached to the Police Proceedings held on the above case, the Sessions Judge states that under Circular Order of the Fouzdaree Adalut dated 19th January 1825, he has omitted to forward the whole of the Proceedings taken by the Principal Sudder Ameen as that Officer "held no enquiry in addition to that "made by the Police; the only point upon "which they were examined by him being whether

whether their former depositions were correct.

2. The Court of Fouzdaree Udalut observe that in a case of this important nature, involving life or death, it was the duty of the Sessions Judge to submit for the consideration of the Higher Court the whole of the proceedings of the Criminal Court, more especially as he examined two witnesses, the 12th and 13th, to prove the Prisoners deposition before that Court, and in not doing so, the Court of Fouzdaree Udalut are of opinion that the Sessions Judge has not exercised a sound discretion.

3. The Court now resolve to direct the Sessions Judge to forward the omitted Documents with the least possible delay.

Ordered that Extracts from these Proceedings be forwarded to the Sessions Judge of Trichinopoly by precept returnable within III days from and after its receipt.

(Sents following precept. No. 1068.)

Read

F. Vo
9th October 1848.

Read again Miscellaneous Petition presented on the 31st July 1848 by Venkatasawmy Naiken of Ellah Salem.

(Here enter F. Vo. No. Dot. 219 of 1848.)

Read also Return dated 25th September 1848 made by the Sessions Judge of Salem to the Precept of the Fouzdaree Udalut dated 11th September 1848 requiring information in regard to the employment of the above Petitioner.

(Here enter F. Vo. No. 2140 of 1848.)

Under the explanation afforded by the Subordinate Judge, the Court of Fouzdaree Udalut are satisfied that no necessity exists for their interference on behalf of the Petitioner, whose prayer they accordingly resolved to reject.

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

(Sents in No. 1069.)

Ordered also that Extracts from these Proceedings be granted to the Petitioner as in his application.

Read

9th October 1848.

Read again. Miscellaneous
Petition of Lachy. Hugee forwarded by
the Sessions Judge of Trichinopoly, under
date on the 7th August 1848.
(Here enter S.C. M.S. No. 221 of 1848)

Read also Returns dated 30th
September 1848 made by the Sessions Judge
of Trichinopoly to the Precept of the
Tongdarce Udalut dated 18th September 1848
forwarding an English translation of the
above Petition and directing the Session
Judge to examine the Village Moonsiff
with regard to the search made in the
house of the 2nd Prisoner in Case No. 2.
of 1848 on the Trichinopoly Calendar, and
to the property therein found, reporting
the result for the information of the
Tongdarce Udalut.

(Here enter P.C. No. 219 of 1848.

The Sessions Judge in his
Return observed, the Village Moonsiff having
been sent for and examined, deposed "that
"no delay occurred in searching the 2nd
"Prisoner's house, but that the search
was

9th October 1848.

"was made within ten minutes after the
"Police Peon arrived with the Warrant;
"that he and others were present at the
"search; that the house was not searched
"a second time; that a Jewel was found
"concealed in a Pot in the Prisoner's house;
"and that he (the Village Moonsiff) has no
"knowledge that 2nd Prisoner's mother was
"abused and beaten by Dutchnamoorthy and
"Nunny."

Under the above circumstances
2.
the Court of Tongdarce Udalut, being
perfectly satisfied of the Prisoner's guilt
and of the propriety of the sentence passed
upon him, resolve to reject this Petitioners
prayer for his release.

Ordered that Extract from
these Proceedings be forwarded to the
Session Judge of Trichinopoly for his
information and for communication to
the Petitioner.

(Sent in Ats. 1070)

End 7th.

D. No

Tuesday
10th October 1848 } Special Court of the Dayidaree Malabar.

Present.

Hon'ble G. S. Hoosper Esqr. 1st Puisne Judge.
G. D. Thompson Esqr. 2nd Puisne Judge.
W. A. Morehead Esqr. 3rd Puisne Judge.

Read Calendar of Case
No. 39 of 1848 of the Sessions Court of
Mangalore.
(Here enter D. No. 2106 of 1848.)
The Prisoner in this case
Chinda
was charged with "House breaking and
Theft by night."

2. The Sessions Judge, in concurrence with the Jurors of the Law Officer, convicted the Prisoner of the crime charged, but being of opinion that the prescribed punishment would, in this instance, be too severe, the Sessions Judge recommended that a mitigated Sentence of 4 Years imprisonment with hard labour in irons be passed upon the Prisoner.

3. On the grounds recorded by

by the Sessions Judge the Court of Tongdarree Oldalut approves his recommendation for a mitigation of the Prisoners Sentence, and authorizes him to issue his Warrant accordingly.

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

/Sent in a/c No. 1071/

Reads Calendar of Cases

No 22 of 1848 of the Sessions Court of Chinglepet.

/Here enter F/Co a/c No. 2180 of 1848./

1. In this case two Prisoners were charged with "House breaking and Theft."

2. The Sessions Judge, in concurrence with the Futwa of the Law Officer, convicted the Prisoners of the crime charged and sentenced them to 7 Years imprisonment with hard labor in irons.

3. The above punishment being

in the opinion of the Sessions Judge too severe, he now recommends that the Sentence recorded against the 1st Prisoner be mitigated to 4 Years imprisonment and that of the 2nd Prisoner to three years imprisonment both with hard labor in irons.

4. The Court of Tongdarree Oldalut approve the mitigation recommended by the Sessions Judge, and authorize him to issue the Warrant accordingly.

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

/Sent in a/c No. 1072/

Reads Calendar of Cases

No 48 of 1848 of the Sessions Court of Combaconum.

/Here enter F/Co a/c No. 2183 of 1848./

In this cases the Prisoner "Nectarien" was charged with "Forgery" and, on conviction, was sentenced to

10th October 1848.

to four years imprisonment with hard labour on irons.

2.

The Court of Pongolaree Udalute seeing reason to question the propriety of the Prisoner's conviction deem it proper to direct that the translation of the entire record of the case be submitted for their consideration with the least possible delay.

Ordered, that Extracts from these Proceedings be forwarded to the Sessions Judge of Combaconum, by first Precept returnable within XXX days from and after its receipt.

(Sent following precept No. 1078)

Read a letter under date the 28th Ultimo from the Acting Magistrate of North Arcot.

(Here enter P No. 2173 of 1848)

1.

With the foregoing communication the Acting Magistrate submits copies of a correspondence with the Subordinate Judge of Chittoor together with other papers having reference to certain of the sixty convicts recently placed under the Assistant Magistrate

P No.

10th October 1848.

Magistrate at Vellore whom the Acting Magistrate has requested the Subordinate Judge to recall to Chittoor and to send others to Vellore in their stead on the ground that they have all on former occasions escaped from Jail and that several of the number were implicated in the outbreaks at Chittoor on the 15th May 1847.

With this request the Subordinate Judge has refused to comply and the Acting Magistrate has accordingly reported the circumstances for the orders of the Court of Pongolaree Udalute.

The Court of Pongolaree

3.

Udalute consider that the Subordinate Judge acted very injudiciously in detaching Convicts of the characters borne by those referred to by the Acting Magistrate to a distance from the Cellah Jail, and they deem it proper to direct the attention of the Subordinate Judge to the rule laid down in their Circular Order No. 134 in which Officers in

in charge of Jails are directed "to adopt measures for specially securing at night all convicts who may have once broken Jail, or who may otherwise have effected their escape from legal custody".

It is obvious that these instructions cannot be adhered to except in the Cellah Jail.

The Court of Fouzdaree Udalut accordingly resolve to direct the immediate recall of the thirteen convicts referred to, and the transfer to Vellore of thirteen others in their stead to whose detachment to a distance from the Cellah Jail no objection may appear to exist.

Ordered that Extract from these Proceedings be forwarded to the Subordinate Judge of Chittoor for his information and guidance; by precept returnable within five days from and after its receipt.

(Sent following precept No. 1074)

Ordered also that Extract from these Proceedings be forwarded to the

the Acting Magistrate of North Arcot for his information.

(Sent in C. No. 1075)

Read again Extract from the Minutes of Consultation in the Judicial Department under date the 5th September 1848 No. 598 communicating the orders of Government on the reports submitted by the Fouzdaree Udalut relative to the expediency of mitigating or remitting certain of the sentences passed on the parties convicted of having taken part in the disturbances in the District of Cuddapah under the leadership of Narsimma Reddy.

(Here enter F. U. No. 1977 of 1848)

Read also Return dated the 25th Ultimo from the Sessions Judge of Cuddapah to the Precept of the Court of Fouzdaree Udalut under date the 18th September 1848, communicating their orders relative to the disposal of certain of the prisoners concerned in the disturbances in the District of Cuddapah, under Narsimma Reddy.

(Here enter F. U. No. 2141 of 1848)

The

10th October 1848.

Case No. 3.

1. The Prisoners

2nd. Jumbo Bhoyer

and

11th. Nurre Nurrengadoo

being in confinement in the Zillah Jail of Chingleput. the Sessions Judge will be pleased, immediately upon the receipt of these orders, to forward them, under a suitable guard, to the Sessions Judge of Cuddapah.-

Case No. 5.

2. The Prisoner

2nd. Madar Saheb

who is in confinement in the Jail at Trichinopoly, will immediately be forwarded by the Sessions Judge of that Zillah to the Sessions Judge of Cuddapah.-

Case No. 13

3. The Subordinate Criminal Judge of Rajahmundry in whose Jail the Prisoners

1st. Pootlah Venkatah

5th. Pochas Venkatareddy

and

6th. Pullay Venkatargoo

are at present confined, will immediately forward them, under a proper guard, to the

To

10th October 1848.

Case No. 14.

the Sessions Judge of Cuddapah.-

4. The Subordinate Criminal Judge of Madura in whose Jail the Prisoner

11th. Alla Moorgadoo

is confined, will immediately forward him to the Sessions Judge of Cuddapah.-

Ordered that Extract from these Proceedings (para 1) be sent to the Sessions Judge of Chingleput by precept returnable within forty-eight hours from and after its receipt.-

(Sent following precept No. 1076)

Ordered also that Extract from these Proceedings (para 2) be sent to the Sessions Judge of Trichinopoly by precept returnable within forty-eight hours from and after its receipt.-

(Sent following precept No. 1077)

Ordered also that Extract from these Proceedings (para 3) be sent to the Subordinate Criminal Judge of Rajahmundry by Precept returnable within forty eight hours from and after its receipt.-

(Sent following precept No. 1078)

Ordered

Ordered also that Extract from these Proceedings (paras 4) be sent to the Subordinate Criminal Judge of Madura by Precept returnable within forty-eight hours from and after its receipt (Sent following precept. No. 1079)

Ordered also that Extract from these Proceedings be sent to the Sessions Judge of Cuddapah for his information. (Sent in No. 1080)

Read return dated the 14th Ultimo from the Sessions Judge of Tellicherry, to the Precept of the Court of Tonjadore Udalut under date the 19th August 1848 conveying their instructions for the investigation of certain charges against Hemayet Ally Khan the Mahummudan Law Officer of the Sessions Court.

(Here enter P. No. 2090 of 1848)

1. Adverting to paragraph 4 of the Return above recorded, the Court of Tonjadore Udalut observe that the Sessions Judge will not quite right in refusing to receive Petitions drawn up in a language which

which the Law Officer does not understand.

2. But in regard to the suggestion of the Sessions Judge that he should be at liberty to direct the Law Officer to dictate or write his defence at his leisure from the Original Depositions in open Court. the Court of Tonjadore Udalut see no objection to the Defendant being furnished with copies of the Depositions, and they are of opinion that he should be allowed a fair and reasonable time for preparing and filing his defence.

3. In regard to the Petition put in by Hemayet Ally Khan the Court are not prepared to admit that the statements it contains, amount, as suggested by the Sessions Judge, to a contempt of Court. The production is doubtless an injudicious one, not calculated in any way to benefit the party from whom it professes to emanate: but the Court think that in the present stage of the proceedings, it would be expedient to show towards a party in the position of the Defendant, every forbearance not absolutely

10th October 1848

absolutely incompatible with the authority and dignity of the Court and the Foujdaree Adalut are satisfied that the Petition in question is of such a nature as may be passed over unnoticed without a compromise of that dignity.

4. The Court trust that the investigation will be brought to a close and the result reported to them, with the least possible delay.

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

Sent in a/c 1081.

F No.

Saturday 14th October 1848

At a Court of the Foujdaree Adalut

Present

The Hon'ble G S Hooper Esqr — 1st Puisne Judge

C P Thompson Esqr — 2d Puisne Judge

W A Morehead Esqr — 3d Puisne Judge

Read Calendar of Case No 14 of 1848 on the file of the Sessions Court of Tellicherry

(Here enter FC No 2212 of 1848)

Eleven Prisoners in this case were charged with robbery by open violence.

1

The Seventh prisoner with having received a portion of the plundered property knowing the manner in which it had been obtained.

2

The Sessions Judge in concurrence with the Law officer

3

that

had convicted the 1st 2nd 4th 5th 6th 11th and 12th prisoners of the offences laid to their charge and had sentenced them respectively to 14 years' Imprisonment with hard labor in irons with a recommendation that in consideration of the robbery having been unattended with aggravating circumstances the prescribed period of Imprisonment be reduced to eight years.-

5 The remaining prisoners with the exception of the 8th who has been sentenced by the Principal Sudder Ameen to six Months' Imprisonment for "Escaping from Custody" have been unconditionally released.-

5 Before finally disposing of this case the Court of Foujdaree Adalut resolve to direct that an English translation of the Prosecutor's first complaint, of the first Report

Report sent to the Police authorities, and of the deposition given by the 1st Prisoner before the Principal Sudder ameen may be submitted for their consideration together with an explanation of the circumstances which led to the prisoners being suspected, and a statement of the value of the property discovered, the list of the stolen property given by the Prosecutor on the 9th July, the date upon which the charge was preferred.-

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

(Sent following precept No 1087)

Read Criminal Reports submitted by the Sessions Judge of Nellore for

the

the Month of August 1848

/Book Entry Pkg No 2062 of 1848./

Read also Return under date the 3d October 1848 from the Sessions Judge of Vellore to the precept of the Fouzdaree Adalut dated the 25th September 1848 enclosing their orders on the foregoing Criminal Reports.-

/Record Entry Pkg No 2210 of 1848./

On perusing the detailed reports of the proceedings held on case No 99 submitted with the foregoing return the Court of Fouzdaree Adalut observe that the Prisoner was charged with having given "a false and malicious Kyfiyat" but it does appear that the Prisoner appeared before the Police officer as a prosecutor or the reasons upon which the said Kyfiyat was given.

2 The Court of Fouzdaree Adalut are therefore under the impression that the false state-

"ment

statement made by the prisoner cannot be held to constitute the offence provided for by Regulation IX of 1832, and they accordingly resolve to direct the Sessions Judge to review the proceedings and pass such orders as he may deem proper, reporting the same for the information of the Fouzdaree Adalut.

Ordered that Extracts from these Proceedings be sent to the Sessions Judge of Vellore for his information and guidance by Precept returnable within ten days from and after its receipt.-

/Sent following precept No 1088/ S

Cert'd

Monday,
15th October, 1848.

F. 66

At a Court of the Toojdaree Adalut.

Present.

G. J. Hooper Esqr. ——— 1st Puisne Judge,
C. L. Thompson Esqr. ——— 2nd Puisne Judge,
W. A. Morehead Esqr. ——— 3rd Puisne Judge,

Read a letter under date the 30th August 1848 from the Collector of Guntoor.-

/Here enter F. No. 1355 of 1848./

Read also Miscellaneous Petition presented on the 18th September 1848 by Tappiah Vakeel on behalf of Rajah Vaseereddy Latchmeepaty Naidoo Bahadur of Zillah Guntoor.-

/Here enter Fr. P. No. 243 of 1848/

In the above communication the Collector reports that it is his intention to put up to public auction certain property in dispute between certain members

8

of the Vasereddy family and others which has for some years been placed under the charge of the Collector of Gantoor, and for the sale of which authority was granted by the Court of Sudder Adalut in their Proceedings of the 20th January 1846 and subsequently by in their proceedings of the 17th September and 8th October 1846.

2 To this sale the Petitioner objects alleging that it ought be attended with considerable loss and requests that the Magistrate may be directed to retain the property in deposit.

3 The Court of Foujdaree Adalut observe that the sale of the property under notice was ordered under the impression that it would be for the benefit of the Estate, but as the parties contend that it will be attended with loss, the Court of Foujdaree Adalut resolve to direct that the property be retained under charge of the Magistrate

Magistrate until further orders.

Ordered that Extract from these Proceedings be sent to the Magistrate of Guntoor for his information and Guidance.

(Sent pie Sr. 1092)

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

Read again Miscellaneous Petition presented on the 7th August 1848 by Ramabadra Chary of Gillah Chittoor

(Ref. Letter Flo M. P. No 224 of 1848)

Read also Return dated 18th September 1848 and Supplemental Return dated 5th October 1848 made by the Sessions Judge of Chittoor to the Precept of the Foujdaree Adalut dated 4th September 1848 directing an Enquiry to be made with respect to the Statements made by the above Petitioner regarding an alleged Robbery

(Ref. Letter Flo Nos 2101 & 2205 of 1848)

Vide

16th October 1848.

With the information now before them, the Court of Fouzdaree Adalut being satisfied that the orders complained against are correct and proper, decline to interfere in the manner solicited by the Petitioner, whose prayer it is accordingly resolved to reject.-

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

[Sent in No 1093.]

Ordered also that Extract from these Proceedings be given to the Petitioner on his application.-

Ramalendra Chetty of Chittoor, moved the Court to return the enclosures in this Miscellaneous Petition No 224 of 1848.-

Ordered accordingly.- 5

Tuesday,
17th October 1848.

F. C.

At a Court of the Fouzdaree Adalut.

Present

G. L. Cooper Esqr. _____ 1st Puisne Judge
E. P. Thompson Esqr. _____ 2nd Puisne Judge
W. A. Morehead Esqr. _____ 3rd Puisne Judge.

Read Letter dated 30th September 1848 from the Sessions Judge of Chittoor.

[Date entered F. C. No 2223 of 1848.]

With the above communication the Sessions Judge submits for the consideration of the Judges of the Fouzdaree Adalut copies of a correspondence, which has passed between himself and the Additional Joint Magistrate of Candra, connected with the conduct of one "Seshaya" a Vakeel in the Court of the District Moonsif of Siroy.

2 This correspondence, it appears, originated with the Joint Magistrate, who, in a Letter under date 26th June last drew the attention of the Sessions Judge to what he deemed an objectionable practice, which prevailed in the Moonsifs

Moonshi's Courts of allowing Vakeels and others to note in red Ink, on their own responsibility, erasures, and interpolations in Documents produced in Civil Suits.

3. The evils as likely to arise from this practice the Joint Magistrate proceeded to illustrate by citing the example of the Vakeel Soobiya, whom that officer had suspended from practice, and directed to find two securities for his good conduct for one year in the sum of Rupees 500 each, or in default to be confined for that period, on the grounds that he had aided one Sinnumma Bhut (who was also directed to find security) in making a fraudulent alteration in a Receipt, on the occasion of its being produced by the said Sinnumma Bhut before the Tahsildar of Soondah, during an enquiry into a Revenue matter.

4. The Vakeel, however, deeming himself aggrieved by the Joint Magistrate's Order appealed to the Sessions Judge, who, on review of the proceedings held in the case, was of opinion that there was no proof whatever of the Vakeel "Soobiaya" having aided Sinnumma Bhut in making the supposed fraudulent alteration.

He accordingly cancelled the Joint Magistrate's Order, and directed the Vakeel's return to his situation as a Reader.

5. The Joint Magistrate objects to the Order of the Sessions Judge directing the return of the Vakeel to his situation as a Reader, and has requested that the whole correspondence in the above matter may be submitted for the consideration of the Judges of the Foujdaree Adalut.

6. The Court of Foujdaree Adalut are of opinion that the Order of the Sessions Judge cancelling the Joint Magistrate's requisition for security, and directing the return of the Vakeel to his situation of Reader, was correct and proper.

7. It is obvious to the Court, on perusal of this correspondence, that the view taken by the Joint Magistrate of the Vakeel's guilt was founded entirely upon a misconception of the intention of the instructions directing that all erasures or Deeds &c. should be noted in red ink. Such practice having been adopted merely with the view of shewing the existence of such erasures at the time the Deed is produced, and of preventing

17th October 1848

presenting it being made a matter of allegation that they were effected after that Deed had been filed of record, beyond this no value can be attached to such marks.

It further appeared to the Court of Foujdaree Adalut that the Joint Magistrate's requisition for security was irregular, and they direct that that officer be called upon to explain under what Regulation he acted in demanding the same from the Takeit "Soobrayah" and also from the individual named "Timmunna Bhut".

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Honore for his information and for communication to the Joint Magistrate by Dispatch returnable within V. days from and after its receipt.

(Sent following) Dispatch No. 1097

End W.

Wednesday,
18th October, 1848.

JSH
PRS
WAM

F. No

At a Court of the Foujdaree Adalut

Present

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

Read Letter dated the 30th Ultimo from the Sessions Judge of Madura submitting for the final Judgment of the Foujdaree Adalut the Record of Case No. 47 of 1848 of the Calendar of the Sessions Court.

(Herewith File No. 2195 of 1848)

Mr. G. S. Hooper.
and
Mr. C. 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 Prisoner, "Chellen."

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 months.

(Sent following Letter No. 1098)

Read

Read Calendar of Case No. 16 of 1848
submitted by the Sessions Judge of Vizagapatam under
date the 26th Ultimo.

/ Here enter F. No. 2146 of 1848 /

Read return dated the 25th Ultimo
from the Sessions Judge of Coimbatore to the precept
of the Foujdaree Udalut under date the 19th idem
directing the unconditional release of the 1st Prisoner
in commit. Case No. 25 of 1848, and the demand of security
from the 2nd Prisoner for the period of 2 years in two
sureties in 20 Rupees each.

/ Here enter F. No. 2153 of 1848 /

Read Calendars of Cases Nos. 27, 28, 29
30, 31 and 32 of 1848 submitted by the Sessions Judge
of Rajahmundry under date the 20th Ultimo.

/ Here enter F. No. 2155, 2156, 2157, 2158, 2159 and 2160 of 1848 /

Read Calendar of Case No. 34 of 1848
submitted by the Sessions Judge of Nellore under
date the 27th Ultimo.

/ Here enter F. No. 2161 of 1848 /

Read Calendars of Cases Nos. 17, 18
and 23 of 1848 submitted by the Sessions Judge of
Bellary under date the 25th Ultimo.

/ Here enter F. No. 2162, 2163 and 2164 of 1848 /

Read Calendar of Case No. 11 of 1848
submitted by the Sessions Judge of Masulipatam
under date the 21st Ultimo.

/ Here enter F. No. 2167 of 1848 /

Read Letter dated the 27th Ultimo
from the Sessions Judge of Rajahmundry, reporting
the quantum of the Prisoner in Case No. 24 of
1848 on the Calendar of the Sessions Court.

/ Here enter F. No. 2172 of 1848 /

Read Calendars of Cases Nos. 37
and 38 of 1848 submitted by the Sessions Judge of
Madura under dates the 28th and 30th Ultimo.

/ Here enter F. No. 2181 and 2182 of 1848 /

Read return dated the 30th Ultimo
from the Sessions Judge of Combaconum to the
precept of the Foujdaree Udalut under date the 20th
idem, reducing the sentence of the Prisoner in
Case No. 37 of 1848 to five years and directing to issue
a warrant accordingly.

/ Here enter F. No. 2186 of 1848 /

Read return dated the 25th Ultimo
from the Sessions Judge of Tellicherry to the precept
of the Foujdaree Udalut under date the 18th idem
directing that the specific grounds on which the

trial

trial in Case N° 14 of 1848 on the Calendar of the Sessions Court was referred for the final Judgment of the Toujdaree Udalut may be distinctly given.

(Here enter P.C. N° 2191 of 1848.)

Read return dated the 29th Ultimo from the Sessions Judge of Guntoor to the precept of the Toujdaree Udalut under date the 25th idem conveying their observations and orders on the Criminal Reports for the month of August last.

(Here enter P.C. N° 2187 of 1848.)

Read report dated the 2nd Instant from the Sessions Judge of Salem of Cases pending on the 30th September 1848 before that Court for a period in excess of 25 days.

(Here enter P.C. N° 2200 of 1848.)

Read return dated the 30th Ultimo from the Sessions Judge of Masulipatam to the precept of the Toujdaree Udalut under date the 26th idem directing the unconditional Release of the Prisoners in Cases N°s 7 and 9 of 1848 on the Sessions Court's file

(Here enter P.C. N° 2202 of 1848.)

Ent'd P.C.

+

Thursday, 19th October 1848.

P.C.

At a Court of the Toujdaree Udalut.

Present.

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

Read again letter dated the 30th Ultimo from the Sessions Judge of Trichinopoly submitting for the final Judgment of the Toujdaree Udalut the Record of Case N°73 of 1848 of the Calendar of the Sessions Court.

(Here enter P.C. N° 2213 of 1848.)

Read also return dated 13th Instant from the Sessions Judge of Trichinopoly to the precept of the Toujdaree Udalut under date the 9th idem observing that the Sessions Judge had omitted to forward the whole of the proceedings taken by the Principal Sudder Ameen in Case N°73 of 1848, and directing him to forward the omitted document with the least possible delay.

(Here enter P.C. N° 2279 of 1848.)

The Court of Toujdaree Udalut

on

Mr. G. L. Hooper.
and
Mr. E. P. Thompson.

18th October 1848.

trial in Case N° 14 of 1848 on the Calendar of the Session Court was referred for the final Judgment of the Foujdaree Adalut may be distinctly given.

/Here enter F.Cs. N° 2191 of 1848/

Read return dated the 29th Ultimo from the Session Judge of Guntoor to the precept of the Foujdaree Adalut under date the 25th idem conveying their observations and orders on the Criminal Reports for the month of August last.

/Here enter F.Cs. N° 2187 of 1848/

Read report dated the 2nd Instant from the Sessions Judge of Salem of Cases pending on the 30th September 1848 before that Court for a period in excess of 25 days

/Here enter F.Cs. N° 2200 of 1848/

Read return dated the 30th Ultimo from the Sessions Judge of Masulipatam to the precept of the Foujdaree Adalut under date the 26th idem directing the uncancelled Bonds of the Prisoners in Cases N°s 7 and 9 of 1848 on the Session Calendar of the

/Here enter F.Cs. N° 2202 of 1848/

Ent'd 18th

L/S

Thursday, 19th October 1848

F.C.

At a Court of the Foujdaree Adalut.

Present

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

Read again letter dated the 30th Ultimo from the Sessions Judge of Trichinopoly submitting for the final Judgment of the Foujdaree Adalut the Record of Case N°73 of 1848 of the Calendar of the Session Court.

/Here enter F.Cs. N° 2213 of 1848/

Read also return dated 13th Instant from the Sessions Judge of Trichinopoly to the precept of the Foujdaree Adalut under date the 9th idem observing that the Sessions Judge has omitted to forward the whole of the proceedings taken by the Principal Sudder Ameen in Case N°73 of 1848, and directing him to forward the omitted document with the least possible delay.

/Here enter F.Cs. N° 2279 of 1848/

The Court of Foujdaree Adalut

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

on

on a deliberate consideration of all the circumstances
of the case in evidence before them being of opinion
that the proof against the prisoner,
"Pulla Palanyandy"
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
times and place of execution.

(Sent following Letter No

The Court of Zoujdaree Adalut beg to
that they have been unable to discover any extenuating
circumstances in this case, which would justify them
in exempting the Prisoner from the extreme penalty
of the law: it has therefore been their painful duty
to sentence him to suffer death.

2.

The Court desire that the Principal
Sudder Ameen may be informed, that in future, when
a Prisoner admits the charge, he must not be satisfied
with merely recording that the Prisoner acknowledges
his Saloak statement, but must take down whatever
he may desire to state in detail.

Ordered that Extract from these
proceedings be forwarded to the Sessions Judges of
Trichinopoly

Trichinopoly by Precept returnable in 3 days from
and after its receipt.

(Sent following Precept No 1099

Read report dated the 2nd Instant
from the Sessions Judge of Masulipatam, of Cases
pending on the 1st August, and committed for trial
during the months of September 1848.

(Reference F. No. 2203 of 1848)

Read Calendars of Cases Nos 2 and
27 of 1848 submitted by the Sessions Judge of Chittoor
under dates the 26th August and 4th September 1848.

(Reference F. No. 2206 and 2207 of 1848)

Read report dated the 2nd Instant
from the Sessions Judge of Bellary of Cases pending
on the 31st August 1848 before that Court for longer than
25 days.

(Reference F. No. 2208 of 1848)

Read return dated the 2d Instant
from the Sessions Judge of Masulipatam to the precept
of the Zoujdaree Adalut under date the 26th Ultimo
communicating their remarks upon the Criminal
Reports for the month of August 1848.

(Reference F. No. 2218 of 1848)

Read report dated the 3d Instant
from

from the Sessions Judge of Mangalore of Cases pending on the 31st August and committed for trial in the month of September 1848.

/Vera enter F.Dc. No. 2219 of 1848/

Read Letter dated the 5th Instant from the Sessions Judge of Coimbatore submitting with reference to a Memorandum appended by the Principal Sudder Ameen to his Criminal Report of Cases No. 186 of 1848, certified copies of a Precept and Extract from the Proceedings of the Sessions Court issued to the Magistrate of Coimbatore as well as of the Return made by that Officer and translation of an Inkeid which accompanied the above Return.

/Vera enter F.Dc. No. 2222 of 1848/

Read Calendar of Cases No. 72 of 1848 submitted by the Sessions Judge of Masulipatam under date the 2nd Instant.

/Vera enter F.Dc. No. 2225 of 1848/

Read Criminal Reports for the months of August and September 1848 submitted by the Agent to the Governor of Fort Saint George at Rajamundry under date the 3rd Instant.

/Vera enter F.Dc. No. 2227 of 1848/

F.Dc.

19th October 1848.

Read Calendar of Cases No. XXXI of 1848 submitted by the Sessions Judge of Calicut under date the 5th Instant.

/Vera enter F.Dc. No. 2235 of 1848/

Read Calendar of Cases No. 54 of 1848 submitted by the Sessions Judge of Cuddapah under date the 10th Instant.

/Vera enter F.Dc. No. 2242 of 1848/

Read return dated the 10th Instant from the Sessions Judge of Combaconum to the precept of the Foujdaree Adalut under date the 2d idem directing that the period of imprisonment awarded to the Prisoners in Cases No. 28. 29. 30. 31. 32 and 33 of 1848 be reduced to one year, and that warrants be issued accordingly.

/Vera enter F.Dc. No. 2245 of 1848/

Read return dated the 10th Instant from the Sessions Judge of Combaconum to the precept of the Foujdaree Adalut under date the 2d idem directing that the period of imprisonment awarded to the Prisoners in Cases No. 38 39 and 40 of 1848 be reduced to one year, and that fresh warrants be issued accordingly.

/Vera enter F.Dc. No. 2246 of 1848/

Read

14th October 1848.

Read return dated the 9th Instant
from the Sessions Judge of Chittoor to the precept of
the Tanjore Adalut under date the 2nd idem re-
turning the Criminal Reports for the months
of August 1848 in order that the manner of the Books
&c might be entered.

(Date entered Fo. No 2249 of 1848)

Read return dated the 9th Instant
from the Sessions Judge of Cuddapah to the precept
of the Tanjore Adalut under date the 2nd idem
conveying their observations and orders on the
Criminal Reports for the month of August last

End Ltr.

(Date entered Fo. No 2252 of 1848)

F.U.C.

Friday
20th October, 1848.

At a Court of the Foujdaree Udalut

Present:

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

Read Calendar of Case
No. 15 of 1848 on the file of the Sessions
Court of Honore.—

(Here Enter F.U.C. No. 2224 of 1848)

1. In this case four prisoners were charged with Forgery of whom the 1st and 3d have been sentenced respectively to four years Imprisonment with hard labor in irons; the 2d and 4th being placed under requisitions of security.—

2. The Court of Foujdaree Udalut consider the evidence insufficient to justify the requisition of security from the 2d prisoner whom they accordingly direct to be unconditionally released.—

3. The Court of Foujdaree Udalut

Udalut desire that the additional Joint Magistrate may be required to explain under the provisions of what Regulation he considered himself justified in ordering the incarceration of the 4th prisoner for one month for having given improper answers to questions put to him.

Ordered, that Extract from these Proceedings be forwarded to the Session Judge of Honore for his information and guidance by precept returnable within X days from and after its receipt.

/Sent following precpt. No. 1104/-

Read Calendar of Case No. 7 of 1848 on the file of the Session Court of Calicut.-

/Here Enter Fle. No. 2233 of 1848/-

1. The prisoner in this case was charged with having stolen from the person of the prosecutor, an English Sovereign valued at 11¼ Rupees; and on conviction and in consideration of his being an incorrigible thief has been sentenced by the Session Judge to seven years Imprisonment with hard labor

labor in irons in banishment in any other District to which he may be removed by order of the Foujdaree Udalut.-

The Court of Foujdaree

2. Udalut approve of the sentence to which the prisoner has been adjudged and direct that he be transferred to the Zillah Jail of Mangalore to undergo the sentence awarded to him.-

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

/Sent in No. 1105/-

Ordered also, that Extract from these Proceedings be forwarded to the Subordinate Judge of Mangalore for his information.-

/Sent in No. 1106/-

Read Report dated the 2d Instant from the Session Judge of Honore of Cases pending before him for a period exceeding 25 days during the month of September 1848.-

/Here Enter Fle. No. 2231 of 1848/-

Read

20th October, 1848.

Read letter dated the 13th Instant from the Session Judge of Gantoor forwarding Criminal Reports for the month of September 1848

/Here enter F.llo. No. 2262 of 1848/

Read Criminal Reports for the month of September 1848 submitted by the Principal Sudder Ameen in charge of the Session Court of Tinnevelly under date the 1st Instant.

/Here enter F.llo. No. 2265 of 1848/

Read Calendars of Cases Nos. 42, 43 and 44 of 1848 submitted by the Session Judge of Combaconum under date the 14th Instant.

/Here Enter F.llo. Nos. 2268, 2269 & 2270 of 1848/

Read Calendars of Cases Nos. 24 and 25 of 1848 submitted by the Session Judge of Bellary under dates the 12th and 13th Instant.

/Here Enter F.llo. Nos. 2272 and 2273 of 1848/

Read Criminal Report for the month of September 1848 submitted by the Subordinate Judge of Madura under date the 10th Instant.

/Here Enter F.llo. No. 2277 of 1848/

End F.llo.

F.llo.

Saturday, 21st October, 1848.

At a Court of the Foujdaree Adalut

Present

G. S. Hooper, Esquire - 1st Puisne Judge -

E. P. Thompson, Esquire - 2nd Puisne Judge -

W. A. Morehead, Esquire - 3rd Puisne Judge -

The Record of Case No. 10 of 1848 on the Calendar of the Session Court of Tellicherry, under reference to the Foujdaree Adalut not having been yet received;-

Ordered, that the Session Judge of Tellicherry be required by Precept returnable in III days to account for the delay in submitting the said Record, and to state within what period he will be able to do so.-

/Sent following precept No. /-

Read Calendar of Case No. 43 of 1848 submitted by the Session Judge of Calicut under date the 13th Instant.

/Here Enter F.llo. No. 2285 of 1848/

Read

Read Criminal Report
for the month of September 1848 submitted
by the Session Judge of Bellary under
date the 14th Instant.

Here Enter F.C. No. 2287 of 1848/

Read Calendar of Case
No. 35 of 1848 submitted by the Session
Judge of Nellore under date the
18th Instant.

Here Enter F.C. No. 2292 of 1848/

Read Calendar of Case
No. 16 of 1848 submitted by the Session
Judge of Tinchinopoly under date the
16th Instant.

Here Enter F.C. No. 2293 of 1848/

Read Calendar of Cases
Nos. 56 and 57 of 1848 submitted by the
Session Judge of Cuddapah under
date the 17th Instant.

Here Enter F.C. Nos. 2294 and 2295 of 1848/

Read Criminal Report
for the month of September 1848 sub-
mitted by the Session Judge of
Combaconum under date the 17th
Instant

Instant.

Here Enter F.C. No. 2296 of 1848/

Read Criminal Reports
for the month of September 1848 sub-
mitted by the Session Judge of
Masulipatam under date the 14th
Instant.

Here Enter F.C. No. 2297 of 1848/

Read Criminal Report
for the month of September 1848 sub-
mitted by the Agent to the Governor
of Fort St. George in Vizagapatam
under date the 15th Instant.

Here Enter F.C. No. 2299 of 1848/

End F.C.

J. U.

Monday.

25th October 1848.

At a Court of the Tombarree Adolat

Present

G. S. Hooper Esqr —— 1st Puisne Judge

O. P. Thompson Esqr — 2d Puisne Judge

W. A. Morehead Esqr — 3d Puisne Judge

Read Miscellaneous

Petition presented on the 7th August 1848 by T. Appah Vakeel on behalf of Tokea Sorapel Lindey of Tellah Caliawk.

/ Civil Cause T. P. No 222 of 1848. /

Petitioner appeals from an Order of the Magistrate of Malabar dated 12th July 1848, refusing to cancel a former order passed by him authorising one "Pully" to perform the "Paddakalo" ceremonies of the Eyoo: ra Manna: Petitioner states that the right to the performance of the said ceremonies formerly

the

the matter of dispute in Original Suit
No 137 of 1845 in which a decree
was passed by the Pundit Sudder
Ameen dismissing that the cele-
=monies should not be celebrated
unless the parties were agreed on
the subject. that this decision
was confirmed in appeal by the
Assistant Judge, and subsequently
by the Court of Sudder Udalut
in Special Appeal. Petitioner con-
tends that the Orders of the
Magistrate are opposed to these
decisions, and prays that they
may be reversed.

2. The Court of Tirhoot
Udalut see no necessity for their
interference in this matter, and
refuse to disturb the Orders of
the Magistrate complained against.

3 The parties are recom-
mended to settle the matter amicably
between them.

Ordered

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

Read Miscellaneous
Petition presented on the 18th September
1848 by Appeal Vakeel on behalf
of Lamyphilly Chacon Pailoo of Tillak
Calicut.

Perc Cater F.C.R. No 264 of 1848

The object of this Petition
is to induce the Court of Tirhoot
Udalut to direct the release of
the Petitioner's son, who was convicted
in Case No 7 of 1848 of the Calicut
Sessions Court of assault and severe
wounding and sentenced to seven
years' imprisonment with hard
labor in irons.

2 The Court of Tirhoot
Udalut, having carefully con-
sidered the evidence as set
forth in the Calendar of the
above Case, see no reason to
question

23d October 1848.

question the fitness of the Prisoner's conviction or the propriety of the sentence to be passed upon him.— The Court accordingly resolve to reject the Petitioner's prayer for his release

Ordered that Extract from these Proceedings be given to the Petitioner's Vakeel on his application.—

Read Miscellaneous Petition presented on the 18th September 1848 by Vakeel T. Ramanaden on behalf of Himayah Ally Khan Moofty Sudder Ameen of Tellicherry

/Here enter T.M.P. № 246 of 1848/

The Court of Foujdaree Udalut observe that no orders are called for on this Petition which has reference to the investigation pending in the Sessions Court of Tellicherry in which the Petitioner is defendant, the Court of Foujdaree Udalut

The

23d October 1848.

Udalut having issued orders in their proceedings of the 6th Ultimo regarding the course to be adopted by the Sessions Judge in reference to the Petitioner's defence.—

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

Read Miscellaneous Petition presented on the 18th September 1848 by Coorapaty Venkataramanadoo of Tellak Vellore.—

/Here enter T.M.P. № 247 of 1848/

The object of this Petition is to induce the Court of Foujdaree Udalut to set aside the sentence of seven years' imprisonment which has been passed by the Sessions Judge of Vellore on the Petitioner in cases Nos 19 and 20 of 1848 who were convicted of Forgery and Perjury.

The Court of Foujdaree Udalut having carefully considered the

23

the evidence as set forth in the Calendars of the above cases, see no reason to question the justice of the Prisoners' conviction, or the propriety of the sentences awarded to them.

3 The Court accordingly resolve to reject the prayer of this Petition.-

Ordered that Extract from these Proceedings be given to the Petitioner on his application.-

Read Miscellaneous Petition presented on the 18th September 1848 by Rahamed Selaman of Zillah Chingleput. /Sent Enter F.R.P. No 349 of 1848/

This Petition has reference to a sentence of Imprisonment awarded to the Prisoner by the Joint Magistrate of St Thomas' Mount and a fine imposed upon him by the

same

same officer of which the Petitioner complains.-

2 The Court of Foujdaree Adalut see no reason to question the propriety of the sentence awarded to the Petitioner which it is observed has long expired; the fine imposed upon him having been paid by some individual with whom he is unacquainted.

3 Under these circumstances the Court are unable to discover for what purpose their interference is required by the Petitioner and do they accordingly resolve to reject this Petition.-

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

Read Miscellaneous Petition presented on the 18th and 25th September 1848 by Mahomed Selaman of Zillah Chingleput /Sent Enter F.R.P. No 350 & 263 of 1848/ Jr

3

1 In the former of these Petitions the Petitioner complains of having been subjected to punishment by the Sirdar Ameen of Chingleput, in consequence of his failure to report to the Joint Magistrate at St Thomas' Mount, certain circumstances connected with a charge preferred against him by a Duffadar and Peon at that station, by whom he, like Petitioner was falsely accused of having effected his escape while under their custody

2 In the latter Petition the Petitioner complains of having been deprived of his belt as Peon. He prays therefore that the Court will call for the whole Proceedings connected with the case, and afford him redress.

3 The Court of Foujdaree Adalut can discover nothing in these Petitions which would justify

justify their interference on Petitioner behalf, and they accordingly resolve to reject the prayer of his Petitions

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

Read Miscellaneous Petition presented on the 9th October 1848 by Mahomed Sultaun of Tellicherry

(Vide Order Dated No 268 of 1848)

1 The object of this Petition is to induce the Court of Foujdaree Adalut to issue orders, directing the Petitioner's restoration to the situation of Jail Duffadar, from which he has been recently dismissed by the Sessions Judge of Tellicherry

2 The Court of Foujdaree Adalut see no necessity for their interference on the Petitioner's behalf, and resolve to reject the prayer of his Petition —

Ordered

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

Read Miscellaneous

Petition presented on the 16th September 1848 by Venkatal Naicken and another of Zillah Madura.

/Here Enter F.M.P. No. 256 of 1848/

1 The Petitioners are the Brothers of the two Prisoners in Cases Nos. 10 and 11 of the Sessions Court of Madura for 1847, who were convicted of "Perjury", and sentenced to seven years' imprisonment with hard labor in irons. Petitioners assert the innocence of their relatives, and pray their release.

2 The Court of Zemindaree Adalut having carefully reconsidered the evidence against the Prisoners as set forth in the Calendars of the cases, see no reason to question the justness of their conviction, or the

propriety of the sentences passed upon them.-

3 The Court accordingly resolve to dismiss this Petition.-

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

Read Miscellaneous

Petition presented on the 25th September 1848 by Govindappah of Zillah Coddapah.

/Here Enter F.M.P. 269 of 1848./

1 The object of this Petition is to induce the Court of Zemindaree Adalut to set aside the sentence of one Month's imprisonment which has been passed by the Magistrate of Coddapah on the 2d and 3d Prisoners in Case No. 13 of 1848, and to grant permission to the Petitioners to institute a suit for the recovery of personal and other damages

2 Petitioners asserts the innocence

innocence of the Prisoners of the crime charged, and states that the accusation was falsely preferred against them at the instigation of the Head Workers and Jamadars of the Magistrate's Cutcherry with whom they are at enmity.

The Court of Foujdaree Adalut see no reason for their interference in this case. The sentence passed by the Magistrate was appealed to the Sessions Judge, who on examining the Records confirmed the same. It is also observed that the imprisonment awarded to the Prisoners expires some time previous to the determination of this Petition.

No does it appear to the Court necessary to issue any orders permitting the Prisoners to institute Civil Proceedings for the recovery of personal or other damages.

Ordered that the prayer of this petition be rejected and that Extract from the Proceedings be given to the Petitioners on his application.

Read Miscellaneous Petition presented on the 25th September 1868 by Seeroma Nauker of Jellah

Answered.

(Here enter Jn Regr No 261 of 1868)

The Court of Foujdaree Adalut observe that the prayer of this Petition has already been disposed of by them in their Proceedings under date 6th and 28th September 1868. The Petitioner is again referred to the Orders therein recorded, and informed that they are final.

Ordered that Extract from these Proceedings be given to the Petitioner on his application.

Read Miscellaneous Petition presented on the 9th October 1868 by Cuttoomany Mundle of Jellah

Commissioner.

(Here enter Jn Regr No 270 of 1868.)

The

23rd October 1848.

1 The object of this Petition is to induce the Court of Sessions Adelaide to direct the release of Petitioner's husband, the Prisoner in Case № 35 of 1848 of the Confinement Session Court, who was convicted of "Perjury," and sentenced to four years imprisonment with hard labor in irons.

2 The Court of Sessions Adelaide having carefully reconsidered the evidence as set forth in Calendar of the above case, see no reason to question the justness of the Prisoner's conviction, or the propriety of the sentence passed upon him. The Court accordingly resolve to reject the Petitioner's prayer for his release.

Ordered that Extract from these Proceedings be given to the Petitioner on her application.

Read Calendar of Case № 44 of 1848 of the Supreme Court of

Calendar

23rd October 1848.

Calendar.

/Here enter Petn № 2274 of 1848./

In this case two Prisoners

1 were charged with "severe wounding"

The Petitioner of the Law

2 Officer acquitted the first Prisoner, and convicted the second Prisoner of the crime charged, and the Superior Judge concurring in the finding sentenced the second Prisoner to four years' imprisonment with hard labor in irons. The first Prisoner was unconditionally released.

The Court of Sessions

3 Adelaide are of opinion that a mitigation of the Prisoner's sentence may in this case with propriety be allowed, and under the provisions of Section XXXV Act XII of 1843, the Court resolve to direct that the term of his imprisonment be reduced to 2 years.

The

23rd October 1848.

to The Sepoy Judge will be pleased to issue a fresh warrant in accordance with the foregoing resolution.

Ordered that Extract from these Proceedings be forwarded to the Sepoy Judge of Calicut by Precept returnable within Three days from and after its receipt.

Sent following Precept No 1112 /

Read again Calendar of Cases No 47 of the Sepoy Court of Cuddapah for 1848.

/Vide Cutcherry No 2011 of 1848./

Read also Returns dated 2nd October and further Returns dated 12th October 1848 made by the Sepoy Judge of Cuddapah to the precepts of the Zillah Adalut dated 19th September 1848 calling for the translation of the Records in the above Cases.

/Vide Cutcherry Dfd Nos 2199 & 2258 of 1848/

Rec

Dfd

23rd October 1848.

The Records of the above case was called for in consequence of the Court of Zillah Adalut having seen reason to question the propriety of the conviction of the Prisoner, and after a careful and deliberate consideration of the same the Court are confirmed in their opinion that the evidence is wholly insufficient to warrant the conviction of the said Prisoner and they resolve to direct his immediate and unconditional release.

Ordered that Extract from these Proceedings be forwarded to the Sepoy Judge of Cuddapah by Precept returnable within Three days from and after its receipt.

/Sent following precept No 1113/

Read Return dated 11th

October

2

25th October 1848.

October 1848 made by the Sessions Judge of Salem in the Precept of the Tondiarpet Adalut dated 29th September 1848, directing the transmission of an English Translation of the records of case No 91 of 1847 of the Sessions Court of Salem

/ Vide Rules Flo No 2250 of 1847 /

Before disposing of this case the Court of Tondiarpet Adalut resolve to call upon the Sessions Judge to submit for their consideration a translation of the first Report sent to the Head of Police by the Village Moonsiff, the 2d Witness in the above case

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Salem by Precept returnable within 10 days from and after its receipt

/ Sent to Sessions Precept No 1114 / 5

Entd

F. N.

Wednesday
26th October 1848

At a Court of the Fougdaree Udalut

Present

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

Read Criminal Reports submitted by the Sessions Judge of Cuddalapah for the month of September 1848.

In Case entered F. N. No 2275 of 1848.

Report A
Case No 201

The Court of Fougdaree Udalut observe that the submission of the Report A is unnecessary in those cases in which though reviewed by the Court of Session no alteration of the sentence has been made a note appended to B being all that is requisite in such cases.

Ordered that Extracts from these Proceedings be sent to the Sessions Judge of Cuddalapah for his information.

Sent in a No 1115

Read

26th October 1848.

Roads Criminal Reports
of the Sessions Courts of Tallaberry for
September 1848.

(Here enter No 96 at p. 3298 of 1848)

Principal Jurisdictions
Report B
Case No 7.

With reference to the value
of the Reports stolen, and to the enumeration
of the robbery having been attended with
breaking, the Court observe that this
case should have been committed for
trial before the Sessions Court under
Clauses fourth Section II Regulation VII of 1822.

Ordered that a Extract from
these Proceedings be forwarded to the
Sessions Judge of Tallaberry for his in-
formation and for communication to
the Principal Jurisdictions Sheristas for the
future guidance of that Officer.

(Entries No 1116)

Roads Criminal Reports
of the Sessions Court of Tarahuffy
for September 1848.

(Here enter No 96 at p. 3298 of 1848)

Ent. Ex. Report B
Case No 79.

The Court of Sanglaree
Malabut
have to be informed whether
the Prisoner was convicted of the
crime charged against him in this case,
and they request that the Sessions Judge
will in future bear in mind that when
the same Prisoner stands charged with
two or more offences, his conviction or
acquittal, as the case may be, must be
distinctly recorded upon each charge.

Case No 83 and 96 p. 4

The remarks contained in
the preceding para are equally applicable
to the cases noted in the margin, in
which information upon the same
point

the whether or what portion of the charge
was proved against the Prisoner in this case
or whether does not appear from the sentence
recorded by him of what particular crime
he has been convicted.

The Court of Sanglaree Malabut

Case No 79 3

observe that of the "breaking" was proved
against the Prisoner in this case the
Regulation quoted was not applicable to the
punishment he made they request that it
may be amended to Regulation VII of 1822.

The Court desire to be informed

Case No 79 3

whether the Prisoner was convicted of the
crime charged against him in this case,
and they request that the Sessions Judge
will in future bear in mind that when
the same Prisoner stands charged with
two or more offences, his conviction or
acquittal, as the case may be, must be
distinctly recorded upon each charge.

The remarks contained in

Cases No 83 and 96 p. 4

the preceding para are equally applicable
to the cases noted in the margin, in
which information upon the same

point

26th October 1848

point has also been with held

Ordered that Extracts from the Proceedings be forwarded to the Sessions Judge of Tuticorin Judge by Runner returnable within 7 days from and after its receipt

Sent following Precepts to 1117

End 114

Friday
27th October 1848

F. 116.

Court of the Joint Magistrates Udalakurichi

Present

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

Read Letter dated 16th October 1848 from the Acting Magistrate of North Arcot

(Execution Filed No 2288 of 1848)

With the above communication the Acting Magistrate submits a copy of the Criminal Proceedings in Case No 170 of 1848 in which Thomas Pillay & Ors were committed for trial on Charges of Robbery & have been released by the Subordinate Judges on the ground that the property found in their possession consists of Thread commonly denoted articles of which identification is impossible

The Acting Magistrate objects to the release of the Prisoners and for certain reasons detailed in this Letter states, that he is of opinion that justice requires that more weight should

should be given to the evidence in this case, than has been allowed it by the Subordinate Criminal Judge. The Acting Magistrate therefore acted the interference of the Court of Sudder Adalut

3. The Court of Sudder Adalut observe that the Acting Magistrate has erred in appealing to them on the present stage of proceedings

4. He ought in the first instance to have submitted the whole circumstances of the case for the consideration of the Sessions Judge and if dissatisfied with the Order passed thereon by that officer the Acting Magistrate might then like the Sessions Judge have submitted the matter for the consideration and final Orders of the Court of Sudder Adalut. This course the Acting Magistrate will now be pleased to adopt.

Ordered that an Extract from these proceedings be forwarded to the Acting Magistrate of North Arcot for his information and guidance

(Sent in No 1119)

Read Calendar of Cases No 25, 49 and 50 of 1848 on the file of the Sessions Court of Madura.

(Vacancies Vol. No 236 of 1848)

The

1 The prisoners in these cases were respectively charged with perjury and on conviction have been sentenced to four years imprisonment with hard labor in irons and to receive 50 lashes.

2 The Court of Sudder Adalut considering that in each of these cases a sentence of two years imprisonment will be sufficient to meet the demands of justice direct that the period of Imprisonment awarded be accordingly reduced.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Madura for his information and guidance by first mail returnable within 10 days from and after its receipt.

(Sent following proceeding No 1120

Read Criminal Reports of the Sessions Court of Mangalore for September 1848.

(Vacancies Vol No 2385 of 1848)

Report B Case No 746.

The Court of Sudder Adalut observe that sentence should have been passed upon the Prisoner in this Case under Section VII Regulation X of 1816 which is the only enactment under the provisions of which the Subordinate Courts

should be given to the evidence in this case, there has been a blunder in by the subordinate Criminal Judge. The Acting Magistrate therefore asks the interference of the Court of Sessions Madura

3 The Court of Sessions Madura observe that the Acting Magistrate has acted on appealing to them on the present stage of proceedings

4 He might in the first instance to have submitted the whole circumstances of the case for the consideration of the Sessions Judge and if dissatisfied with the Order passed thereon by that officer the Acting Magistrate might then like the Sessions Judge have submitted the matter for the consideration and final Orders of the Court of Sessions Madura. This course the Acting Magistrate will now be pleased to adopt.

Ordered that Extract from these proceedings be forwarded to the Acting Magistrate of North Arcot for his information and guidance

(Sent in No 1119

Read Calendar of Cases No 28, 49 and 50 of 1848 on the file of the Sessions Court of Madura.

(Herewith Plts No 2267 of 1848)

The

1 The prisoners in these cases were respectively charged with perjury and on conviction have been sentenced to four years imprisonment with hard labor in irons and to receive 50 lashes.

The Court of Sessions Madura

2 considering that in each of these cases sentence of two years imprisonment will be sufficient to meet the demands of justice direct that the period of Imprisonment awarded be accordingly reduced.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Madura for his information and guidance by first return post within 10 days from and after its receipt.

(Sent following precepts No 1120

Read Criminal Reports of the Sessions Court of Mangalore for September 1848.

(Herewith Plts No 2345 of 1848)

Report B Case No 746.

The Court of Sessions Madura observe that sentence should have been passed upon the Prisoner in these Cases under Section VII Regulation X of 1816 which is the only enactment under the provisions of which the Subordinate to Courts

27th October 1848

Courts and informations to be forwarded each of Prisoners

Ordered that Extracts from the proceedings be forwarded to the Assistant Judge of Mangalore for his information and guidance

(Sent in No. 1121)

Read Letter dated the 25th Instant from the Assistant Judge of Mangalore

(Petn No. 3343 of 1848)

stating that the Prisoners on this side charged with having wounded the Peon Pulling Timmi with the Sword and who have been sentenced respectively to the punishment of Imprisonment for three months with hard labor and irons and to pay fifty Rupees each to the Peon or in default to undergo Imprisonment for one year and thirty days with labor and irons to commence from the expiration of the first sentence

2.

Ordered that the Petitioners be informed that the evidence of the said witnesses as contained in the Calendar does not appear sufficient to warrant a conviction of the Prisoners of Murder and that the Court consider that a sentence of one year imprisonment with hard labor and irons to commence from the expiration of the sentence passed on the Prisoners for the assault on the Peon Pulling Timmi is adequate punishment for the offence of which they have been convicted

P. Mc
27th October 1848

the remaining Prisoners have already undergone is an adequate punishment for the part taken by them in the affray in which the Witness was wounded the Court of Foujdaree Adalut resolve to direct that the 2d, 3d, 4th and 5th Prisoners be now released

Ordered that Extract from this proceedings be sent to the Assistant Judge of Mellow for his information and guidance by first post returnable within three days from and after its receipt

(Sent following precept No. 1122

Read Petition dated the 17th Instant from the Assistant Judge of Tuckinpaty to the precept of the Foujdaree Adalut Number date the 2d idem stating inter alia explaining under what circumstances three Duffadars were employed in the Jail during the month of August 1848 on a salary of Rupees 3-8-0 each the usual pay of the Jail Peons being Rupees 5 per mensem; and that the pay of four which is observed in the number of Extra Peons employed during the said month may also be explained.

(Petn No. 2306 of 1848)

Read

27th October 1848.

Read Calendar of Cases N° 342 of 1848 submitted by the Sessions Judge of Kalutara under date the 18th Instant

(Reverter Plts. N° 2332 of 1848)

Read report B dated the 26th Instant from the Sessions Judge of Galle forwarding a list of persons apprehended in the Pettah of Galle and delivered to the Magistracy in the month of September 1848.

(Reverter Plts. N° 2333 of 1848)

Read Criminal Reports for the month of September 1848 submitted by the Sessions Judge of Chilaw under date the 16th Instant.

(Reverter Plts. N° 2336 of 1848)

Read Letter dated the 15th Instant from the Agent to the Governor of Port Nelson in Jamaica submitting the Criminal Reports for the month of September 1848.

(Reverter Plts. N° 2337 of 1848)

Entd Plts

27th October 1848.

Read Calendar of Cases N° 331 of 1848 submitted by the Sessions Judge of Kurunegalle under date the 13th Instant

(Reverter Plts. N° 2329 of 1848)

Read Calendar of Cases N° 335 and 352 of 1848 submitted by the Sessions Judge of Galle under date the 18th and 19th Instant

(Reverter Plts. N° 2343 and 2345 of 1848)

Read Calendars of Cases N° 337 and 338 of 1848 submitted by the Sessions Judge of Batticaloa under date the 20th Instant

(Reverter Plts. N° 2346, 2347 and 2350 of 1848)

Read Calendar of Cases N° 340 of 1848 submitted by the Sessions Judge of Colombo under date the 19th Instant

(Reverter Plts. N° 2324 of 1848)

Read Calendar of Cases N° 350 of 1848 submitted by the Sessions Judge of Jaffna under date the 20th Instant

(Reverter Plts. N° 2325 of 1848)

Read Calendar of Cases N° 351 of 1848 submitted by the Sessions Judge of Chilaw under date the 19th Instant

(Reverter Plts. N° 2327 of 1848)

Read Calendar of Case. No. 23 of 1848
submitted by the Sessions Judge of Canara under
date the 13th Instant.

/Herewith P.Mo. No. 2309 of 1848/

Read Calendar of Cases No. 55 and
52 of 1848 submitted by the Sessions Judge of Chingleput
under date the 18th and 19 Instant.

/Herewith P.Mo. Nos. 2313 and 2314 of 1848/

Read Calendars of Cases Nos. 27
26 and 28 of 1848 submitted by the Sessions Judge of
Bellary under dates the 18th, 17th and 19th Instant.

/Herewith P.Mo. Nos. 2316, 2317 and 2318 of 1848/

Read Calendar of Cases No. 40 of
1848 submitted by the Sessions Judge of Chicacole under
date the 18th Instant.

/Herewith P.Mo. No. 2324 of 1848/

Read Calendar of Cases No. 37 of
1848 submitted by the Sessions Judge of Madura
under date the 20th Instant.

/Herewith P.Mo. No. 2325 of 1848/

Read Calendar of Cases No. 15 of
1848 submitted by the Sessions Judge of Trichinopoly
under date the 19th Instant.

/Herewith P.Mo. No. 2327 of 1848/

Read

Read Calendar of Case No. 42
of 1848 submitted by the Sessions Judge of Calicut
under date the 18th Instant.

/Herewith P.Mo. No. 2332 of 1848/

Read report B dated the 20th Instant
from the Sessions Judge of Mangalore of persons
apprehended in the Zillah of Canara and delivered
to the Magistracy in the month of September 1848.

/Herewith P.Mo. No. 2333 of 1848/

Read Criminal Reports for the
month of September 1848 submitted by the Sessions
Judge of Chicacole under date the 16th Instant.

/Herewith P.Mo. No. 2336 of 1848/

Read Letter dated the 15th Instant
from the Agent to the Governor of Fort St. George
in Ganjam submitting the Criminal Reports
for the month of September 1848.

/Herewith P.Mo. No. 2337 of 1848/

Encl 7th

F. C.

Saturday
28th October 1848.

At a Court of the Foujdaree Adalut.

Present.

G. S. Cooper Esqr. ——— 1st Puisne Judge,
E. P. Thompson Esqr. ——— 2nd Puisne Judge,
W. T. Morehead Esqr. ——— 3rd Puisne Judge,

Read again letter under date the 28th Ultimo from the Acting Magistrate of North Arcot—
(Here enter F. C. No. 2173 of 1848).

Read also return under date the 12th October 1848. from the Subordinate Judge of Chittoor to the precept of the Foujdaree Adalut dated the 10th October 1848. directing the recal of certain convicts recently detached to Vellore and the transfer of others to that station in their stead.—
(Here enter F. C. No. 2254 of 1848)

1. Adverting to the remarks recorded by the Subordinate Judge in the foregoing return that had the Court called upon him for explanation he is quite confident he would have satisfied the Judges that there was not the least impropriety in the detachment of the thirteen convicts to Vellore" the Court of Foujdaree Adalut deem it proper to observe that so long as the rule laid down in Circular Order No. 135 continues to be in force it would be impossible for the Subordinate Judge

Judge to justify the detachment from the Zillah Jail of Convicts bearing the character of those to whom that office refers.—

2.

The matter being one in which no discretion is permitted to the local officers, the Court of Fouzdaree Udalut deemed it unnecessary to call for an explanation from the Subordinate Judge before ordering the adoption of the measures which it was deemed expedient to direct.—

Ordered that Extract from these Proceedings be forwarded to the Subordinate Judge of Chittoor for his information.—

(Sent in No. 1127).

Read Criminal Reports submitted by the Sessions Judge of Salem for the month of September 1848.—

Case No. 131. 1

(Here enter F. D. No. 2261 of 1848).

The Court of Fouzdaree Udalut desire to be informed whether the door through which the Prisoner in this case is stated to have effected his entry into the Prosecutors house was fastened at the time, the Court having ruled that the climbing over a hedge for the purpose of committing a theft is insufficient to constitute the offence of "breaking".

Cases No. 135 136 137. 2.

The Court of Fouzdaree Udalut direct that that portion of the sentences awarded to the prisoners

prisoners in these cases which adjudges "irons" be remitted; such an award being unauthorized by the Regulation under which the sentences in question have been passed.—

3.

The Court of Fouzdaree Udalut require an explanation of the grounds upon which the individuals noted marginally whose names are entered in the report of casualties were respectively placed in confinement by the several officers of the Magistracy; the reasons assigned being in each case insufficient to justify the adoption of such a course by any Magisterial officer.—

Perea Tauren
Coocheeyan.
Moottan.
Nullacaderegan.
Voddagoonum.
Cundan.
Goonien.
Arjoonum
Mondy Gaunden.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Salem for his information and guidance by precept returnable within V days from and after its receipt.—

(Sent following Precept No. 1128).

Read Calendar of Case No. 32 of 1848. on the file of the Session Court of Guntoor.—

(Here enter F. D. No. 2263 of 1848).

In this case two prisoners were

1.

charged with "Housebreaking and theft" of property valued at Rupees 147 13 .—

The 3d. prisoner with having

2.

received a portion of the said property knowing it to have been stolen.—

The

3. The Sessions Judge in concurrence with the Law officer acquits the 2d and 3d prisoners and convicting the 1st prisoner has sentenced him to four years imprisonment with hard labor in irons under the provisions of Clause seventh Section II Regulation XV of 1803.—

4 The Court of Foujdaree Adalut observe that the Futwa of the Law officer having declared the 1st Prisoner in this case to be liable to Sookoobut a second question should have been propounded in order to the removal of the bar to Hud and sentence passed under Section XXI Regulation VII of 1802, a mitigation of the prescribed punishment being proposed to such an extent as the Sessions Judge might deem proper to recommend.—

5. This course that officer will now be pleased to adopt.—

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

(Sent following Precept No. 1129)

Read Calendar of Case No. 28 of 1848 on the file of the Sessions Court of Chittoor.—

(Here enter F. C. No. 2264 of 1848).

1. The prisoners in this case was charged

charged with "Highway Robbery" and on conviction have been sentenced to 14 Years imprisonment with hard labor in irons.—

Adverting however to the absence

2.

of any aggravating circumstances attendant on the Commission of the robbery, the Sessions Judge recommends that the prescribed period of Imprison- 1.
=ment be reduced to eight years.—

Of this recommendation the Court

3

of Foujdaree Adalut approve and they authorize 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.—

(Sent in No. 1130)

Read Supplemental Report of Cases disposed of by the Magistracy of Tanjore in the month of August 1848.—

(Here enter F. C. No. 2271 of 1848).

Case No. 10

The Court of Foujdaree Adalut observe that the proceedings held by the Sessions Judge on this Case under date the 2d September 1848. have not been submitted.—

1.

This omission will be now

2.

supplied.—

Ordered that Extract from these Proceedings

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 Precept No. 1131).

Read Criminal Reports submitted by the Sessions Judge of Combaconum for the month of September 1848.—

(Here enter F. C. No. 2276 of 1848).

Report B. Case No. 126. 1. The Court of Foujdaree Udalut require an explanation with reference to the heading affixed to the Statement of the charge in this case, in which the offence charged is designated as "Breaking" which would appear to be incorrect, it being recorded in the statement of the charge that the prisoner scaled the wall of a garden and stole Cocoanuts therefrom.—

Case No. 133. 2. Adverting to the rule laid down in Circular Order No. 137 the Court of Foujdaree Udalut observe that the prisoner in this Case should have been committed to the Court of Session for the offence therein charged against him.—

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 Precept No. 1132)

Read.

Read Criminal Reports submitted by the Sessions Judge of Chittoor for the month of September 1848.—

(Here enter F. C. No. 2282 of 1848).

Report B. Case No. 154. 1. The Court of Foujdaree Udalut deem it proper to direct the attention of the Sessions Judge to the extremely careless manner in which the statement of the charge preferred against the prisoner in this case has been prepared.—

Case No. 160. 2. This case might with propriety have been disposed of by the Police officer under the provisions of Section III Regulation IV of 1821.—

Cases No. 165 172. 3. The Court of Foujdaree Udalut observe that the submission of the Report A is unnecessary in those cases in which although reviewed by the Court of Session the sentence passed remains unaltered.

4 In such cases it will be sufficient that a note should be appended to the report B stating that the proceedings have been reviewed by the Sessions Judge, but that the sentence of the Criminal Court has not been disturbed.—

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Chittoor for his information and future guidance, and for Communication of Para. 2 to the Acting Magistrate of North Arcot for his information and guidance.—

(Sent in No. 1133)

Read

28th October 1848.

Report B.
Case No 94.

Read Criminal Reports submitted by the Sessions Judge of Chingleput for the months of September 1848.-

(Here enter F. C. No 2283 of 1848).

The Court of Foujdaree Adalut desire that it may be explained under what circumstances in two of the instances referred to of the former punishment of the prisoner charged in this case that individual was imprisoned as a "Vagrant", whether in default of furnishing security or upon other grounds.-

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

(Sent following Precept No 1134).

Read Calendar of Case No 29 of the Sessions Court of Chittoor for 1848.

(Here enter F. C. No 2286 of 1848).

1.

The Prisoner in this case was charged with "Housebreaking and Theft", and, on conviction, has been sentenced by the Sessions Judge to seven years imprisonment with hard labor in irons.-

2.

On the ground that the Commission of the Crime was unattended with any aggravating circumstances, the Sessions Judge recommends that the term of the Prisoners imprisonment be reduced to four years.

3.

Of this recommendation the Court of Foujdaree Adalut approve, and under the provisions of Section IV Regulation I of 1825 authorise the Sessions Judge to issue his Warrant accordingly.-

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

(Sent in No 1135)

F. C.
28th October 1848.

Read Criminal Reports of the Sessions Court of Honore for September 1848.-

(Here enter F. C. No 2310 of 1848)

The Sessions Judge will be pleased to explain 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 Honore by Precept returnable within III days from and after its receipt.-

(Sent following Precept No 1136).

Read Criminal Reports of the Sessions Court of Rajahmundry for September 1848.-

(Here enter F. C. No 2312 of 1848).

The Sessions Judge will be pleased to explain the cause of Two Peons having been employed

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. 1137).

Read Calendar of Case No. 59 of the Sessions Court of Cuddapah for 1848.—

(Here enter F. G. No. 2315 of 1848).

1. The Prisoner in this Case was charged with "Highway Robbery"; and, on conviction, was sentenced to 14 Years imprisonment with hard labor in irons.—

2. As the circumstances attending this Robbery do not appear to make the highest degree of punishment necessary the Sessions Judge recommends that the above sentence be mitigated to ten years.

3. The Court of Foujdaree Adalut are of opinion that a still further mitigation in the Prisoners sentence may in this Case, with propriety, be allowed, 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 7 years.—

4 The Sessions Judge will be pleased to

to issue a fresh Warrant in accordance with the foregoing resolution.—

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Cuddapah by Precept returnable within III days from and after its receipt.—

(Sent following Precept No. 1138).

Read letter dated the 19th Instant from the Sessions Judge of Calicut submitting the record of the trial in Case No. 42 on the Calendar of the Sessions Court of 1848.—

(Here enter F. G. No. 2339 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 prisoner,

"Eyoovan Chamy's son Velloo".

is sufficient to convict him of the Crime of severe Wounding for which according to the Mohummedan Law as declared in futwas of their Law officers, discretionary punishment is awardable do convict him thereof: and under the provisions of Clause third Section VII Regulation XV of 1803, 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 (10) Ten years.—

(Sent following Letter No. 1139)

Read.

28th October 1848.

Read Criminal Reports submitted by the Sessions Judge of Nellore for the Month of September 1848.—

(Here enter F. R. No. 2311 of 1848).

Report B. Case No. 110.

1. The prisoner in this case a female was charged with having attempted to commit simile and has been sentenced to two Months Imprisonment.—

2. Under the circumstances of the case the Court of Foujdaree Udalut are of opinion that the punishment which the prisoner has already undergone will be sufficient to meet the demands of justice, and they accordingly direct that the prisoner be now released.—

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Nellore for his information and guidance by precept returnable within 11 days from and after its receipt.—

(Sent following Precept No. 1140).

F. R.

Monday, 30th October 1848.— At a Court of the Foujdaree Udalut.

—Present—

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

Read again Miscellaneous Petition presented on the 17th July 1848 by Mungah of Zillah Chittoor.—

(Here enter F. M. P. No. 206 of 1848.)

Read also Return dated 21st September 1848 made by the Session Judge of Chittoor to the Precept of the Foujdaree Udalut dated 4th September 1848, directing that an English translation of the Record in Case No. 16 of 1848 be submitted for the consideration of the Court.—

(Here enter F. R. No. 2114 of 1848.)

1. The Court of Foujdaree Udalut, having carefully considered the whole Record of this Case, are satisfied of the justness of the first Prisoner's conviction, and of the propriety of the sentence awarded to him.—

2. But with regard to the second Prisoner the Court are unable to concur with

with the Sessions Judge in deeming the evidence sufficient to establish his guilt, and they accordingly direct his immediate, and unconditional release. –

3. This Prisoner, it is observed, when first seized denied his guilt – his house was searched, and not one article of the stolen property was found therein – And altho 4 or 5 days afterwards, it is stated, that he gave up property from the roof of his house, yet it must be borne in mind that during the period which intervened between the first and second search the Prisoner was in confinement. –

4. The Court are of opinion that "Unniah" the Wannigar of Cuddoovary gaol labors under strong suspicion of having been directly or indirectly concerned in the Robbery, and that it is probable he escaped detection through the connivance of the Police. –

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 1141)

Read again Miscellaneous Petition forwarded by the Sessions Judge of Combatore from Aronachella Chetty and two

others, Prisoners in Case No 139 of 1848 on the file of the Criminal Court of Coimbatore. –

(Here enter F. M. P. No 229 of 1848.)

Read also Return dated 9th October 1848 made by the Sessions Judge of Coimbatore to the Precept of the Sunderee Udalut dated 18th September 1848, directing the submission of an English translation of the Record in Case No 139 of 1848, and the suspension of the sentences to which the Prisoners in the above Cases have respectively been adjudged. –

(Here enter F. M. No 2251 of 1848.)

Read letter dated 16th October 1848 from the Sessions Judge of Coimbatore – submitting translation of Criminal Case No 173 of 1848 alluded to in para: 4 of the above return. –

(Here enter F. M. No 2304 of 1848.)

1. The Record of this Case was called in consequence of the Court of Sunderee Udalut having been led to doubt the propriety of its dismissal, but after a careful and deliberate consideration of the Record, the Court see no reason to question the justness of the Prisoners conviction or the propriety of the sentences respectively awarded to them, and which will

now

now be carried into effect.—

2. The Court are however of opinion that the Principal Sudder Ameen erred in not accepting the Bail tendered by the Prisoners, provided he was satisfied that it was good: the reasons assigned by him for refusing to do so are not sufficient under the Regulations in force.—

3. The Court also deem it proper to draw the attention of the Session Judge to the very objectionable manner, in which the Principal Sudder Ameen opens his Proceedings, when examining the Prosecutor and Witnesses.—

4. He first causes the deponents Talook declaration to be read out to him, and then puts the question "what is the paper you have just heard? which elicits the answer "it is my talook statement, and it is correct" &c. &c.—

5. This proceeding is clearly wrong- and must be immediately put a stop to. The deponent ought first to be required to depose in detail to all points within his knowledge, and afterwards he can be questioned, if necessary, regarding his talook declaration.—

Ordered that Extract from these proceedings be forwarded to the Session Judge of Coimbatore

Coimbatore for his information and for communication to the Principal Sudder Ameen for the future guidance of that Officer.—

(Sent in No. 1142)

Read Miscellaneous Petition forwarded by the Sessions Judge of Coimbatore from Veeranan Chetty prisoner in Case No. 29 of 1848 on the file of the Session Court.—

(Here enter F. M. P. No. 265 of 1848.)

1. The Petitioner prays the Court of Foujdaree Adalut to reverse the sentence awarded to him in the foregoing case asserting his innocence of the crime with which he was charged.—

2. The Court of Foujdaree Adalut are satisfied of the justice of the sentence awarded to the Petitioner, for the offence of which he has been convicted, and of which it is observed he made a full confession before the Criminal Court.

3. The Court of Foujdaree Adalut accordingly resolve to dismiss this Petition.—

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Coimbatore

30th October 1848.—

Coimbatore for communication to the Petitioner.

(Sent in No 1143

Read Miscellaneous Petition presented on the 4th September 1848 by Sutchumanna of Zillah Chittoor.—

(Here enter F. M. P. No 238 of 1848)

1.

This is an application for the reversal of the sentences awarded to the Prisoners in Case No 23 of 1848 on the file of the Sessions Court of Chittoor whom the Petitioner the wife of the 1st prisoner asserts to be innocent of the crime laid to their charge.—

2.

The Court of Foujdaree Udalut direct that an English translation of the record of the case referred together with the proceedings originally held in the matter by the Assistant Magistrate, be submitted for their consideration.—

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 No 1144

Ordered also that Extract from these

F. M.

30th October 1848.—

these proceedings be furnished to the Petitioner on her application.—

Read Miscellaneous Petition presented on the 25th September 1848 by T. Ramachendrah Vakeel on behalf of Canoto Mancally Nazir of the Zillah Court of Tellicherry.

(Here enter F. M. P. No 254 of 1848)

Petitioner prays for the payment

1.

of his salary from the date of his suspension by the Sessions Judge of Tellicherry to that of his restoration under the Orders of the Court of Foujdaree Udalut dated the 28th August last.—

From the Return of the Sessions

2.

Judge of Tellicherry under date the 30th September last, the Court of Foujdaree Udalut observe that the Petitioner was dismissed, and not suspended from his situation, as represented by him, and further that much of the delay, which occurred in bringing the inquiry into his conduct to a close was chiefly to be attributed to him.— Under these circumstances the Court of Foujdaree Udalut are precluded from complying with the Petitioner's request.—

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

Read

Read Miscellaneous Petition presented on the 9th October 1848 by C. Moneyappa Moodely of Zillah Chittoor.—

(Here enter F.M. D. No. 266 of 1848.)

1. The Court of Foujdaree Udalut observe that the matter contained in this Petition has already received their consideration, and been disposed of in their Proceedings under date 3d April and 10th July last.— Petitioner is now referred to those Proceedings and informed that no other orders can be passed in the matter of his complaint.—

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 16th October 1848 by Timmee of Zillah Chittoor.—

(Here enter F.M. D. No. 272 of 1848.)

1. The object of this Petition is to induce the Court of Foujdaree Udalut to set aside the sentence of 14 years imprisonment passed by the Sessions Judge of Chittoor on the 1st 2d and 3d Prisoners in Case No. 18 of 1848 of the Sessions Court of Chittoor.—

The

2. The Court of Foujdaree Udalut, being satisfied from a careful perusal of the Record of the Case in question of the justness of the Prisoners' conviction, refuse to disturb the sentence passed upon them.—

Ordered 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 presented on the 16th October 1848 by Erodaundy Tavun of Zillah Madura.—

(Here enter F.M. D. No. 273 of 1848.)

1. The Petitioner was Prosecutor in Case No. 41 of 1848 on the file of the Sessions Court of Madura, in which the Prisoners, 8 in number, were charged with "arson and aiding and abetting the same", but who were unconditionally released by the Sessions Judge.—

2. Petitioner objects to the release of the Prisoners, and asserts that the evidence against them was ample for their conviction. He prays therefore that they may be again put on their trial, and summary punishment inflicted upon them, and that damages may be paid to him for the destruction

30th October 1848.—

Cuddapah.—

(Here enter J.C. No. 2308 of 1848.)

Read Calendar of Case No. 45 of 1848 submitted by the Session Judge of Combaconum under date the 24th Instant.—

(Here enter J.C. No. 2343 of 1848.)

Read Calendar of Case No. 52 of 1848 submitted by the Session Judge of Madura under date the 23d Instant.—

(Here enter J.C. No. 2344 of 1848.)

Read Statement dated the 1st Instant submitted by the Subordinate Judge of Combaconum shewing the amount rendered by the labor of the Prisoners in the 3d Quarter of 1848.—

(Here enter J.C. No. 2349 of 1848.)—

End J.C.

J. C.

Tuesday, 31st October 1848.— At a Court of the Foujdaree Udalut.

Present—

GSH — G. S. Cooper Esqre. — 1st Puisne Judge.—
PS — E. P. Thompson Esqre. — 2d Puisne Judge.—
Well — W. A. Morehead Esqre. — 3d Puisne Judge.—

Read Calendar of Case No. 29 of 1848 on the file of the Session Court of Bellary.

(Here enter J.C. No. 2326 of 1848.)

1. The prisoner in this case (a female) was charged with having robbed the prosecutrix on the highway of gold and silver ornaments valued at Rupees 4-10-0 and has been sentenced to 14 years imprisonment with labor suited to her sex.—

2. Adverting to the absence of any aggravating circumstances attendant on the commission of the robbery, the Session Judge recommends that the period of Imprisonment awarded to the prisoner be reduced to 4 years.—

3. Of this recommendation the Court of Foujdaree Udalut approve and they authorize the Session Judge to amend his warrant accordingly.—

Ordered

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

(Sentence No. 1147)

Read Calendar of Case No. 21 of 1848 submitted by the Sessions Judge of Kurnool under date the 20th Instant.—

(Here enter F. Rec. No. 2356 of 1848.)

Read Calendar of Case No. 19 of 1848 submitted by the Sessions Judge of Tellicherry under date the 9th Instant.—

(Here enter F. Rec. No. 2357 of 1848.)

Read Calendars of Cases No. 36 & 37 of 1848 submitted by the Sessions Judge of Salem under date the 24th Instant.—

(Here enter F. Rec. No. 2358 & 2359 of 1848.)

Read Calendar of Case No. 45 of 1848 submitted by the Sessions Judge of Calicut under date the 24th Instant.—

(Here enter F. Rec. No. 2360 of 1848.)

Read Calendar of Case No. 38 of 1848 submitted by the Sessions Judge of Coimbatore under date the 13th Instant.—

(Here enter F. Rec. No. 2361 of 1848.) S

End 7th

F. U.

Friday. 3rd November 1848. At a Court of the Foujdaree Udalut.

Present

G. L. Hooper Esqre 1st Puisne Judge.
E. P. Thompson Esqre 2d Puisne Judge.
W. A. Morehead Esqr 3d Puisne Judge.

Read again Criminal Reports submitted by the Session Judge of Nellore for the month of August 1848.

(Here enter F. U. No 2062 of 1848)

Read also again return under date the 3d October 1848 from the Session Judge of Nellore to the precept of the Foujdaree Udalut dated the 25th September 1848 conveying their orders on the foregoing Criminal Reports.

(Here enter F. U. No 2210 of 1848)

Read also return under date the 24th October 1848 from the same Officer to the precept of the Foujdaree Udalut dated the 14th October 1848 directing him to review the proceedings in

case

case No. 99 of 1848 on the file of the Crimi-
-nal Court.

(Here enter F.U. No. 2338 of 1848.)

The Court of Foujdaree Ude-
-lut observe from the foregoing return
that the Kaifyat given by the prisoner
in the case referred to does come within
the scope of Regulation IX of 1832, and
they accordingly direct that the pun-
-ishment awarded to the prisoner be carried
out.-

Ordered that Extract from
these proceedings be forwarded to the
Sessions Judge of Nellore for his infor-
-mation and guidance.-

(Sent pr. No. 1151)

Read again Criminal
Reports submitted by the Sessions Judge
of Tinnevelly for the month of August 1848.

(Here enter F.U. No. 2032 of 1848.)

Read also letter under date
the 19th October 1848 from the Sessions Judge
of Tinnevelly.-

(Here enter F.U. No. 2328 of 1848.)

with

1. With the foregoing letter
the Session Judge submits copy of a memo-
-randum from the Principal Sudder
Ameen in which that Officer adverting
to the observations recorded by the Court
of Foujdaree Udalut in their proceedings
of the 2d. ultimo, that the case noted in
the margin should have been committed
to the Court of Session refers to the opinion
expressed by the Court of Foujdaree Udalut
under date the 2d. April 1835 with reference
to which he states that he considered
himself justified in disposing of the
case, the wound inflicted by the prisoner
being of a trifling nature.-

No. 712 of 1848

2. The Court of Foujdaree Uda-
-lut as at present constituted dissent
from the opinion to which the Principal
Sudder Ameen refers and consider that
under the provisions of Clause fourth
Section II Regulation VI of 1822 all cases
of robbery attended with wounding, how-
-ever trifling the wound may be which
is actually inflicted, are removed from
the jurisdiction of the Subordinate Cri-
-minal Court.-

adverting

3d November 1848.

3. Adverting to the terms of the Clause above quoted taken in conjunction with Clause Second Section III of the same Regulation it appears to the Court of Foujdaree Udalut to have been the intention of the legislature that all cases of Housebreaking accompanied by personal violence of any kind whatever, or in other words all cases involving the offence of robbery as distinguished from theft should invariably be committed to the Court of Circuit which is now represented by the Sessions Court.-

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

(Sent in a No 1152) S

Entd WH.

Sylh

J. U.

Saturday 4th November 1848.

At a Court of the Foujdaree Udalut.-

-Present-

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

EPT — E. P. Thompson Esqre — 2d Puisne Judge.-

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

Read report of Cases disposed of by the Magistracy of Salem under the provisions of Section VII Regulation X of 1816 during the month of September 1848.-

(Vide enter J. U. No 2300 of 1848.)

Case No 1.

1. The 1st prisoner in this case was charged with having beaten the Prosecutor and snatched away from him a golden necklace and a finger ring valued at Rupees 137-8-0 and has been sentenced to imprisonment with hard labor in irons for three months under the provisions of Section VII Regulation X of 1816.-

2. The Court of Foujdaree Udalut require an explanation with reference to the nature of the offence proved against the prisoner in this case.-

3. The Court infer that the offence

offence proved differed materially from that specified in the statement of charge which it is observed amounts to Highway Robbery and could not legally have been disposed of by the Magistracy or Criminal Court.—

4. And the Court of Foujdaree Udalut accordingly deem it proper to point out for the future guidance of the officers of the Magistracy of Salem that in cases of a similar nature the Statement of charge should be prepared with reference to the nature of the offence proved, in order that the propriety of the sentence passed may be apparent on the face of the report.—

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Salem for communication to the Magistrate for the information and guidance of that officer by precept returnable within X days from (and) after its receipt.—

(Sent following precept No. 1153)

Read letter dated the 23d. Ultimo from the Sessions Judge of Salem, submitting for the final judgment of the Foujdaree Udalut the Record Case No. 46 of 1848 of the Calendar of the Sessions Court.

(Here enter F. C. No. 2363 of 1848.)

The

Mr. G. S. Hooper.
and
Mr. C. 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 proof against the Prisoner,

"Jean Soopoora Kelloo's son Koroo"

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. 1154

Read Criminal Reports submitted by the Acting Sessions Judge of Cuddalore for the months of September 1848.—

(Here enter F. C. No. 2347 of 1848.)

Report B. Case No. 87. 1. The Court of Foujdaree Udalut observe that it should have been distinctly recited in the statement of the charge preferred against the prisoner in this case that the perjury with which he was charged was material to the issue of the Case in the investigation of which it was committed.—

Case No. 89. 2. The Court of Foujdaree Udalut direct that that portion of the sentence in this case which awards irons be remitted, such an award

award being unauthorized by the provisions of Regulation IX of 1832.-

3.

The Court observe that the Sessions Judge has omitted to affix to those Reports a note shewing whether each case was "united" or "ununited" by him.-

Ordered that Extract from these proceedings be forwarded to the Acting Sessions Judge of Cuddalore for his information and guidance by precept returnable within V days from and after its receipt.-

(Sent following precept No. 1155

Read Calendar of Case No. 148 of 1848 submitted by the Sessions Judge of Calicut under date the 25th Ultimo.-

(Here enter F. 66. No. 2369 of 1848.)

Read return dated the 28th Ultimo from the Sessions Judge of Cuddapah to the Precept of the Fouzdaree Adalut under date the 23d Idem directing the immediate and unconditional release of the 4th Prisoner in Calendar Case No. 47 of 1848.-

(Here enter F. 66. No. 2373 of 1848.)

Read return dated the 2d Ultimo from the Sessions Judge of Chicacole to the precept of the Fouzdaree Adalut under date the 6th Idem.-

desiring

desiring him to call upon the Principal Sudder Ameen of Vizagapatam and Sudder Ameen of Ichapore to explain the cause of one Peon having been employed in guarding the Convicts worked outside the jail under their respective charge in the month of August 1848.-

(Here enter F. 66. No. 2375 of 1848.)

Read return dated the 28th Ultimo from the Sessions Judge of Trichinopoly relative to the precept of the Fouzdaree Adalut under date the 19th Idem on a letter dated 30th September last from that Officer submitting for the final judgment of this Court the Record of Case No. 13 of 1848 of the Calendar of the Sessions Court directing him to inform the Principal Sudder Ameen that in future when a Prisoner admits the charge he must not be satisfied with merely recording that the Prisoner acknowledges his Talook Statement but must take down whatever he may desire to state in detail.-

(Here enter F. 66. No. 2376 of 1848.)

Read letter dated the 28th Ultimo from the Sessions Judge of Trichinopoly, reporting for the information of the Judges, that a Prisoner in the jail at that Station named Letchmanen was on the 28th October 1848 transferred to the jail at

th. November 1848.—

Huddalore on the recommendation of the Garrison Surgeon, copy of whose Certificate accompanies.—

(Here enter F. 16. No. 2377 of 1848.)

Read Calendar of Case No. 46 of 1848 submitted by the Sessions Judge of Mangalore under date the 26th Ultimo.—

(Here enter F. 16. No. 2381 of 1848.)

Read return dated the 28th Ultimo from the Sessions Judge of Calicut to the precept of the Foujdaree Adalut under date the 23d Idem reducing the Sentence passed on the 2d Prisoner in Case No. 44 of 1848 on the Sessions Calendar from th[e] 2 years imprisonment &c.—

(Here enter F. 16. No. 2384 of 1848.)

Read Calendars of Cases Nos. 46 and 47 of 1848 submitted by the Sessions Judge of Calicut under date the 28th Ultimo.—

(Here enter F. 16. Nos. 2388 and 2389 of 1848.)

End 7th

F.W.

Monday,
6th November 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 October 1848 by Iyasawmy Pillay and Goolam Noordeen late Jail Jamadar and Duffadar of Madura.

(Here Enter F.W. No 2800 of 1848)

1. The object of this Petition is to induce the Court of Foujdaree Adalut to issue orders directing the restoration of the Petitioners to the situations from which they have been respectively dismissed by the Subordinate Judge of Madura, in consequence of the escape of two convicts from the Jail at Paumben.

2. The Petitioners assert that the escape of the convicts was not attributable to any negligence on their part, but to that of the Peons on guard over the Jail. They further allege that it may in a great measure

be

be attributed to a recent order issued by the subordinate Judge, directing the Jailor to let out the convicts at 3 o'Clock in the morning for the purpose of cooking their meals. Petitioners state that they have appealed to the Sessions Judge, but without success, they pray, therefore the interference of the Court of Foujdaree Udalut.

3. Before passing final orders on this Petition the Court of Foujdaree Udalut resolved to forward its English translation thereof to the Sessions Judge, who will be pleased to report under what circumstances, and for what misconduct the Petitioners were dismissed from their situations. The Sessions Judge will also be pleased to state, why, as his Proceedings of the 27th July show, he refused to interfere in the matter.—

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Madura for his information and guidance by precept returnable within 7 days from one after its receipt.—

(Sent following Precept No. 1157

Orders also, that Extract from

Police returned

from these proceedings be granted to the Petitioner on their application.—

Read Letter dated the 21st October 1848 from the Sessions Judge of Palicatte reporting that the offence charged in case No 140 of the Magistrate Report B for the last month was committed in the Palghat Talook, Dhangar a Dimshow—

(Here Enter F.R. No 2348 of 1848)

Read Statement dated 30th September 1848 submitted by the Sessions Judge of Chingleput shewing the amount realized by the labour of Prisoners in the Gillah of Chingleput for the 3d Quarter 1848.—

(Here Enter F.R. No 2370 of 1848)

J. No.

Tuesday 7th November 1848.

At a Court of the Sunjdaree Udalut.—

Present—

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

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

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

Read letter dated 20th Ultimo from the Session Judge of Salem, submitting for the final judgment of the Sunjdaree Udalut the Record of Case No. 42 of 1848 of the Calendar of the Session Court.—

(Herewith enter J. No. 2415 of 1848.)

The Court of Sunjdaree Udalut,

Mr. C. D. 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 proof against the prisoner,

"Arriant"

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. 1159)

Read letter dated 30th Ultimo from the Session Judge of Coimbatore, submitting for the

the final judgment of the Foujdaree Udalut in the Record of Case No. 36 of 1848 of the Calendar of the Sessions Court.—

(Here enter F. C. No. 2394 of 1848.)

Mr. G. S. Hooper.—

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.—Malayaundy.—

2d.—Vyapoory Son of the 1st. Prisoner.

and

3d.—Chinna Malayaundy.—

is sufficient to convict them of the crime of Gang Robbery by open violence, do convict them thereof, and under the provisions of Clauses third and fifth, Section IV Regulation XV of 1803, and Section XXXIV Act VII of 1843, sentence the Prisoners,

1st. Malayaundy. and

2d. Vyapoory Son of the 1st. Prisoner.

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, and the Prisoner

3d. Chinna Malayaundy.—

Younger brother of the 1st. Prisoner.—

to be imprisoned and kept to hard labor in irons on the

the public roads or other public works, for and during the period of (7) Seven years.—

(Sent following Letter No. 1160

Read Supplemental Return dated the 18th Ultimo from the Sessions Judge of Tellicherry, to the Precept of the Court of Foujdaree Udalut under date the 19th August 1848 conveying their instructions in regard to the investigation of the charges against Mennayet Ally Khan the Moosty Sudder Ameen of the Civil and Sessions Court of Tellicherry.—

(Here enter F. C. No. 2329 of 1848.)

1. The Sessions Judge forwards with the Return now recorded—a Paper of "Rules" in accordance with which he has resolved that the further investigation into the charges pending against the Moosty Sudder Ameen, shall be conducted.—

2. The Court of Foujdaree Udalut are of opinion that those Rules are, in every respect, unobjectionable; and they resolve to direct that that opinion be communicated, by the Sessions Judge, to the Moosty Sudder Ameen.—

3. The Court deem it proper to call the attention of the Sessions Judge to the remarks recorded in Parah: 4 of their Proceedings under date the 10th October 1848. The Court are satisfied,

that

that the Sessions Judge will be guided throughout the conduct of this investigation by the spirit of these remarks, and exercise all possible forbearance towards the Defendant, giving his attention rather to the substantial merits of the case than to any ebullitions of temper which that individual may exhibit.—

4. It appears that the Moofty Sudder Ameen has refused to appear in Court until he shall have received an answer to certain representations which he has addressed to the Government and the Foujdaree Adalut respecting the Proceedings of the Sessions Judge.— The Court direct that the Sudder Ameen be informed by the Sessions Judge that his conduct in that particular is deemed disrespectful, and is viewed by the Foujdaree Adalut with displeasure: and that he be distinctly apprized that should he omit to attend in Court again, upon his receiving notice for that purpose the investigation will proceed in his absence.—

5. The Sessions Judge will be pleased to use his efforts to bring this investigation to a close without further delay.—

Ordered that Extract from these proceedings be forwarded to the Sessions

Judge of Tellicherry for his information and guidance.—

(Sent in No. 116)

Read return dated the 1st Instant from the Sessions Judge of Nellore to the precept of the Foujdaree Adalut under date the 27th Ultimo reducing the sentence of the 1st, and directing the release of the 2d, 3d, 4th and 5th Prisoners in Calendar No. 33 of 1848.—

(Here enter F. 16. No. 2392 of 1848.)

Read return dated the 1st Instant from the Sessions Judge of Nellore to the precept of the Foujdaree Adalut under date the 25th Ultimo directing the release of the prisoner in Criminal No. 100 of 1848.—

(Here enter F. 16. No. 2393 of 1848.)

Read Calendars of Cases No. 60 and 62 of 1848 submitted by the Sessions Judge of Cuddapah under dates the 1st and 3d Instant.—

(Here enter F. 16. No. 2401 and 2402 of 1848.)

Read Calendar of Case No. 33 of 1848 submitted by the Sessions Judge of Guntoor under date the 1st Instant.—

(Here enter F. 16 No. 2403 of 1848.)

Read Calendar of Case No. 33 of 1848 submitted

submitted by the Sessions Judge of Madura under date the 1st Instant.—

(Here enter F. 66. No. 2405 of 1848.)

Read Calendar of Case No. 35 of 1848 submitted by the Sessions Judge of Tinnevelly under date the 28th Ultimo.—

(Here enter F. 66. No. 2409 of 1848.)

Read Calendar of Case No. 15 of 1848 submitted by the Sessions Judge of Masulipatam under date the 24th Ultimo.—

(Here enter F. 66. No. 2412 of 1848.)

Read return dated the 3d Instant from the Sessions Judge of Chingleput to the precept of the Foujdaree Adalut under date the 28th Ultimo directing him to explain under what circumstances in two of the instances referred to of the former punishment of the Prisoner in Case No. 94 Criminal Report B for September 1848 that individual was imprisoned as a "Vagrant" whether in default of furnishing security or upon other grounds.—

(Here enter F. 66. No. 2416 of 1848.)

Read return dated the 3d Ultimo from the Sessions Judge of Combaconum to the precept of the Foujdaree Adalut under date the 28th Idem requiring him to submit the

proceedings held under date the 2d September last in Case No. 10 on the supplemental report of Cases disposed of by the Magistracy.—

(Here enter F. 66. No. 2418 of 1848.)

Read return dated the 1st Instant from the Sessions Judge of Madura to the precept of the Foujdaree Adalut under date the 27th Ultimo directing the sentence awarded to the Prisoners in Calendar Cases Nos. 48. 49 and 50 of 1848 to be reduced to 2 years.—

(Here enter F. 66. No. 2421 of 1848.)

Read return dated the 1st Instant from the Sessions Judge of Cuddapah to the precept of the Foujdaree Adalut under date the 28th Ultimo directing a mitigation of the sentence awarded upon the Prisoner in Calendar Case No. 59 of 1848 by reducing the term of his imprisonment to 7 years.—

(Here enter F. 66. No. 2428 of 1848.)

Read letter dated the 19th Ultimo

End 7th.

from the Sessions Judge of Bellary forwarding the Acting Magistrates return to the Precept of the Sessions Court of the 29th August last, which accompanied the proceedings held on review of the Petty Calendars for the 2d Quarter of 1848.—

(Here enter F. M. No. 2326 of 1848.)

Read

7th November 1848.

Read letter dated the 30th Ultimo from the Session Judge of Raychummaday - soliciting the attention of the Court of Foujdaree Udalut to his letter of the 29th August last, respecting a boy who is detained in custody awaiting the Courts orders.-

(Here enter F.U. No. 2400A of 1848.)

X.

F. U.

Thursday 9th November 1848.

At a Court of the Foujdaree Udalut.

-Present-

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

Mr. C. D. Thompson Esqre — 2d Puisne Judge.

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

Read letter dated the 1st instant, from the Session Judge of Guntoor - referring for the final judgment of the Foujdaree Udalut, the Record of Case No. 34 of the Calendar of the Session Court of 1848.-

(Here enter F.U. No. 2435 of 1848.)

The Court of Foujdaree Udalut,

Mr. C. D. 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 prisoner

"Combhum Royennah"

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; and direct that he be set at liberty.-

The Court of Foujdaree Udalut

1.

deem the evidence insufficient for the conviction of the Prisoner in this case.-

We

2. _____ He was partially disguised, and before the night of the Robbery, he had never been seen by any of the Witnesses: in addition to which, a period of nearly six months elapsed before they again saw him.—

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

(Sent following Letter No. 1164)

Read Calendar of Cases No. 36 of 1848 submitted by the Session Judge of Rajahmundry under date the 31st Ultimo.—

(Here enter F. C. No. 2430 of 1848.)

Read Report dated the 1st Instant submitted by the Session Judge of Rajahmundry of Cases pending trial before the Sessions Court on the 31st October 1848.—

(Here enter F. C. No. 2433 of 1848.)

Read Report dated the 1st Instant submitted by the Session Judge of Tinnevelly of Cases pending before him up to the 31st October 1848 in which the Trial has been delayed beyond 25 days.—

(Here enter F. C. No. 2434 of 1848.)

9th November 1848.

Read Calendar of Case No. 39 of 1848 submitted by the Acting Sessions Judge of Cuddalore under date the 4th Instant.—

(Here enter F. C. No. 2440 of 1848.)

Read Calendar of Case No. 30 of 1848 submitted by the Sessions Judge of Calicut under date the 1st Instant.—

(Here enter F. C. No. 2441 of 1848.)

Read return dated the 2d Instant from the Sessions Judge of Rajahmundry to the precept of the Foujdaree Adalut under date the 28th Ultimo directing to be furnished with an explanation of the cause of 2 peons having been employed in excess of the prescribed number in guarding the Convicts worked outside the Jail during September 1848.—

(Here enter F. C. No. 2447 of 1848.) 5

Ext. H.

S. U.

Friday 10th November 1848.

At a Court of the Sunjdaree Udalut.

Present

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

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

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

Read Extract from the Minutes of Consultation under date the 19th September 1848. No. 630 forwarding four Petitions addressed to Government by Aleeed Row late Deputy Moonshy in the Magistrates Department at Cuddapah, by B. Seevarow of Cuddapah and B. Wobul Row Serishtadar of the Civil and Sessions Court at that Station and directing the Court of Sunjdaree Udalut to require from the Magistrate of Cuddapah an explanation of his proceedings in the case of the parties referred to and to submit the same to Government with a report.—

(Here enter S.U. No. 2083.)

Read also Extract from the Minutes of Consultation under date the 28th September 1848 forwarding further Petitions from B. Wobul Row Serishtadar of the Zillah Court of Cuddapah

Cuddapah and conveying the instructions of Govern-
ment thereon.—

(Here enter F. 16. No. 2148.)

Read also Extract from the
Minutes of Consultation under date the 7th October
1848 No. 655 - transmitting a further Petition from
B. Wobul Row Serishtadar of the Zillah Court
of Cuddapah together with its enclosures for the
consideration of the Court of Sudder Adalut.—

(Here enter F. 16. No. 2230 of 1848.)

Read also letter under date the 30th
September 1848 from the Magistrate of Cuddapah

(Here enter F. 16. No. 2201 of 1848.)

Also letter under date the 9th
October 1848 from the same Officer.—

(Here enter F. 16. Nos. 2240 and 2241 of 1848.)

Also letter from the Sessions Judge
of Cuddapah under date the 21st September 1848
reporting for the orders of the Judges of the Sudder
and Foujdaree Adalut the suspension of B.
Wobul Row Serishtadar of the Zillah Court.

(Here enter S. 16. No. 1444 of 1848.)

1. In conformity with the orders of
Government as contained in the Extract from the
Minutes of Consultation under date the 19th September

1848

1848 the Court of Foujdaree Adalut proceed to record
their opinion in regard to the proceedings of the
Magistrate of Cuddapah in the matter therein adverted
to.—

2. Immediately on the receipt of the
foregoing order of Government the Magistrate was
directed to submit a detailed explanation with refer-
ence to the several allegations contained in the
Petitions of Atchee Row, Seeva Row and Wobul
Row, which was accordingly furnished by that
Officer in his letter dated the 30th September 1848.—

3. The Court of Foujdaree Adalut
gather from this communication and from the
Sessions Judge's letter of the 21st September to which
the Magistrate makes frequent reference, that on
the 7th September the Officer Commanding the
19th Regiment Native Infantry stationed at Cuddapah
received from one Coomarasamy Moodely, late
Head Writer of the Zillah Court, a Memo-
randum of charges seriously affecting the character of the
Magistrate which he stated that he had been commis-
sioned to embody in a Petition of Appeal, which was
intended to be preferred against certain Sentences
recently passed by the Sessions Court in connexion
with a serious case of Gang Robbery; the Memo-

in

in question having been drafted for his guidance by D. Atchoet Pow who was stated to have obtained surreptitiously by means of his brother Hobub Pow, serishtadar of the Sessions Court, copies of certain records of the Sessions Court to aid in the preparation of the said Petition of Appeal.—

4. This communication it appears was made by Coomarasamy Moodely to Major Osborne from a fear of consequences which he apprehended might result to himself from the preparation of a Petition based on documents surreptitiously obtained from the Sessions Court, and containing imputations upon the character of an officer of Government which he knew to be entirely unfounded.—

5. At Coomarasamy's request the paper was forwarded by Major Osborne to the Magistrate who immediately deputed the Police Ameen, accompanied by the Head Serishtadar and Tahsildar to the house of Coomarasamy where they received from that individual all the documents above alluded to.—

6. Depositions were then taken by the Magistrate from Coomarasamy Moodely and the Police Ameen, which were forwarded to the Sessions Judge with a reference for instructions as to the course to be adopted by the Magistrate under the circumstances

circumstances of the case.—

7. Accordingly on the 9th September, the Sessions Judge held proceedings recording his opinion that as "the case involved the native servants of the Government, and was not one which the Magistrate could finally adjudicate, the Magistrate might either himself, or through the Head Assistant Magistrate hold further preliminary enquiries in pursuance of the information given by Coomarasamy Moodely" and that "after doing so it would be at the Magistrate's discretion either to limit himself to bringing the case to the notice of the higher authorities with whom the question of Atchoet Pow's re-employment rests, or to forward any parties who might appear guilty of a punishable offence for trial before the Subordinate Criminal Court in the ordinary manner."—

8. Upon the receipt of these instructions it appears that the Magistrate deputed the Acting Head Assistant Magistrate to investigate the case, and that at the close of the first days enquiry a warrant was issued by the latter Officer, for the apprehension of D. Atchoet Pow and two other individuals.—

9. Atchoet Pow having absconded before the warrant was served, other warrants for his

his apprehension were forwarded by the Magistrate to the Magistrates of the neighbouring Districts, and to the Sheriff of Madras; a proclamation being pasted on the house of his brother Mohd Row under the provisions of Section XVII Regulation IX of 1816.—

10. With his letter of the 30th September, the Magistrate has submitted copies of a voluminous correspondence having reference to the dismissal of B. Atchee Row from his situation of Deputy Moonshee in the office of the Head Assistant Magistrate, from which it appears that the re-employment of that individual had recently been ordered by the Board of Revenue who considered that his dismissal was founded on insufficient grounds.—

11. On a deliberate consideration of all the papers before them, the Judges of the Foujdaree Adalut are constrained to record their opinion that the Magistrate acted injudiciously in deputing the acting Head Assistant Magistrate to hold a criminal investigation of the case, and that with reference to the nature of the charges which were elicited against Atchee Row the issue of warrants for his apprehension was altogether irregular and illegal.—

The

12. The Judges observe that in adopting the course pursued by him, the Magistrate appears to have been to a certain extent guided by the instructions which he received from the Sessions Judge; and they consider that it is to be regretted that the Sessions Judge in the para of his proceedings above quoted did not confine himself to the recommendation therein conveyed, that the Magistrate should "limit himself to bringing the case to the notice of the higher authorities with whom the question of Atchee Row's re-employment rests."—

13. The Judges are unable to concur in the exposition of the Law recorded by the Sessions Judge in his proceedings dated the 18th September held on the appeal preferred by Mohd Row against the issue of the Magistrate's warrant for the apprehension of his brother copy of which was submitted to Government by B. Mohd Row in his Petition of the 24th September; they are of opinion that the offence with which Atchee Row was charged does not come within the scope of the Law for Libel, considering the manner in which the calumnious charges were brought forward insufficient to constitute a publication on the part of the individual by whom they were framed.—

14. The Sessions Judge was also of

opinion

opinion that under the provisions of the Mahommedan Law a charge of conspiracy against Ateeet Dus, and the persons concerned with him in the preparation of the charges against the Magistrate, might be sustained; but in the opinion of the Court of Sudder Udalut the entertainment of such a charge by the Magistrate or either of his Assistants was liable to obvious objections under the peculiar circumstances of the case; and under any circumstances the issue of warrants for the apprehension of persons charged with a bailable offence was clearly in contravention of the provisions of Clauses first and second Section XV Regulation IX of 1816, in which it is prescribed that the accused shall in the first instance be required to appear by a summons, directing his attendance either in person or by Vakeel.—

15. The Magistrate having been directed to recal the warrants adverted to, no further orders on this subject appear to be required.—

16. The Judges have deemed it proper to direct the dismissal of D Mohul Row from his office of Serishtadar in the Zillah Court from which he has been suspended by the Session Judge being satisfied that the part which that individual is shown to have taken in the surreptitious removal

of the Court records for improper purposes has rendered him undeserving of further employment in the public service, the more especially when the responsible nature of the situation filled by him is taken into consideration.—

17. The Judges are further of opinion that the calumnious allegations which he has permitted himself to set forth in his Petitions to Government against the Session Judge and Magistrate under his removal from the public service the more imperative.—

18. The Judges see no reason to question the truth of Comarasamy Muddelys statement that the memorandum of charges above referred to was drafted by Ateeet Row, and delivered to him by that individual for the purpose specified. The memorandum in question, a copy of which the Judges deem it proper to submit for the consideration of the Right Honorable the Governor in Council, contains imputations upon the character of Mr Cochrane so obviously unfounded, that the Court of Sudder Udalut consider it desirable that the circumstances of this case should be communicated to the Board of Revenue with reference to their orders for the re-employment

10th 15th November 1848.

Ollicut Row.—

Letter from Sepoy Judge of Cuddapah dated 21st September with its Enclosure C.—

Letter from Magistrate of Cuddapah dated 30th September.—

Petitions received from Government with their orders of the 14th and 28th September and 7th October.—

Ordered that Extract from these proceedings together with the papers noted in the margin be forwarded to the Secretary to Government in the Judicial Department to be laid before the Right Honorable the Governor in Council.—

(Sent in No. 1165

Ordered also that Extract from these proceedings be forwarded to the Sepoy Judge of Cuddapah for his information and guidance.—

(Sent in No. 1166

Ordered also that Extract from these proceedings be forwarded to the Magistrate of Cuddapah for his information and guidance.—

(Sent in No. 1167)

Read Calendar of Cases No. 31 of 1848 submitted by the Sepoy Judge of Guntoor under date the 28th September last.—

(Here enter F. C. No. 2168 of 1848.)

Read Criminal Reports dated the 30th September last submitted by the Sepoy Judge of Coimbatore for the months of September 1848.—

(Here enter F. C. No. 2226 of 1848).—

Ed. H. K.

F. No.

Monday
13th November 1848. At a Court of the Foujdaree Udalut.

Present

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

Read again Miscellaneous Petition presented on the 24th July 1848 by Ramjan and two others of Zillah Salem.

/Reverter F. No. P. No 212 of 1848/

Read again also return under date the 11th October 1848 from the Sessions Judge of Salem to the precept of the Foujdaree Udalut dated 29th September 1848 directing the transmission of an English Translation of the record of Case No 91 of 1847 on the file of the Sessions Court.

/Reverter F. No. No 2250 of 1848/

Read also return under date the 28th October 1848 from the same officer to the precept of the Foujdaree Udalut dated the 23rd October 1848 directing the submission of an English Translation of the List of report sent to the Head of Police by the Village Moonsiff the

the 2nd witness in Case No 91 of 1847.

(Vera enter F.Bs. No 2372 of 1848)

1. The prisoners in this case three in number were charged with Gang Robbery and Arson in having proceeded in a gang armed with sticks and weapons to the Prosecutors houses assaulted and ill-treated the Prosecutors and plundered them of property in ready money, brazen wares and grain valued at Rupees 51-8-0 and further with having set fire to the house of the 1st Prosecutor in consequence of which the houses of the 2nd 3rd and 4th Prosecutors as well as two others in the neighbourhood were burnt down.

2. The Sessions Judge in concurrence with the Law Officer has convicted the prisoners of the offences laid to their charge and sentenced them to 14 years imprisonment with hard labor in irons.

3. On an attentive perusal of the entire record of this case the Court of Foujdaree Adalut consider the evidence insufficient to the full conviction of any of the prisoners charged.

4. The Court observe that the only property supposed to have been plundered which has been discovered in the houses of the prisoners consists of grain which to the value of Annas 8. Annas 1-6 and Annas 2 has been found in the houses of the 1st 2nd and 3rd prisoners respectively.

5. The remaining evidence against the prisoners rests on their alleged identification at the time that the robbery was committed.

6. They are stated to have been identified by torch-light and to have formed part of a gang consisting of upwards of twenty others, the identification of the 3rd prisoner resting entirely on the evidence of the 2nd prosecutor who alone deposed to having recognised him at the time.

7. Under these circumstances the Court of Foujdaree Adalut deem it proper to direct that the 3rd prisoner be unconditionally released.

8. In regard to the 1st and 2nd prisoners the Court of Foujdaree Adalut consider the evidence insufficient to justify more than a requisition of security and they accordingly resolve to reverse the sentences to which these prisoners have been adjudged and direct that they be required to produce two sureties for their good behaviour and appearance when required

the 2d witness in Case Nos 1 of 1847.

(Sessions Trial No 237 of 1848)

1. The prisoners in this case three in number were charged with Gang Robbery and Arson in having proceeded in a gang armed with sticks and weapons to the Prosecutors houses assaulted and ill-treated the Prosecutors and plundered them of property in ready money, brazen vessels and grain valued at Rupees 51-8-0 and further with having set fire to the house of the 1st Prosecutrix in consequence of which the houses of the 2d 3d and 4th Prosecutors as well as two others in the neighbourhood were burnt down.

2. The Sessions Judge in concurrence with the Law Officer has convicted the prisoners of the offences laid to their charge and sentenced them to 14 years imprisonment with hard labor in irons.

3. On an attentive perusal of the entire record of this case the Court of Foujdaree Adalut consider the evidence insufficient to the full conviction of any of the prisoners charged.

4. The Court observe that the only property supposed to have been plundered which has been discovered in the houses of the prisoners consists

consists of grain which to the value of Annas 8. Annas 1-6 and Annas 2 has been found in the houses of the 1st 2d and 3d prisoners respectively.

5. The remaining evidence against the prisoners rests on their alleged identification at the time that the robbery was committed.

6. They are stated to have been identified by torch light and to have formed part of a gang consisting of upwards of twenty others, the identification of the 3d prisoner resting entirely on the evidence of the 2d prosecutor who alone deposed to having recognised him at the time.

7. Under these circumstances the Court of Foujdaree Adalut deem it proper to direct that the 3d prisoner be unconditionally released.

8. In regard to the 1st and 2nd prisoners the Court of Foujdaree Adalut consider the evidence insufficient to justify more than a requisition of security and they accordingly resolve to reverse the sentences to which these prisoners have been adjudged and direct that they be required to produce two sureties for their good behaviour and appearance when required

required for the period of two years in the sum of Rupees 20 each, or that in default they be imprisoned for a similar period.

Ordered that Extract from these proceedings be forwarded to the Session Judge of Salem for his information and guidance by precept returnable within 10 days from and after its receipt.

(Sent following precept No. 1169)

Ordered also, that Extract from these proceedings be furnished to the Petitioner on their application.

Read again Calendar of Case No. 41 of 1848 on the file of the Session Court of Cuddapah.

(Herewith P.C. No. 1907 of 1848.)

Read also Miscellaneous Petition presented on the 25th September 1848 by Venkata Rammanah of Zillah Cuddapah.

(Herewith P.C. & P. No. 256 of 1848.)

1. This is an application for the reversal of the sentence of 5 years imprisonment with hard labour in irons which has been awarded to the 1st prisoner in the foregoing case on a charge of

of "oppression and abuse of authority".

The Petitioner who represents

2. himself to be the prisoner's brother asserts that the latter is entirely innocent of the offence laid to his charge, alleging that his conviction has been brought about by a conspiracy and that the evidence in support of it is false.

The Court of Foujdaree Adalut

3. are satisfied from a perusal of the Calendar which contains a detailed statement of the evidence in the case referred to, that the guilt of the prisoner charged has been most fully established, and that the sentence awarded are just and proper.

The Court accordingly resolve to

4. dismiss this Petition.

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

Read Miscellaneous Petition presented on the 9th October 1848 by Kurgie and another of Zillah Cuddapah.

(Herewith P.C. & P. No. 267 of 1848.)

1. The Petitioners pray the Court of Foujdaree Adalut to order their restoration to the

13th November 1848.

the situations of Duffadar and Peon on the establishment of the Collectorate of Cuddapah from which they state that they have been unjustly dismissed by the Magistrate on the ground that they had withheld information of an Highway Robbery for which offence they have been tried and acquitted by the Criminal Court.

2.

The Court of Sujdaree Adalut declines to interfere in the matter of this Petition being satisfied from a perusal of the proceedings of the Criminal Court upon the trial of the Petitioners that ample grounds existed for their dismissal from the Public Service.

Ordered therefore that this Petition be dismissed and that Extract from these proceedings be furnished to the Petitioners on their application.

Ordered also that Extract from these proceedings be forwarded to the Magistrate of Cuddapah for his information.

(Sent in No 1170)

Read Miscellaneous Petition presented on the 18th September 1848 by Rayava Reddy of Zillah Cuddapah.

(Reverter F. Mc. D. No 245 of 1848)

The

13th November 1848.

1.

The object of this Petition is to induce the Court of Sujdaree Adalut to set aside the Sentence of 14 years imprisonment passed by the Sessions Judge of Cuddapah on the Petitioner's Brother, the 2nd Prisoner in Case No 34 of 1848 of the Sessions Court of Cuddapah.

Petitioner avers the innocence of his Brother, and adverts to the respectability of their family as sufficient proof that his relative is incapable of committing the Robbery with which he was charged. Petitioner asserts that the said charge was falsely preferred against his Brother at the instigation of one Vachavla Gungadoo, and others with whom his family are at enmity, and that those individuals were aided in their fraud by Samiah the Head Jawab Nevis in the Magistrate's Cutcherry, whose enmity the Prisoners had incurred in consequence of their refusal to pay him the Bribe of Rupees 5000 which he had demanded.

2.

Finally, Petitioner prays that the record of the Case may be called for, that his Brother may be released, and that due punishment may be awarded to the Prosecutor and others for preferring

13th November 1848.

preferring a false charge.

4 The Court of Foujdaree Udalut being satisfied from a careful perusal of the evidence set forth in the Calendar of the Case in question of the justness of the 2d Prisoner's conviction, decline to interfere in the manner solicited.

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

End 4.

F. R.

Tuesday
14th November 1848.

At a Court of the Foujdaree Udalut.

Present

G. S. Harper Esqre ——— 1st Puisne Judge.
E. P. Thompson Esqre ——— 2d Puisne Judge.
W. A. Morehead Esqre ——— 3d Puisne Judge.

Read Letter dated the 10th Instant from the Sessions Judge of Chittoor submitting for the final Judgment of the Foujdaree Udalut the Record of Case No. 31 of 1848 of the Calendar of the Sessions Court.

(Received P.R. No. 2474 of 1848)

The Court of Foujdaree Udalut,

Mr. G. S. Harper

on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the prisoner,

"Gungadoo"

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 &c.

Read

14th November 1848.

Read return dated the 31st Ultimo from
the Sessions Judge of Tanjore to the precept of the
Fouzdaree Adalut under date the 20th idem, conveying
their orders on the Calendar of Case N°45 of 1848
on the file of the Sessions Court.

/Here enter F.Dc. N° 2452 of 1848/

Read Calendar of Case N° 23 of
1848 submitted by the Sessions Judge of Tanjore
under date the 1st Instant.

/Here enter F.Dc. N° 2457 of 1848/

Read Calendar of Case N° 40 of
1848 submitted by the Acting Sessions Judge of
Cuddalore under date the 8th Instant.

/Here enter F.Dc. N° 2461 of 1848/

Read return dated the 7th Instant
from the Acting Sessions Judge of Cuddalore to the
precept of the Fouzdaree Adalut under date 4th idem
remarking on the Criminal Report B of the Principal
Sudder Ameen of Cuddalore for September 1848 and
directing the Acting Sessions Judge to remit that
portion of the sentence which awards stocks in Case
N° 39 of 1848.

/Here enter F.Dc. N° 2465 of 1848/

Read Calendar of Case N° 32 of

14th November 1848.

1848 submitted by the Sessions Judge of Chittoor
under date the 4th Instant.

/Here enter F.Dc. N° 2466 of 1848/

Read return dated the 8th Instant
from the Sessions Judge of Chittoor to the precept
of the Fouzdaree Adalut under date the 30th Ultimo
directing the release of the 2d Prisoner in Case
N° 6 of the Calendar for 1848.

/Here enter F.Dc. N° 2470 of 1848/

Read return dated the 4th Instant
from the Sessions Judge of Tanjore to the precept
of the Fouzdaree Adalut under date the 28th
Ultimo requiring an explanation of the cause
of one Lon having been employed in excess of
the prescribed number in guarding the Convicts
worked outside the Jail during the month of
September 1848.

/Here enter F.Dc. N° 2471 of 1848/

Read report dated the 6th Instant
from the Sessions Judge of Mangalore of Cases
pending on the 30th September and committed for trial
in the month of October 1848.

/Here enter F.Dc. N° 2473 of 1848/

Ent HH

F. C.

Wednesday, 15th November 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 Letter dated 30th September 1848 from the Sessions Judge of Honore.

(Here enter F. C. No. 2223 of 1848).

Read also Return dated 27th October made by the Sessions Judge of Honore to the Precept of the Court of Foujdaree Adalut dated 17th October 1848, directing the Sessions Judge to call upon the additional Joint Magistrate of Canara to explain under what Regulation he acted in demanding Security from Soobraya a Vakeel in the Civil Moonsiff's Court, and also from the individual named Timmana Bhut.

(Here enter F. C. No. 2391 of 1848).

1. Adverting to the 3rd para of the explanation given by the Additional Joint Magistrate in regard to the Security taken by him from the above mentioned individual, the Court of Foujdaree Adalut observe that the additional Joint Magistrate is correct in supposing that the Security already taken "must be of necessity cancelled"; but with reference to the proposal

15th November 1848.

proposal made by that officer "to take fresh evidence,
"if procurable, in view to a fresh demand for security
"under the provisions of Clause I Section V Regulation VI
A: D: 1827" the Court would observe that that enactment
merely declares Magistrates competent to take recognizance
or security for keeping the peace and its provisions are
therefore manifestly not applicable either to the case of
Tiimmuma Bhut or the Vakeel "Soobrayah".

Ordered that Extract from these
Proceedings be forwarded to the Sessions Judge of Hooghly
for his information and for communication to the
Additional Joint Magistrate for the information and
guidance of that office.

(Sent in No. 1173).

End 14.

lgh

F U.

Thursday 16th November 1848. At a Court of the Tongdaree Udalut.

Present.

J.P.R. G. L. Hooper Esqre 1st Puisne Judge -
C.P.T. C. P. Thompson Esqre 2d Puisne Judge -
W.M. W. A. Morehead Esqre 3d Puisne Judge -

Read Report of 5 persons apprehended in the Zillah of Chingleput, and delivered to the Magistrate and Criminal Judge in the months of September 1848. -

(Hereunto F.U. No. 2374 of 1848.)

1. The Court of Tongdaree Udalut observe that the nature of the Fault of which the Prisoners in each of these Cases were respectively convicted should have been more clearly set forth in the Statement of the charge -

Cases No. 1081-1098 and 1099. -

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chingleput for communication to the Magistrate for the information and future guidance of that Officer.

Officer.-

(Sent in No. 1174)

Read Calendar of Cases No. 45 of the Sessions Court of Mangalore for 1848.-

(Here enter F.N. No. 2480 of 1848)

The Statement of the charge in this case being almost unintelligible from the careless manner in which it has been framed, the Court of Foujdaree Adalut resolve to return the Calendar to the Sessions Court with a view to its retransmission in an amended form.-

Ordered that Extract from these Proceedings be forwarded to the Assistant Judge in charge of the Sessions Court of Mangalore by Precept returnable within X days from and after its receipt.

(Sent following precept No. 1175)

Read Calendar of Case No. 5 of 1848 submitted by the Sessions Judge of Masulipatam under date the 4th Instant.

(Here enter F.N. No. 2478 of 1848)

Read Criminal Reports submitted by the Sessions Judge of Coimbatore under date the 1st Instant for the month of October 1848.

(Here enter F.N. No. 2480 of 1848)

Read Calendar of Case No. 35 of 1848 submitted by the Sessions Judge of Guntoor under date the 13th Instant.

(Here enter F.N. No. 2484 of 1848)

Read Calendar of Case No. 38 of 1848 submitted by the Sessions Judge of Nellore under date the 14th Instant.

(Here enter F.N. No. 2485 of 1848)

Read Criminal Reports submitted by the Sessions Judge of Chingleput under date the 15th Instant for the month of October 1848.

(Here enter F.N. No. 2489 of 1848)

Read Criminal Reports submitted by the Sessions Judge of Salem under date the 31st Ultimo for the month

16th November 1848.

of October 1848.

/Here enter F.U. No 2490 of 1848/

Read Criminal Reports submitted by the Agent to the Governor of Fort Saint George at Kurnool under date the 11th Instant for the month of October 1848.

/Here enter F.U. No 2492 of 1848/-

End 7th

W/N

F.U.

15th November 1848

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

/Sent in No. 1183/

Read Calendar of Cases No 30 of 1848 on the file of the Sessions Court of Chittoor.

/Here enter F.U. No 2431 of 1848./

The Court of Foujdaree Adalut observe that the designation of the authority by whom this case was committed to the Criminal Court should have been recorded in the Calendar

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

/Sent in No 1184/- Read

Read Calendar of Case
No 51 of 1868 on the file of the Sessions
Court of Cuddalore

(Here Enter Exhibit No 2341 of 1868)

1 One prisoner in this case has been convicted of house breaking and theft, and has been sentenced by the Sessions Judge to imprisonment with hard labor in irons for the period of seven years under the provisions of Section XXI Regulation VII of 1802.-

2 On the ground that the Prisoner has not been punished on any former occasion the Sessions Judge recommends that the prescribed period of Imprisonment be reduced to 4 years.-

3 Of this recommendation the Court of Foujdaree Adalut approve and they authorize the Sessions Judge to issue his warrant accordingly.

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

(Sent pr No 1185)

Read Calendar of Case

Exhibit A

No 38 of 1868 on the file of the Sessions Court of Cuddalore

(Here Enter Exhibit No 2346 of 1868)

1 The prisoner in this case was charged with perjury and on conviction has been sentenced by the acting Sessions Judge to four years' Imprisonment with hard labor in irons.-

2 The Court of Foujdaree Adalut consider that the period of Imprisonment awarded to the prisoner may with propriety be reduced to two years and they direct that the acting Sessions Judge will amend his warrant accordingly.

Ordered that Extract from these Proceedings be forwarded to

18th November 1868

18

to the ensuing Sessions for his information and guidance by precept returnable within five days from and after its receipt

Last following precepts Nos 1186 to 1

F. 46

Saturday, 18th November, 1868.

Hon'ble Court of the Tinjdaree Udalut

Present

G. S. Hooper Esqr — 1st Puisne Judge,

E. P. Thompson Esqr — 2nd Puisne Judge

H. P. Morehead Esqr — 3rd Puisne Judge,

Read again Calendar of Cases No 37 of 1868 on the file of the Sessions Court of Coimbatore.

(Rec'd Letter Fee No 2165 of 1868)

Read also Return under date the 6th November 1868 from the Sessions Judge of Coimbatore to the precept of the Tinjdaree Udalut dated the 7th October 1868 directing the transmission of an English translation of a certain portion of the records of the foregoing Case

(Rec'd Letter Fee No 2449 of 1868)

Three prisoners in this case, charged with "robbery by open violence" have been convicted by the

Court of Tinnevelly.

(Here Later File No: 2342 of 1848)

1 In this case three pri-
soners have been convicted of "Gang
Robbery and Wounding" and a sen-
tence of fourteen years' Imprison-
ment, with hard labor in irons
has been accordingly recorded against
them.

2 In consideration however
of the peculiar circumstances of
the case, from which it appears that
the assault in the course of which
the robbery charged was committed
is to be attributed to revenge on the
part of the prisoners towards the
prosecutor for having previously accused
them of a theft, the Sessions Judge
recommends that the prescribed
period of Imprisonment in this case
be reduced to four years, which
he considers will be sufficient

to

the Sessions Judge in commencement of
the case Officers and sentenced to
years' Imprisonment with hard labor
and irons.

2 According to the above
of any aggravating circumstances attend
ant upon the commission of the robbery
of which the Prisoners have been convicted
the Sessions Judge recommends that
the period of Imprisonment awarded
be reduced to seven years.

3 Of this recommendation
the Court of Judicature (Adalut) approve
and do hereby authorize the Sessions Judge
to amend his warrant accordingly

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

Sent in No. 1181 /

Read Calendar of Case
No. 34 of 1848 on the file of the Sessions
Court

18th November 1848

to meet the demands of justice.-

3 Of this recommendation the Court of Foujdaree Adalut approve and they authorize the Sessions Judge to issue his warrant accordingly.-

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

(Sent in № 1182.)

Read Calendars of Cases №s 20 and 29 of 1848 on the file of the Sessions Court of Chittoor

(Here Enter F.H. №s 2353. & 2354 of 1848)

It is observed that a delay of 22 days occurred in the transmission of the foregoing Calendars, the sentences awarded having been passed on the 2d October whereas the transmission of the Calendars was deferred to the 24th of that month.-

Ordered

4

F.H.

Monday. 20th November 1848. At a Court of the Foujdaree Adalut

Present:

G.S. Hooper Esqre 1st Puisne Judge.
E.P. Thompson Esqre 2d Puisne Judge.
W.D. Morehead Esqre 3d Puisne Judge.

Read again Miscellaneous Petition presented on the 4th September 1848 by Valammal of Pillah Chittoor.

(Here enter F.H. M.P. № 236 of 1848)

Read also return under date the 27th October 1848 from the Sessions Judge of Chittoor, to the precept of the Foujdaree Adalut dated the 25th September 1848, directing the submission of an English Translation of the entire record of case № 19 of 1848 on the file of the Sessions Court.

(Here enter F.H. № 2367 of 1848)

On an attentive perusal of

1. the record of this case, in which the Prisoner is declared to have been convicted of "Forgery" and has been sentenced to four

Years

years Imprisonment with hard labor in irons.
the Court of Tongdarre Udalut observe that
the prisoner has not been tried for that offence
by the Sessions Judge who has confined him-
self to examining witnesses to prove the
identity of the prisoner with one Kistnama
Chetty; who in the year 1837 was charged
with having assisted one Abboo Chetty in
forging a mortgage Bond.-

2. It appears that on the oc-
casion referred to, the individuals in ques-
tion were committed by the Assistant Judge
for trial before the Court of Circuit but
were intermediately released by order of
the Zillah Judge.-

3. Subsequently upon a re-
presentation being made on the subject
by the Magistrate of North Arcot, to the
Court of Circuit, the said Abboo Chetty
and Kistnama Chetty were ordered to be
reapprehended and Abboo Chetty having
been reapprehended and tried was sentenced
in the third quarterly Sessions at Chittoor
for 1840 to four years imprisonment, with
hard labor in irons.-

4. The prisoner in this case
has been recently apprehended and stands
charged with being the same person who
was originally put on his trial with
Abboo Chetty.-

5. The Session Judge consider-
ing the identity to be established with-
out further trial, has sentenced the
prisoner to the punishment to which
he would be liable if convicted of the
offence with which he has been charged.

6. The Court of Tongdarre
Udalut are of opinion that the evidence
adduced is by no means conclusive to
the identity of the prisoner with the
individual who was examined before the
Assistant Judge with Abboo Chetty in 1837.

The prisoner is shown to
7. have been for many years residing at
Vellore undisturbed by the Police autho-
rities up to the period of his apprehension
previous to which it appears that he had
preferred a complaint against the Cutwal,
a proceeding most improbable if he were
the individual over whom a charge of
Forgery

Forgery was still pending, and the orders for his apprehension still in force.

8. Irrespectively however of the sufficiency or insufficiency of the proof adduced to establish the identity of the prisoner with the individual referred to, the Court of Tonjadaver Udalut consider that the prisoner is entitled to his release on the ground that the crime charged has not been proved against him, nor any evidence adduced to establish the same.

9. The Court of Tonjadaver Udalut accordingly direct that the prisoner in this case be unconditionally released forthwith.

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

Sent following precept No. 1189

Ordered also that Extract from these proceedings be granted to the Petitioner on his application.

× × ×

Read again Miscellaneous Petition of Sobramana Pillay of Zillah Trichinopoly forwarded by the late Acting Sessions Judge of that Zillah

(Here enter F. M. P. No. 288 of 1848)

F. No.

20th November 1848.

Read also Miscellaneous Petition presented by the same party on the 23d October 1848.

(Here enter F. M. P. No. 288 of 1848)

Adverting to the orders passed by the Court of Tonjadaver Udalut under date the 29th May last upon the foregoing Petitions the Petitioner submits a copy of the proceedings of the late Acting Sessions Judge of Trichinopoly under date the 14th March last, referring him to the institution of a Civil Suit for the recovery of certain property which the Petitioner alleges to have been stolen from him.

2. On reference to the orders in question the Court of Tonjadaver Udalut are unable to discover upon what grounds it is based, or whether the statement of the Petitioner is correct that it was passed by the late Acting Sessions Judge without calling for the Police or Magisterial proceedings held in the case or receiving any explanation from the Magistrate with reference thereto.

The

F. C.

Tuesday,
21st November, 1848. At a Court of the Fouzdaree Adalut

Present.

G. L. Hooper Esqre — 1st Puisne Judge
E. P. Thompson Esqre — 2d Puisne Judge.
W. A. Morehead Esqre — 3d Puisne Judge.

Read again Calendar of Case No 41 of 1848 on the file of the Sessions Court of Combaconum.

(Here Enter F.C. No 2183 of 1848)

Read also return dated 26th October 1848 made by the Sessions Judge of Combaconum to the Precept of the Fouzdaree Adalut dated 10th October 1848, calling for an English translation of the record of the above case.

(Here Enter F.C. No 2362 of 1848)

The record of this case was called for, as it appeared to the Court of Fouzdaree Adalut from a perusal of the evidence set forth in the Calendar, that sufficient grounds had not been adduced to justify the conviction of the Prisoner, who was charged with Forgery, and sentenced by the Sessions Judge to 4 years imprisonment with hard labor in irons.

After

F.C.

Tuesday,
21th November 1848. At a Court of the Fouzdaree Adalut

Present:

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

Read again Calendar of Cases No 41 of 1848 on the file of the Session Court of Combaconum.

(Here Enter F.C. No 2183 of 1848)

Read also return dated 26th October 1848 made by the Session Judge of Combaconum to the Precept of the Fouzdaree Adalut dated 10th October 1848, calling for an English translation of the record of the above case.

(Here Enter F.C. No 2362 of 1848)

The record of this case was called for, and it appeared to the Court of Fouzdaree Adalut from a perusal of the evidence set forth in the Calendar, that sufficient grounds has not been adduced to justify the conviction of the Prisoner, who was charged with Forgery, and sentenced by the Session Judge to 4 years imprisonment with hard labor in irons.

After

of the 1st 2d 4th 5th 6th 11th and 12th Prisoners, resolve to sanction the mitigated sentences proposed for them by the Sessions Judge - and accordingly direct that the term of their imprisonment be reduced to Eight years -

2. The Court further direct that it be pointed out to the Principal Sudder Ameen that in future when a Prisoner acknowledges his guilt, it is necessary that such confession should be made in detail as it is not sufficient that the Prisoner should merely acknowledge the correctness of his Police deposition when read over to him as in the case under consideration.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Trichinopoly for his information and guidance and for communication of para 2 to the Principal Sudder Ameen for the information and future guidance of that officer -

(Sent in Sr No 1192

Read again Criminal Reports of the Sessions Courts of Trichinopoly for the month of September 1848 -

(Here Enter J R No 2284 of 1848)

Read also Return dated 3d Novr

made

made by the Sessions Judge of Trichinopoly to the Precept of the Tanjore Zillah dated 26th October 1848 on review of the above Reports -

(Here Enter J R No 2445 of 1848)

1. Adverting to the remark recorded by the Sessions Judge in the 2d para of his Return that the sentences in Cases Nos 79, 83, and 91 were passed by the Principal Sudder ameen and not by the Sessions Judge" the Court of Tanjore Zillah observe that they were fully aware from a perusal of the Reports that the said sentences were not passed by the Sessions Judge, but as it is the duty of that officer to review the Reports of his Subordinates, so also is it his duty to correct any errors or omissions which may appear therein previous to the transmission of the statements to the Tanjore Zillah - and it was with the view of preventing the recurrence of similar omissions that the Court called the attention of the Sessions Judge to the one which had occurred in regard to the Cases now under consideration -

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

21st November 1848.

future guidance.

Sent following letter No. 5 1793

F. C.

Thursday
23d November 1848

At a Court of the Toojdaree Udalut

Present.

G. S. Hooper Esq^r — 1st Puisne Judge

E. P. Thompson Esq^r — 2d Puisne Judge

W. A. Morehead Esq^r — 3d Puisne Judge

Read letter dated 8th
instant from the Sessions Judge of
Tillicherry submitting for the final
judgment of the Toojdaree Udalut
the Records of case No 180 of 1848 of
the Calendar of the Sessions Court.
(Here Enter File No: 2497 of 1848)
The Court of Toojdaree
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,
"Pallichan Kadavan Amboo
alias Ramara"
is sufficient to convict him of the
crime

Mr E.P. Thompson
and
Mr W.A. Morehead

crime of Wilful Murder, do convict him thereof, and under the provisions of Section 2 Regulation VIII of 1802, sentence him to suffer death by being hanged at the usual time and place of execution.-

/Sent following letter, No 1141/.

Read Letter dated the 6th Instant from the Sessions Judge of Tinnevelly, submitting for the final judgment of the Foujdaree Adalut the Records of case No 38 of 1848 of the Calendar of the Sessions Court

/Rec'd Cutcherry No 2699 of 1848/

Mr G. L. Cooper and Mr W. A. Morehead

The Court of Foujdaree Adalut, on a deliberate consideration of all the circumstances of the case as evidenced before them, being of opinion that the Prisoner

"Soodalay mootoo"

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 Adalut, have acquitted the Prisoner in this case, deeming the evidence for the prosecution, inconclusive, contradictory and improbable.-

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

/Sent following letter No 1195/.-

Read Letter dated the 24th October 1848 from the Sessions Judge of Salem submitting for the final judgment of the Foujdaree Adalut, the Records of Case No 41 of 1848 of the Calendar of the Sessions Court.

/Rec'd Cutcherry No 2631 of 1848/.

Mr W. A. Morehead

The Court of Foujdaree Adalut on a deliberate consideration of all the circumstances of the case in

in evidence before them, being of opinion that the proof against the prisoners

2d Aruma

3d Arunjoorde Chetty and

4th Bettan

is sufficient to convict them of the offences charged, do convict them thereof; but considering that the imprisonment they have already undergone, is sufficient punishment, direct that they be set at liberty.-

And do likewise find the following prisoners

1st Ragava Chetty and

5th Baulanna Chetty

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

/Sent following letter No 1196/

Read letter dated 14th November 1848 from the Deputy Judge of Chavakachcheri submitting

23rd November 1848.

submitting for the final judgment of the Supreme Court the Record of case No 56 of 1848 of the Calendar of the Sessions Court.-

/Record Entry No 2593 of 1848/

Mr G. S. Cooper and Mr C. P. Thompson

The Court of Jaffna duly and deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the Prisoner,

"A Pasaregadoo"

is sufficient to convict him of the crime of 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 irons on the public roads or other public works, for and during the period of his natural life.-

/Sent following letter No 1197/

The Court of Jaffna

Adalut resolve to direct the Sessions Judge to ascertain and report for their information what notice has been taken by the Magistrate of the misconduct and neglect of duty of the Village Police in this case, as reported to him by the Sessions Judge.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Chittapet, by Precept returnable within Seven days from and after its receipt.

(Sent in Precept No 1197.)

Read Calendar of Case No 14 of 1848 on the file of the Court of Masulipatam.

(Here enter File No 3411 of 1848.)

The Court of Foujdaree Adalut approve of the recommendation of the Sessions Judge that the sentence of 14 years' Imprisonment with hard labor in irons which has been awarded to the Prisoner in this case who has

been convicted of "robbery by open violence" be reduced to Eight years; and they authorize that officer to cancel his warrant accordingly.

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

(Sent in No 1198.)

Read Calendar of Case No 61 of 1848 on the file of the Sessions Court of Salem.

(Here enter File No 2408 of 1848.)

The Court of Foujdaree Adalut observe that the official designation of the authority by whom this case was committed to the Criminal Court should have been recorded in the Calendar.

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

to the Subordinate Judge.—

/Sent in No. 1179/

Read Calendar of Case No 39 of 1848 on the file of the Sessions Court of Coimbatore.—

/Here Enter Flo No 2444 of 1848/

These prisoners in this case were charged with High way Robbery and on conviction have been sentenced to 14 years' Imprisonment with Hard Labor in Irons.—

2 Under all the circumstances of the case, the Court of Sujdaree Adaulut considers that the period of Imprisonment awarded, may with propriety be reduced to 10 years, and do they direct the Sessions Judge to amend his warrant accordingly.—

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Coimbatore for his information and Guidance by

by Precept returnable within Five days from and after its receipt.—

/Sent following precept No 1200/

Read Calendar of Case No 22 of 1848 on the file of the Sessions Court of Bonore.—

/Here Enter Flo No 2407 of 1848/

The Court of Sujdaree Adaulut desire to be furnished with an Explanation of the delay which occurred in the apprehension of the prisoners in this case.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Bonore for his information and Guidance & Precept returnable within Twenty days from and after its receipt.—

/Sent following precept No 1201/

Read Calendar of Case No 36 of 1848 on the file of the Sessions Court of Tinnevelly.—

/Here Enter Flo No 2410 of 1848/

1 Of the Prisoners in this case eleven in number charged with "Robbery by open violence" the 1st 2d 5th and 6th have been convicted and sentenced to 18 years' Imprisonment with hard labor in irons, the remaining prisoners being placed under a reprieve of death.—

2 Before confirming the sentences awarded, the Court of Zongdarree & Adawlut resolve to direct that further information may be obtained on the following points viz. what led to the apprehension of the prisoners, whether they were known to the perpetrators previous to the commission of the offence charged & why the charge was deferred for 18 days after the crime was committed, and whether the prisoners were apprehended on a warrant or not.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Tirhoot & Precept returnable

returnable within 10 days from and after its receipt.

Sent following precepts &c 1202/ 5

End 7/11.

F. 66.

Friday
24th November 1843. At a Court of the Foujdaree Udalut.

Present,

G. L. Hooper Esqre. ——— 1st Puisne Judge,
C. D. Thompson Esqre. ——— 2d Puisne Judge,
W. A. Morehead Esqre. ——— 3rd Puisne Judge.

Read letter dated the 17th Instant from the Sessions Judge of Madura, submitting for the final Judgment of the Foujdaree Udalut the Record of Case N°55 of 1843 of the Calendar of the Session Court.

(Hereunto N°2530)

The Court of Foujdaree 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,

"Marootheu"

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.—

Mr. G. L. C. Hooper
and
Mr. C. D. Thompson

The

24th November 1848

1. The Court of Foujdarree Adalut observe that the Trial would have been more complete, had evidence been taken regarding the discovery of the knife, with which the murder was committed, and whether there were stains of blood on it, or not.

2. The Court likewise observe that in forwarding the Records of referred Trials, the Sessions Judge must, in future, conform to the Rules laid down in the latter part of the Circular Order of the 19th January 1825. which required that the titles or nature of all papers not translated, shall be stated on the face of the Records.

3. And the Subordinate Judge must be reminded that when a Prisoner before him confesses the crime laid to his charge, he must record in detail all that he wishes to say, and not be content with merely recording his Jabab deposition to be read over to him, and then requiring him to say whether or not, he gave that deposition.

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

(Sent following Letter No 1203 5

Ent HH

F. U.

Wednesday 27th November 1848

At a Court of the Foujdaree Udalut.

Present.

G. S. Hooper Esqre 1st Puisne Judge.

C. B. Thompson Esqre 2d Puisne Judge.

W. A. Morehead Esqre 3d Puisne Judge.

Read Miscellaneous Petition presented on the 16th October 1848 by Lallee of Zillah Chingleput.

(Here enter F. M. P. A 274 of 1848)

The object of this Petition is to induce the Court of Foujdaree Udalut to reconsider their order of the 7th August last rejecting the Petitioner's application for the reversal of a sentence of 18 months' Imprisonment awarded to her son by the Principal Sudder Ameen of Chingleput.

The Court of Foujdaree Uda: 2. Let see nothing in this Petition which would induce them to question the propriety of the order of which the Petitioner complains, and to which she is according by referred.

Ordered

Ordered that Extract from these proceedings be granted to the Petitioner on her application.

Read Miscellaneous Petition presented on the 23d October 1848 by Ramalinga Charry of Zillah Chittoor.

(Here enter F.D. No 283 of 1848)

1

The Petitioner prays the Court of Foujdaree Udalut to reconsider their order of the 16th October 1848 rejecting his application for their interference in the matter of an alleged robbery of certain property under his charge.-

2

The Court of Foujdaree Udalut see no reason to modify their order to which the Petitioner refers, and they accordingly dismiss this application.-

Ordered that Extract from these proceedings be granted to the Petitioner on his application.-

Read Miscellaneous Petition presented on the 30th October 1848 by Rs. Tirumulroo Vakeel on behalf of Davoo Chetty of Zillah Mangalore.

Here enter F.M.P. No 290 of 1848/

Adverting

27th November 1848.

1

Adverting to the order passed by the Court of Foujdaree Udalut upon her former Petition complaining of the dismissal by the Assistant Magistrate of Canara of a charge of Assault and robbery preferred by her, the Petitioner presents an Extract from the proceedings of the Sessions Court declining to interfere in the case.-

The Court of Foujdaree Uda-

2

lut resolve to dismiss this Petition being satisfied that the charge preferred by her has originated in a family dispute.-

The Court observe that the

3

piece which the Petitioner alleges to have been stolen has by order of the Assistant Magistrate been replaced in her house.-

Ordered that Extract from these proceedings be furnished to the Petitioners Vakeel on his application.-

Read Miscellaneous Petition presented on the 6th November 1848 by Moosawmy Reddy of Zillah Chittoor.-

Here enter F.D. M.P. No 293 of 1848/

The

27th November 1848.

1.

The object of this Petition is to induce the Court of Fouzdaree Udalut to pass an Order directing the restoration of Petitioner to the Village Monsiffship of Jeroopatty from which he has recently been dismissed by the Magistrate of Chittoor, on the ground that he was accessary after the fact to a case of Theft, which formed the charge against the Prisoner in Number 95 of 1848 on the file of the Sub Criminal Court of Chittoor. -

2.

The Court of Fouzdaree Udalut observe, that the Petitioner, if he deems himself aggrieved by any acts on the part of the Magistracy should prefer his appeal in the first instance to the Sessions Judge, and if dissatisfied with the orders passed thereon by that functionary, he may then address himself to the Court of Fouzdaree Udalut. -

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

Read again Miscellaneous Petition presented on the 7th August 1848 by

V.

2.

N.

27th November 1848.

J. Appiah Vakeel on behalf of Badum Serappiah of Zillah Rajahmundry. -

(Here enter F. M. P. No 223 of 1848)

Read also Return dated 30th September made by the Sessions Judge of Rajahmundry to the Precept of the Fouzdaree Udalut dated 6th September 1848, requiring to be informed upon what date the encroachment was as stated in the Sessions Court's Proceedings of the 22d July prohibited by the Magistrate in person, and whether the injunction provided for in Section II Act XXI of 1841 was issued to the party by the Magistrate or not, and if it was on what date, and also requiring a translation of Petition No 45 of 1848 presented to the Sessions Court.

(Here enter F. U. No 2198 of 1848)

1.

With his Return the Sessions Judge submits copy of one from the Magistrate of the District, from which it appears that the Petitioner was duly warned by the Magistrate before the building commenced that the contemplated encroachment would

would not be permitted, and yet in defiance of this warning and in the absence of the Magistrate, the Petitioner began, and completed his encroachments.—

2.

Under these circumstances, and as the Court of Tondaman Adalut have already ruled in their Proceedings of the 10th September 1845 "that a Magistrate is not constrained to act in cases of recent encroachments under the provisions of Sec. XXI of 1841, being fully authorised, as previous to the promulgation of that law to institute and adopt such proceedings regarding them as may be necessary," the Court refuse to disturb the Order of the Magistrate, as solicited.—

3.

The Court are however of opinion that the circumstances of the appeal did not warrant the Sessions Judge in imposing on the Petitioner a fine of Rupees 5 "for a continuation and repetition of appeal," neither was the Regulation quoted by the Sessions Judge applicable to the case in question.—The Court therefore direct that the amount of the fine levied from the Petitioner be returned to him on his application.

27th November 1848.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Rajahmundry for his information and guidance, and for communication to the Magistrate for the information of that officer.—

(Sent in C. No. 1208)

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

Read the following Letter dated the 11th instant from the Sessions Judge of Calicut.—

(Here enter J.H. No. 2500 of 1848)

The Sessions Judge submits

1.

for the favorable consideration of the Tondaman Adalut, a copy of a Letter from the Subordinate Judge of Calicut, accompanied by a Petition from Peroontattane Ambalapata Chachoo—Prisoner in No. 10 of the additional Calendar of the 2d Sessions of 1835. convicted of coining and paying counterfeit coin—praying the remission of the unexpired

unexpired portion of his sentence, namely nine months and six days.-

2. The ground on which the Subordinate Judge advocates the Petitioner's prayer is the circumstance of his bearing "a high character for diligence and steadiness of conduct;" and he deems it "extremely expedient that some favour should occasionally be shown to convicts ... who may distinguish themselves for meritorious behaviour."

3. The Court of Foujdaree Uda-lut regret that they cannot discover, in the representations advanced by the Sessions Subordinate Judge, any adequate grounds for recommending to Government the cancellation of the remaining portion of the convict's sentence.-

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

Sent in No. 1209

Read Criminal Reports submitted by the Sessions Judge of Cuddapah for

F. U.
27th November 1838. for the month of October 1838.

(Here enter F. U. No. 2479 of 1838)

Report B.
Case No. 232.

The Court of Foujdaree Uda-lut observe that the circumstances should have been stated which brought the offence with which the Prisoner in this case was charged viz. a simple theft, within the provisions of Clause fourth Section III Regulation VII of 1822.-

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Cuddapah for his information, and for communication to the Subordinate Judge.-

(Sent in No. 1210)

Read Calendar of Case No. 43 of 1838 on the file of the Sessions Court of Salem.-

(Here enter F. U. No. 2442 of 1838)

1. The prisoner in this case was charged with "Highway Robbery" and on conviction has been sentenced to 14 years' Imprisonment with hard labor in irons.-

2. In consideration of the plea

27th November 1838

absence of any aggravating circumstan
and adverting to the small value of the
property plundered the Sessions Judge
recommends that the punishment award
of Imprisonment be reduced to four
3.

Of this recommendation, the
Court of Foujdaree Udalut approve and
they authorize the Sessions Judge to pass
his warrant according to.

Ordered that Extract from
these proceedings be forwarded to the
Sessions Judge of Sylhet
-tion and
for his guidance.

Sent 4 Rs. 12.11

F. C.

Tuesday 28th November 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 Calendar of case No. 47 of 1848. on the file of the Sessions Court of Mangalore.—

(Here enter F. C. No. 2406 of 1848).

The Prisoner in this case an Olde-
1. offender has been convicted of Housebreaking and theft.
Adverting to the youth of the —
2. prisoner the Sessions Judge recommends that the —
prescribed period of Imprisonment in this case be —
reduced to two years one month of which should be —
passed in solitary confinement.—

Of this recommendation the Court
3. of Foujdaree Adalut approve and they authorize the
Sessions Judge to issue his warrant accordingly.—

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

(Sent in No. 1214)

Read letter under date the 30th October
1848. from the Sessions Judge of Masulipatam.—

(Here enter F. C. No. 2413 of 1848)

Inv

1.

In the above communication the Sessions Judge reports that the Prisoner in Case No. 15 of 1848 on the file of the Sessions Court who has been convicted of "Snatching" has been sentenced to two years Imprisonment with hard labor in irons under the instructions conveyed in the proceedings of the Foujdaree Adalut dated the 9th October 1847, and points out with reference thereto that the Circular Order No. 36 which prescribes Mud for that offence has not been cancelled.

2.

The Court of Foujdaree Adalut observe that the offence contemplated in the Circular Order quoted by the Sessions Judge is "Highway Robbery by a single unarmed robber" an offence materially differing from that properly designated as "Snatching".

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

(Sent in No. 1215)

Read again Calendar of Case No. 32 of 1848 on the file of the Sessions Court of Guntoor.

(Here enter F. C. No. 2263 of 1848)

Read also return under date the 3d November 1848. from the Sessions Judge of Guntoor to the precept of the Foujdaree Adalut dated the 28th October 1848. conveying their observations on the foregoing Calendar.

(Here enter F. C. No. 2446 of 1848)

The

28th November 1848

The Court of Foujdaree Adalut approve of the mitigated sentence of four years Imprisonment with hard labor in irons which the Sessions Judge recommends to be passed upon the Prisoner in the foregoing case, and they authorize that officer to issue his warrant accordingly.

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

(Sent in No. 1216)

Read Calendar of Case No. 55 of 1848. on the file of the Sessions Court of Madura.

(Here enter F. C. No. 2469 of 1848).

The Court of Foujdaree Adalut observe that in the Calendars of Cases referred for the final judgment of the Foujdaree Adalut the entry of the Futwa in full is unnecessary. By parah. 15 of the Circular Order of the Foujdaree Adalut of the 14th October 1822, an Abstract of the Futwa in such cases, is alone required.

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

(Sent in No. 1217).

Read Calendar of Case No. 64 of 1848. on the file of the Sessions Court of Cuddapah

Cuddapah.-

(Here enter F. C: No. 2486 of 1848).

The Court of Foujdaree Adalut approve of the recommendation made by the Session Judge in this case, that the period of Imprisonment awarded to the prisoner, who has been convicted of "Highway Robbery" and has been sentenced to 14 years Imprisonment with hard labor in irons, be reduced to seven years; and they authorize the Session Judge to amend his warrant accordingly.-

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

(Sent in No. 1218).

Read Criminal Reports submitted by the Session Judge of Mangalore for the Month of October 1848.-

(Here enter F. C: No. 2488 of 1848).

Report B.
Case No. 169.

1

The Prisoner in this case was convicted of having escaped from Gaol, but on the ground that he delivered himself up to the Sessions Judge at Honore by whom he was sent to the Magistrate and that he has still nine years of Imprisonment to undergo, the Subordinate Judge deemed it unnecessary to sentence him to any punishment upon the present charge.-

2.

This course which is tantamount to a pardon the Subordinate Judge had no authority to adopt, as it was incumbent upon him the charge having been established to pass a sentence of punishment according to the Regulations, however lenient that sentence might be which he deemed it proper to award.-

Ordered that Extract from these Proceedings be sent to the Session Judge of Mangalore for communication to the Subordinate Judge for his information and future guidance.-

(Sent in No. 1219).

Read Criminal Reports submitted by the Session Judge of Cuddalore for the Month of October 1848.-

(Here enter F. C: No. 2504 of 1848).

Case No. 102

1.

The Court of Foujdaree Adalut observe that the offence charged against the 2d prisoner in this case, who is charged with having been an accessory to the crime committed by the 1st prisoner, by giving a bribe to the Prosecutor and prom with intent to extricate the 1st prisoner from the consequences of his guilt, should have been entered as a distinct charge and not as a separate Count in the charge preferred against the 1st prisoner.-

Magistrates Report
Case No. 59.

2.

The Court of Foujdaree Adalut a

unable to discover any Criminal offence in the omission charged against the 4th Prisoner in this Case who is stated to have neglected to report to the Tahseeldar an assault committed by the 1st 2nd and 3rd prisoners, and was placed upon his trial for the omission in question.—

Ordered that Extract from these Proceedings be sent to the Acting Sessions Judge of Cuddalore for his information and for communication of para: 1 to the Principal Sudder Ameen and of para: 2 to the Magistrate for the information and future guidance of the Assistant Magistrate.—

(Sent in No: 1220)

Read Calendar of Case No: 42 of 1848. on the file of the Session Court of Coimbatore.—

(Here enter F: C: No: 2506 of 1848).

1. The prisoner in this case has been convicted of "Culpable homicide" in having severely assaulted his wife and thereby caused her instant death, and has been sentenced by the Sessions Judge to one year's Imprisonment with hard labor in irons.—

2. Under the circumstances of the case as detailed in the Calendar from which it appears that the prisoner persevered in the ill treatment of his wife which caused her death in spite

spite of the remonstrances of the prosecutor and witnesses the Court of Foujdaree Udalut consider the sentence awarded extremely inadequate and altogether insufficient to meet the demands of justice.—

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

(Sent in No: 1221).

End 4th.

Read Calendar of Case No: 65 of 1848. on the file of the Session Court of Cuddapah.—

(Here enter F: C: No: 2487 of 1848).

1. The prisoner in this case convicted of "theft", and declared by the Mahommedan Law officer to be liable to discretionary punishment has been sentenced by the Session Judge to five years Imprisonment with hard labor in irons under the provisions of Clause first Section V and clause fourth Section II Regulation XV of 1803.—

2. The Court of Foujdaree Udalut observe that in this case a second question should have been propounded to the Law officer to remove doubt as to "Hud" and sentence passed under the provisions of Section XXI Regulation VII of 1802, it being optional with the Session Judge to recommend a mitigation of punishment to such extent as he might think proper.

3. This course the Session Judge

8th. November 1848.

now be pleased to adopt.—

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

(Sent following Precept No. 1222.)

J. U.

Thursday, 30th. November, 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 24th. Instant from the Sessions Judge of Chingleput, submitting for the final Judgment of the Foujdaree Adalut the Record of Case No. 23 of 1848. of the Calendar of the Sessions Court.—

(Here enter No. 2547)

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 proof against the prisoners,

1st. Kristnama Naick.
2nd. Ramanooja Naick.
4th. Veerasawmy Naick.
5th. Moonyen.
and
6th. J. Moonyen.

is sufficient to convict them of the crime charged, do convict them thereof; and under the provisions of Section XXXIV Act VII of 1843. and Clause third, Section VII Regulation XI

of

of 1803, sentence the Prisoner,

1st Kristnama Naick

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; the prisoner,

2d Ramanoja Naick

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: and the prisoners,

4th Veerasammy Naick

5th Mooneyen

and

6th J. Mooneyen

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.

1. The Record of this case exhibits a striking instance of the most irregular and shameful conduct on the part of the Police authorities, in the means employed by them for the detection of offenders.

2. On the authority of a general order from the Head of Police, or perhaps none at all, 20 persons were seized by the Police Peons on a mere vague suspicion, without any regular warrant being issued for their apprehension, and kept in custody for days and some of them subjected to the most shameful

ill treatment,

30th November 1848.

ill treatment; by which the death of one of them was either directly occasioned, or he was driven to commit suicide- and the Tahsildar of Manamungalam himself admits that he was not even aware of the said persons being in custody until he heard of his death:-

3. The evidence in this case shews that the accused persons were removed by the Peons, without any authority, from one place of confinement to another, and at last taken with a Message from the Talook Sewabnavees whose house had been robbed, to the 1st Prisoner a Tamah Peon in order that he might question and examine them, and obtain a clue to the theft or, as the Sessions Judge says "in other words to extort confessions".-

4 Great carelessness, to say the least of it, was also shewn by the said Tahsildar in the examination of the body at the first inquest held by him.-

5. It is absolutely necessary that such practices should be put a stop to and the Court of Foujdaree Adalut desire to be informed if any and what notice has been taken by the Magistrate of the above mentioned irregularities either at the requisition of the Sessions Judge or otherwise- and they direct that the strictest orders be issued to the Police

authorities

30th November 1848.

authorities in the Talooks with a view to prevent the recurrence of any such misfuture. The Court likewise direct that the attention of the Magistrate be especially called to the Circular order of the Foujdaree Udalut No. 66.

Ordered, that Extract of these proceedings be sent to the Sessions Judge of Chingleput for his information and for communication to the Magistrate by precept returnable within thirty days from and after its receipt.

(Sent following Precept No.)

F.U.

Saturday 2d December 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 Criminal Reports submitted by the Sessions Judge of Chittoor for the month of October 1848.

(Here enter F.U. No 2519 of 1848)

1. Adverting to the delay of three days which has occurred in the transmission of these reports, the Court of Foujdaree Udalut deem it proper to observe that they expect the utmost regularity in the transmission of the Monthly Criminal Reports.

Report B. Case No 150.

2. In this case two prisoners were charged with "Fraud" and the 1st prisoner has been sentenced to three months Imprisonment, and to pay a fine of Rupees 100 under the provisions of Section VII Regulation X of 1816.

The

3. The case was committed by the late Acting Joint Magistrate.

4. The Court of Foujdaree Uda- -lut observe that this case should obviously have been disposed of by the late Acting Joint Magistrate under the extended powers vested in the Magistracy by Section LIV Act VII of 1843.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Chittoor for his information and for communication of paras 2, 3, and 4 to the Acting Magistrate of North Arcot for the information and future guidance of the late Acting Joint Magistrate.

(Sent in No 1234)

Read Criminal Reports submitted by the Sessions Judge of Honore for the Month of October 1848.

(Here enter F.U. No 2529 of 1848)

The Court of Foujdaree Uda- -lut observe that the date of transmission should invariably be endorsed upon the Monthly Criminal Reports.

Ordered that Extract from these

proceedings be forwarded to the Sessions Judge of Honore for his information and future guidance.-

Sent in No 1235

Read Criminal Reports submitted by the Sessions Judge of Bellary for the month of October 1848.-

(Here enter F.U. No 2518 of 1848)

85. 1. The prisoner in this case was charged with "an attempt at theft" and on conviction has been sentenced to four months Imprisonment with hard labor in irons under the provisions of Section VIII Regulation X of 1816.

2. The case was committed to the Criminal Court by the Acting Ma- -gistrate of Bellary.-

3. The Court of Foujdaree Uda- -lut observe that this case should obviously have been disposed of by the Acting Ma- -gistrate under the provisions of Section LIV Act VII of 1843.-

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Bellary for communica- -tion

2d December 1848.

-tion to the Acting Magistrate for the future guidance of that Officer.-

(Sent in No. 1236)

Read Criminal Reports submitted by the Sessions Judge of Madura for the month of October 1848.-

[Here enter F.U. No. 2491 of 1848]

Report B. Case No. 128.

1. It does not appear from the report of this case whether the prisoner has been convicted of the offence therein laid to his charge.

2. This information should in all cases be supplied.-

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

(Sent in No. 1237)

Ent. W.

F.U.

Monday, 4th December, 1848. At a Court of the Foujdaree Udalut.

Present,-

G.A. Hooper, Esquire - 1st Puisne Judge,

E.P. Thompson, Esquire - 2d Puisne Judge,

W.A. Morehead, Esquire - 3d Puisne Judge.

Read Letter dated the 28th Ultimo from the Session Judge of Cuddapah, referring for the final judgment of the Foujdaree Udalut, the Record of Case No. 63 of 1848 of the Calendar of the Session Court.-

[Here Enter F.U. No. 2588 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 proof against the Prisoner,

"Giloor Rauchiah,"

is sufficient to convict him of the crime of wounding, for which according to the Mohummedan Law, as declared in a Futwa

Futwas of their Law Officers, discretionary 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 (3) three years.—

/Sent following Letter. No. 240/-

Read Miscellaneous Petition forwarded by the Session Judge of Coimbatore from Arounachella Chetty and two others of that Zillah.—

/Here Enter M.P. No. 278 of 1848/-

1. The Petitioners reiterate the request contained in their former Petition that the sentences awarded to them by the Principal Sudder Ameen of Coimbatore in Case No. 139 of 1848 on the file of the Criminal Court may be reversed.—

2. The Court of Foujdaree Udalut reject this application being satisfied from a perusal of the record of

of the case referred to, of the justice of the sentences of which the Petitioners complain.—

Ordered, that Extract from these Proceedings be forwarded to the Session Judge of Coimbatore for communication to the Petitioners.

/Sent in. No. 241/-

Read again Calendar of Case No. 26 of 1848 on the file of the Session Court of Tinnevelly.—

/Here enter F.Mo. No. 1675 of 1848/-

Read also Miscellaneous Petition forwarded by the Session Judge of Tinnevelly from Valoovaulingam Pillay of that Zillah.—

/Here Enter M.P. No. 294 of 1848/-

1. This is an application for the reversal of the sentences awarded to the sons of the Petitioner the 1st and 2d Prisoners in the foregoing case whom the Petitioner alleges to be entirely innocent of the offence laid to their charge.—

2. On referring to the Calendar of

4th December, 1848.

of the case in question the Court of Foujdaree Udalut see no reason to doubt the justice of the conviction or the propriety of the sentence passed upon the prisoners, who in their defence which rested entirely on an alibi made a statement materially different from that which is urged on their behalf by the Petitioner.—

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

Ordered, that Extract from these Proceedings be sent to the Sessions Judge of Tinnevelly for communication to the Petitioner.—

Sent in No. 1242/1 J

Exd WH

F. U.

Tuesday 5th December, 1848.

At a Court of the Foujdaree Udalut.

Present.

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

Read letter dated the 24th Ultimo, from the Sessions Judge of Coimbatore submitting the record of the trial in Case No. 40 on the Calendar of the Sessions Court for 1848.—

(Here enter F. U. No. 2566 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 Seerungow

and

2nd Bommun

is sufficient to convict them of the crimes charged, do convict them thereof; and sentence 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.—

(Sent following letter No. 1247)

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

Read

Read Criminal Reports dated 1st. Ultimo submitted by the Sessions Judge of Tinnevelly for the Months of October 1848.—

(Here enter F. C. No. 2496 of 1848).

Read Criminal Reports B dated the 11th. Ultimo submitted by the Sessions Judge of Calicut for October last.—

(Here enter F. C. No. 2498 of 1848)

Read Calendar in Case No. 24 of 1848 submitted by the Sessions Judge of Chingleput under date the 16th. Ultimo.—

(Here enter F. C. No. 2501 of 1848).

Read Criminal Reports dated the 15th. Ultimo, submitted by the Sessions Judge of Trichinopoly for the Month of October 1848.—

(Here enter F. C. No. 2502 of 1848).

Read Calendar in Case No. 44 of 1848 submitted by the Sessions Judge of Coimbatore under date the 28th. October 1848.—

(Here enter F. C. No. 2505 of 1848).

Read letter dated the 15th. Ultimo from the Sessions Judge of Guntoor, forwarding Criminal Reports for the Month of October 1848.—

(Here enter F. C. No. 2507 of 1848).

Read Criminal Reports dated 10th. Ultimo, submitted by the Sessions Judge of Tellicherry for

for the Month of October 1848.—

(Here enter F. C. No. 2508 of 1848).

Read Criminal Reports B dated the 1st. Ultimo submitted by the Sessions Judge of Nellore for the Month of October 1848.—

(Here enter F. C. No. 2509 of 1848).

Read Criminal Report B dated the 14th. Ultimo submitted by the Sessions Judge of Masulipatam for the Month of October 1848.—

(Here enter F. C. No. 2510 of 1848).

Read report dated the 1st. Ultimo submitted by the Sessions Judge of Rajahmundry of Persons apprehended in the Zillah of Rajahmundry and delivered to the Criminal Judge in the Month of October 1848.—

(Here enter F. C. No. 2511 of 1848).

Read Criminal Report A dated the 16th. November 1848 submitted by the Sessions Judge of Guntoor for the Month of November 1848.—

(Here enter F. C. No. 2512 of 1848). S

F. C.

Wednesday. At a Court of the Fougdaree Adalut
4th December, 1848.

Present.

The Hon'ble G. A. Hooper Esqre ——— 1st Puisne Judge
" E. P. Thompson Esqre ——— 2d Puisne Judge
" W. A. Morehead Esqre ——— 3d Puisne Judge.

Read again Calendar of case
No 37 of 1848 on the file of the Sessions Court of
Combaconum.-

(Here Enter F.R. No 2055 of 1848)

Read also Miscellaneous Petition
presented on the 16th October 1848 by Veeren of
Zillah Combaconum.-

(Here Enter F.R. No 275 of 1848)

1. This is an application for the
reversal of the sentence awarded to the 4th
2d prisoner in the foregoing case whom the
Petitioner represents to be his son.-

2. The Petitioner asserts the prisoner's
innocence of the offence laid to his charge.-

3. The Court of Fougdaree Adalut
resolve to dismiss this Petition being satisfied
from a perusal of the Calendar that the
Prisoners

Prisoner's guilt was satisfactorily established by the evidence adduced.-

Ordered that Extract from these proceedings be granted to the Petitioner on his application.-

Read Miscellaneous Petition presented on the 23d October 1848 by Meenatchee of Zillah Trichinopoly.-

(Here Enter Fle No 2890 of 1848)

1. The Petitioner seeks to obtain a maintenance from one Durmajee Moottany under whose protection she was formerly living and by whom she has had one child.- She complains of ill usage at the hands of the said Durmajee and others, and having appealed unsuccessfully to the local authorities for redress, she now prays the interference of the Court of Foujdaree Adalut.-

2. The Court of Foujdaree Adalut see no necessity for their interference in this case.- If the Petitioner has any just claim against the said "Durmajee Moottany" for maintenance, &c and can adduce sufficient evidence in support of it, the Civil Courts are

are open to her for redress.-

Ordered that Extract from these proceedings be given to the Petitioner on her application.-

Read Miscellaneous Petition presented on the 20th November 1848 by T. Appiah Takeeb on behalf of A. Vencatavoodanloo of Zillah Rajahmundry.-

(Here Enter Fle No 2990 of 1848)

1. The Petitioner complains of an order passed by the Sessions Judge of Rajahmundry under date the 2d September 1848 reversing certain orders of the Magistrate of that Zillah regarding the occupancy of certain land under dispute between the Petitioner and one A. Sooge Sastrooloo.-

2. It appears that the parties executed a written agreement before the Magistrate to the effect that they would abide by whatever opinion might be expressed in the matter under dispute by one Nundoory Ankumrauze.-

3. That individual having accordingly stated his opinion the Magistrate thereupon

thereupon passed the order which the Sessions Judge has reversed.-

4. The Court of Foujdaree Udalut are of opinion that as both parties agreed to abide by the decision of a Nuddoony Lukkumraz in the matter under notice the order passed by the Magistrate if it was in accordance with the decision in question, should not be interfered with, but that the discontented party should be referred to a Civil suit.-

5. The Court accordingly direct that the Sessions Judge will revoke his order of the 2d. September 1848.-

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

(Sent in No. 1252)

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

Read Calendar of case No 44 of 1848 of the Sessions Court of Cuddalore.-

(Here enter F.H. No 2564 of 1848)

The

F.H.

6th December 1848.

1. The Prisoner in this case "Vencatachellum" was charged with "Housebreaking and Theft."

2. The Acting Sessions Judge in concurrence with the Futwa of the Law Officer convicted the Prisoner of the crime charged, and sentenced him to receive one hundred lashes, and to be imprisoned for 7 years.-

3. In reference to the small value of the property stolen the Sessions Judge recommends that the above sentence be mitigated to 4 years imprisonment.-

4. If this recommendation the Court of Foujdaree Udalut approve, and under the provisions of Section VI 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 Cuddalore for his information and guidance.-

(Sent in No. 1250)

Read Miscellaneous Petitions presented on the 23d. October 1848 by Kristnien Moothea

Moothea Oodian and Vengoorummal of Zillah Combaconum.

(Here Enter S.R. in P.Nos 281, 284, 286 of 1848)

Read also Miscellaneous Petition presented on the 30th October 1848 by Vengoorummal of Zillah Combaconum.

(Here Enter S.R. in P.No 291 of 1848)

1. These Petitions have for their object the reversal of certain sentences awarded by the Session Court of Combaconum to the relatives of the Petitioners, prisoners in cases Nos 28, 29, 30 and 31, 32, 33 of 1848 on the file of the Session Court, in which they were convicted of having committed perjury in a Civil suit in which they were called upon to give evidence before the Subordinate Court of Combaconum.

2. The Petitioners assert that their relatives are entirely innocent of the offence of which they have been convicted alleging that the statements made by them on their examination before the Subordinate Court were true and that the deposition of the Tahseeldar of Valangaman in contradiction of their statement, in consequence of which deposition the prisoners were committed upon the charge of perjury, was false.

6th December 1848.

3. Before finally disposing of these Petitions the Court of Sadr Adawlut resolve to direct that the English translation of Petition No 291 be forwarded to the Session Judge with instructions to that officer to report upon the nature of the orders which appear to have been issued by the Magistrate of Tanjore to the Tahseeldar of Velangaman Talook in regard to the disposal of the dead body of the husband of Iyalaummay referred to in para 8 of the Petitioner's address.

Ordered, that Extract from these proceedings be forwarded to the Session Judge of Combaconum for his information and guidance by precept returnable within X days from and after its receipt.

(Sent following Precept No 1257) A

Ordered also, that Extract from these proceedings be granted to the Petitioners on their application.

E.H.T.V.

F. U.

Friday 8th December 1848.

At a Court of the Fouzdaree Udalut.

Present

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

Read return under date the 24th November 1848. from the Sessions Judge of ——— Cumbaconum to the precept of the Fouzdaree Udalut dated the 21st November 1848. directing the reduction of the sentence awarded to the prisoner in Case No. 41. of 1848 on the file of the Sessions Court and requiring an explanation from the District Moonsif of Kewalore of his failure to conform to the requisitions contained in Section III Regulation II of 1825 in regard to the document A filed in the record of the Case in question—

(Here enter F. U. No. 2556 of 1848).

1. The Sessions Judge reports that a fresh warrant has been issued to the Subordinate Judge in conformity with the orders passed by the Fouzdaree Udalut in this Case and states that the penalty on the Bond referred to "was duly paid at the time the document A was filed as appears by the separate Diary forwarded with the record of the

the Suit."

2. The Court of Foujdaree Udalut observe that according to the provisions of Clause Second Section III Regulation II of 1825 the payment of the penalty should have been certified upon the instrument upon which it was levied.—

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Combaconum for his information and for communication to the District Moonsiff of Keenalore for his information and future guidance.—

(Sent in No. 1257).

Read return dated the 18th Ultimo, from the Sessions Judge of Salem to the precept of the Foujdaree Udalut under date the 4th Idem on review of the report of Cases disposed of by the Magistracy of Salem under Section VII Regulation X of 1816. during the month of September 1848 and requiring explanation regarding Case No. 1.—

(Here enter F. C. No. 2520 of 1848).

Read return dated the 20th Ultimo, from the Acting Sessions Judge of Cuddalore to the precept of the Foujdaree Udalut under date the 18th November 1848. directing him to reduce the sentence of 4 Years imprisonment passed upon the Prisoner in Sessions Case No. 38 of 1848. to 2 years.—

(Here enter F. C. No. 2524 of 1848)

Read

8th December 1848.

Read Calendar in Case No. 51 of 1848. submitted by the Sessions Judge of Calicut under date the 31st October 1848.—

(Here enter F. C. No. 2527 of 1848).

Read Calendar in Case No. 42 of 1848. submitted by the Acting Sessions Judge of Cuddalore under date the 20th Ultimo.—

(Here enter F. C. No. 2528 of 1848).

Read report dated the 15th Ultimo submitted by the Agent to the Governor of Fort St. George in Vizagapatam of Persons apprehended in the separate Tracts of Vizagapatam and delivered to the Agency in the month of October 1848.—

(Here enter F. C. No. 2535 of 1848).

Read Calendar in Case No. 44 of 1848. submitted by the Sessions Judge of Salem, under date the 15th Ultimo.—

(Here enter F. C. No. 2542 of 1848).—

End

Monday,
11th December 1848. } At a Court of the Foujdaree Udalut.

Present,

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

H. B. Thompson Esqre.——2nd Puisne Judge.

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

Read Calendar of Cases No. 36 of 1848 on the file of the Sessions Court of Bauleah.

(Here enter P.P. of No. 2546 of 1848.)

1. The Prisoner in this case was charged with "Snatching" and has been sentenced to 14 Years imprisonment with hard labor in irons under Section XXI Regulation VII of 1802.

2. The Court of Foujdaree Udalut observe that the prisoner in this case having been convicted of "Snatching" and declared by the Law Officer to be liable to Retribution, should have been sentenced under the provisions of Clause seventh Section II Regulation XV of 1803 and the Sessions Judge will be pleased to amend the sentence accordingly.

In

3. In the second question pro-
-pounded to the Mahummudan Law Officer
that Officer is desired to state what his
futwah would have been if the case had
involved all the requisites of Highway
Robbery."

4. Such a question the Court
of Tanjore Udalut observe presupposes
the prisoners conviction of a crime which was
not proved against him, and was not pro-
-pounded with the view of removing any
technical objection, the only legal ground
for propounding a second question after
the futwa of the Law Officer has been
declared.

Ordered that Extracts from
these Proceedings be forwarded to the
Sessions Judge of Trichinopoly for his inform-
-tion and guidance.

(Sent in a/c No. 1261)

Read Calendar of Case a/c
33 of 1848 on the file of the Sessions Court
of Chittoor.

(Here Inter P.C. a/c No. 2494 of 1848.)

The

The Court of Tanjore Udalut by

1. approve of the recommendation made by
the Sessions Judge in this case that the
period of imprisonment awarded to the
2nd and 3rd prisoners who have been con-
-victed of House breaking and theft and
have been sentenced to seven years impri-
-sonment under Section XXI Regulation VII
of 1802 should be reduced to two years.

And the Court authorize the
2. Sessions Judge to issue his warrant accord-
-ingly.

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

(Sent in a/c No. 1262)

Read Calendar of Case a/c No.
21 of 1848 on the file of the Sessions Court
of Tellicherry.

(Here Inter P.C. a/c No. 2569 of 1848.)

The Court of Tanjore Uda-
1. -lut approve of the recommendation made
by the Sessions Judge in this case that

the

11th December 1848.

the prisoner who has been convicted of "house breaking and theft" and has been sentenced to seven years imprisonment with hard labour in irons under the provisions of Section XXI Regn Cation VII of 1802, may be adjudged to undergo a mitigated punishment of four years imprisonment with hard labor in irons and to receive 150 lashes

2 And the Court of Fouzdaree Udalut authorize the Sessions Judges to issue his warrant accordingly.

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

(Sent in a/c 1263)

Read Calendar of Case a/c 45 of 1848 on the file of the Sessions Court of Salem.

(Here insert F.C. a/c 2541 of 1848)

1. The Court of Fouzdaree Udalut approve of the recommendation of the Sessions Judge that the period of Imprisonment awarded to the 1st and 2d

prisoners

F. C.

11th December 1848

prisoners in this case who have respectively been sentenced to 14 Years imprisonment with hard labor in irons, having been convicted of the offence of "robbery by open violence" should be reduced to 8 years.

2. And the Court of Fouzdaree Udalut authorize the Sessions Judge to issue his warrant accordingly.

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

(Sent in a/c 1264)

Read Criminal Reports submitted by the Sessions Judge of Chicacole for the month of October 1848.

(Here insert F.C. a/c 2571 of 1848)

The Court of Fouzdaree Udalut observe that the date of transmission should be indorsed upon the monthly Criminal Reports.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chicacole for his

information

11th December, 1848.

of Petitioner to furnish security for their good behaviour for the period of six months on the ground of their having opposed the construction of a Pundal &c. by one Columthavaloo Chetty in front of his house on the occasion of his son's marriage. Petitioner asserts that the celebration of Marriages by Columthavaloo Chetty in the above manner is contrary to usage and the rights of his caste, and prays that Orders may be issued directing their prohibition.

2. The Court of Fouzdaree Udalut see no reason for their interference in the matter of this Petition. If the Petitioner considers himself entitled to erect pandals and to go in procession on certain ceremonies to the exclusion of others, he can, if he thinks fit, substantiate his right by a Civil action.

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

F. Vo.

11th December 1848.

Read again a Miscellaneous Petition presented on the 23d October 1848 by Iyasawmy Pillay and Gooroo Moodeen late Jail Jemadar and Duffadar of Madura.

(Here Inter. P.C. M.S. No. 280 of 1848.)

Read also Return dated 18th November 1848 made by the Sessions Judge of Madura to the Precept of the Fouzdaree Udalut dated 6th November 1848 forwarding the translation of the above Petition, and directing the Sessions Judge to report under what circumstances, and for what misconduct the Petitioners were dismissed from their situations, and also why he refused to interfere in the matter.

(Here Inter. F. Vo. No. 2525 of 1848.)

1. The Court of Fouzdaree Udalut observe that Return made by the Sessions Judge, which appears to be founded on what he heard from the Subordinate Judges, and on recollection, does not afford the particulars required by the Court in their Precept of the 6th Ultimo, in which the Sessions Judge was requested "to report under what circumstances, for what misconduct the Petitioners were

dismissed

dismissed from their situations."

3. The Court, therefore, now resolve to direct the Sessions Judge to call upon the Officer in immediate charge of the Jail to furnish in a concise form the necessary information, and further to explain 1st the particular, and specific duties of the Petitioner on the night of the escape - 2nd the manner and hour of escape - 3rd whether the Petitioner were expected to be on active duty at the time of escape - 4th the hour the escape was discovered - 5th whether other servants attached to the Jail besides the Petitioner were punished or dismissed, and 6th if the night and day guards are divided into watches, and if so, when the Petitioners came on and went off duty on the night in question.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Madura by Precept returnable within 10 days from and after its receipt.

(Sent following precept No 1266)

Read a Miscellaneous Petition presented on the 20th November 1848 by James Duchterlony Esqr Vakeel on behalf of

P. Ragavaradey of Lillah Cuddapah.

(Here Inter F. H. M. P. No 301 of 1848)

1. The object of this Petition is to induce the Court of Fouzdaree Adaulut to reconsider their orders of the 13th Ultimo rejecting the Petitioner's application for the reversal of the sentence awarded to his brother 2d prisoner in Case No 34 of 1848 on the file of the Sessions Court of Cuddapah.

2. The Court of Fouzdaree Adaulut observe that the former Petition presented by the Petitioner was carefully considered by the Court of Fouzdaree Adaulut and they see nothing in this Petition which would induce them to question the propriety of their orders of the 13th Ultimo to which the Petitioner is referred.

3. The Court accordingly reject this application.

Ordered that Extract from these Proceedings be granted to the Petitioner's Vakeel on his application.

Exd PH

C J K

S.

a Mohammed Selangaar Jail Duffadar of Trichinopoly, moves the Court to return the Enclosures in his Miscellaneous

11th December 1848.

Miscellaneous Petition No: 294 of 1848.

Ordered accordingly.

Chullapa Vaitien of Chingleput
prays the Court to return the Enclosures
in his Miscellaneous Petition No: 295 of 1848.

Ordered accordingly.

Manalaty of Trichinopoly prays
the Court to return the Enclosures in her
Miscellaneous Petition No: 289 of 1848.

Ordered accordingly.

F: C:

Tuesday 12th December 1848.

At a Court of the Foujdaree Adalut.

Present.

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

Read letter from the Sessions Judge of Cuddapah under date the 21st November 1848.—

(Here enter F: C: No: 2538 of 1848).

1. In the foregoing communication the Sessions Judge adverts to the observations contained in the Proceedings of the Court of Foujdaree Adalut under date the 10th Ultimo in the matter of B. Atchut Row late Deputy Moonshee in the office of the Magistrate of Cuddapah, in which the warrants recently issued by the Magistracy for the apprehension of that individual were pronounced to be illegal.—

2. The Sessions Judge observes that "although the offences charged against the accused seemed to be ordinarily bailable he was of opinion that the Magistrate had a primary discretionary authority of issuing a warrant as Clause first Section XV Regulation IX of 1816 seems only to enjoin a summons for bailable offences and misdemeanors

when

when they may not appear to require the immediate apprehension of the accused".-

3. And in reference to the opinion expressed by the Foujdaree Adalut in para 11 of their proceedings the Sessions Judge remarks that "the abstract legality of a warrant in a bailable case seemed to be unquestionable under the clause already quoted and also under Section XII of the same Regulation, where in clause third the issue of a primary warrant for bailable offences seems expressly sanctioned both when the Magistrate intends to receive bail and when he does not".-

4 The Court of Foujdaree Adalut have attentively considered the arguments urged by the Sessions Judge in support of the view of the Law upon which he acted in the matter under notice, but they adhere to the opinion recorded in their proceedings of the 10th Ultimo, that the warrants issued for the apprehension of Atchut Row were "illegal" with reference to the nature of the offence with which he was charged.-

5. The Court observe that when the provisions of Clause first Section XV of the Regulation quoted are taken into consideration in reference to Clause first Section XII of the same enactment it seems obvious that it is the existence of circumstances of

of aggravation connected with the offence charged in Cases declared to be bailable which is contemplated by the Legislature in vesting the Magistracy with the discretionary power of issuing warrants in such Cases, without having previously required by a Summons the attendance of the accused.-

6. It is the opinion of the Court of Foujdaree Adalut that in all bailable cases the issue of a warrant for the apprehension of a party charged must be founded upon a deposition to facts so affecting the Criminality of the offence itself as to render necessary the immediate apprehension of the accused.-

7. It was evident to the Court of Foujdaree Adalut from the papers before them that the issue of the warrants in the particular Case referred to could not have been considered necessary in consequence of any peculiar degree of heinousness in the offence charged against Atchut Row; and the Court were therefore under the impression that the Course adopted by the Acting Head Assistant Magistrate and followed up by the Magistrate was resorted to by those officers without a due consideration of the provisions of the Law applicable to the Case.-

8. And it is probable that the expression

expression in consequence adopted in para: 14 of this Court's proceedings may have been calculated to mislead the Sessions Judge in regard to the view of the Law which the Court entertained.

9. In the para: under notice it might with more propriety have been observed that "under ordinary circumstances the issue of warrants for the apprehension of parties charged with a bailable offence is in contravention of the provisions of Clauses first and second Section XV Regulation IX of 1816; or in other words "in all cases in which the peculiar heinousness of the offence itself, or the circumstances connected with it may not render the adoption of such a course necessary for the ends of justice."

10. With reference to the observation of the Sessions Judge in para 5 of his letter under review that "Atchut Row by absconding gave weight to the reason assigned by the Magistrate for issuing his warrant;" the Court of Foujdaree Adalut would remark that the circumstance of a party charged having absconded cannot be considered to constitute any valid ground for the continuance of warrants, the issue of which in the first instance was unauthorized by Law.-

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

of Cuddapah for his information.-

(Sent in No: 1267).

Read Calendars of Cases No: 66 and 67 of 1848. submitted by the Sessions Judge of Cuddapah under dates the 25th and 28th Ultimo.-

(Here enter F: 86: No: 2563 and 2584 of 1848).

Read Calendar of Case No: 39 of 1848. submitted by the Sessions Judge of Trinevelly under date the 24th Ultimo.-

(Here enter F: 86: No: 2568 of 1848).

Read Calendar of Case No: 39 of 1848. submitted by the Sessions Judge of Nellore under date the 27th Ultimo.-

(Here enter F: 86: No: 2570 of 1848).

Read return dated the 24th Ultimo from the Sessions Judge of Chittoor to the precept of the Foujdaree Adalut under date the 30th October 1848. directing that an English translation of the Record in Case No: 23 of the Calendar for 1848 together with the proceedings originally held in the matter by the Assistant Magistrate be submitted.-

(Here enter F: 86: No: 2572 of 1848).

Read Calendar of Case No: 43 of 1848. submitted by the Acting Sessions Judge of Cuddalore under date the 29th Ultimo.-

(Here enter F: 86: No: 2578 of 1848)

Read

Read Calendars of Cases Nos. 35 and 43 of 1848 submitted by the Officiating Sessions Judge of Mangalore under date the 25th Ultimo.—

(Here enter Nos. 2585 and 2587 of 1848).

Read return dated the 27th Ultimo from the Sessions Judge of Coimbatore to the Precept of the Foujdaree Adalut under date the 23rd idem, directing the mitigation of the sentence of 14 Years' imprisonment awarded the Prisoners in Commit. Case No. 39 of 1848. to 10 Years.—

(Here enter F. A. No. 2593 of 1848).

Read return dated the 28th Ultimo, from the Sessions Judge of Chittoor to the precept of the Foujdaree Adalut under date the 20th idem directing the release of the Prisoner in Case No. 19 of the Calendar of 1848.—

(Here enter F. A. No. 2594 of 1848).

Read Calendar of Case No. 37 of 1848 submitted by the Sessions Judge of Tinnevelly under date the 27th Ultimo.—

(Here enter F. A. No. 2598 of 1848).

Read Calendars of Cases Nos. 38 & 39 of 1848 submitted by the Sessions Judge of Chittoor under date the 27th Ultimo.—

(Here enter Nos. 2601 and 2602 of 1848).

Read.

Read return dated the 29th Ultimo, from the Sessions Judge of Tinnevelly to the Precept of the Court of Foujdaree Adalut under date the 30th September last, requiring to be informed of the result of the reference made to the Magistrate with regard to the 10th witness in Case No. 30 of 1848. of the file of the Sessions Court of Tinnevelly.—

(Here enter F. A. No. 2607 of 1848).

Read Calendar of Case No. 56 of 1848 submitted by the Sessions Judge of Calicut under date the 30th Ultimo.—

(Here enter F. A. No. 2609 of 1848).

Read report dated the 1st Instant, submitted by the Sessions Judge of Rajahmundry of cases pending trial before the Sessions Court on the 30th Ultimo.—

(Here enter F. A. No. 2610 of 1848).

End

F: 11:

Wednesday 13th. December, 1848. At a Court of the Foujdaree Adalut.

Present.

Sd/ A. Cy: S: Hooper Esqre. ——— 1st. Puisne Judge

Sd/ E: P: Thompson Esqre. ——— 2nd. Puisne Judge

Sd/ W. A: Morehead Esqre. ——— 3rd. Puisne Judge.

Cuttoomany Unnial of Combaconum, moves the Court to return the enclosures in her Miscellaneous Petition No. 270 of 1848.

Ordered accordingly.

Read letter dated the 31st. October 1848. from the Sessions Judge of Trichinopoly returning the Warrant in No. 13 on the Calendar of the Sessions Court of Trichinopoly for 1848, duly endorsed as prescribed by Section XIII Regulation VIII of 1802, the Prisoner Pullany andy therein named, having been duly executed this day at the usual time and place.

(Here enter F: 12: No. 2420 of 1848) S

End 11.

Thursday, 14th December 1848. At a Court of the Tongdaree Udalut.

Present

G. S. Hooper Esqre — 1st Puisne Judge.
C. P. Thompson Esqre — 2d Puisne Judge.
W. A. Morehead Esqre — 3d Puisne Judge.

Read letter dated the 30th ultimo, from the Session Judge of Hoosee, submitting for the final judgment of the Tongdaree Udalut, the record of Case No. 18 of 1848 of the Calendar of the Session Court.

(Wide enter No. 2634.)

Mr. C. P. Thompson.
and
Mr. W. A. Morehead.

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

"Summa Ulla."

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 Tongdaree Udalut observe that little credit can be given to the

evidence

evidence of the 1st and 2d Witnesses, or in fact, to that of any of the disponents in this case. The non-discovery of the corpse also, leaves it doubtful whether any Murder at all has taken place.—

2. The examination of this case commenced by the Police in April and continued in May when it seems to have dropt. On the 26th August, it was revived and the case was sent up to the Court. During this long interval, the Police would seem to have done nothing. The Court of Fouzdaree Udalut direct that this circumstance be brought to the especial notice of the Magistrate, by the Sessions Judge.—

3. The Sessions Judge recommends that the 2d Prisoner be kept in confinement until the party supposed to have been killed, should make his appearance—or during the period of his (the Prisoner's) life—or else that he be released on heavy security for the period of three years.—

4. The Court of Fouzdaree Udalut are surprised to find such conflicting and contradictory recommendations coming from a Judge of Mr. Lascelles' experience—and they deem it necessary to call his particular attention to their Circular Order of the 4th March 1834 and to the other

other Circular Orders on the same subject, and to apprize him that they expect in every referred trial a distinct opinion not only as to the guilt or innocence of the prisoners, but also as to the sentence to be passed upon them.—

5. It is observed that the Sessions Judge does not distinctly state even whether he concurs with the Law Officer in the conviction of the second Prisoner. His concurrence can only be inferred.—

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

(Sent following Letter No 1271

Read Letter dated the 5th instant from the Agent to the Governor of Fort St. George in Vizagapatam, referring for the final judgment of the Fouzdaree Udalut the record of a case in which two Prisoners are charged with Murder.—

(Here enter F. C. No 2652 of 1848.)

The Court of Fouzdaree Udalut,

Mr. C. D. Thompson
and
Mr. H. T. Henchead—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 Doddee Caumanah
and
2d Vanum Pydamah

as

is sufficient to connect them— the 1st Prisoner of the crime of Wilful Murder, and the 2d of being accessary after the fact; do convict them thereof; and in conformity with the provisions of Section X Regulation XIII of 1802, sentence the prisoner

1st Doodda Cumanah

to suffer death by being hanged at the usual time and place of execution, and the Prisoner,

2d Vanum Pydanah

to be imprisoned for the period of her natural life, and to be banished from the District in which her place of abode is situated, and to be kept to labor suitable to her sex, in the Jail of the Zillah of Cuddapah.—

The Court of Foujdaree Udalut, adverting to the provisions of Act XIV of 1841— observe that with reference to the sex of the second prisoner— and to all the circumstances of the case, they deem imprisonment a more appropriate punishment than transportation beyond the Seas.—

Ordered that Extract from these proceedings be forwarded to the Agent to the Governor of Fort St. George in Vizagapatam for his information.—

(Sent following Letter No 1272)

F. 16.

14th December 1848.—

Read Calendar of Case No 36 of 1848, submitted by the Sessions Judge of Chittoor under date the 18th Ultimo.—

(Here enter F. 16. No 2543 of 1848.)

Read Calendar of Case No 44 of 1848, submitted by the Sessions Judge of Coimbatore under date the 13th Ultimo.—

(Here enter F. 16. No 2545 of 1848.)

Read Criminal Report A dated the 22d Ultimo, submitted by the Sessions Judge of Guntoor for the Months of November last.—

(Here enter F. 16. No 2546 of 1848.)

Read return dated the 22d Ultimo from the Sessions Judge of Salem, to the precepts of the Foujdaree Udalut under date the 13th Idem. ordering the requisition of Security from the 1st and 2d Prisoners in the case of Gang Robbery and Arson No 91 of 1847— and the unconditional release of the 3d, and reporting that the said orders have been conformed to.—

(Here enter F. 16. No 2548 of 1848.)—

Read Calendar of Case No 54 of 1848, submitted by the Sessions Judge of Salem under date the 8th Ultimo.—

(Here enter F. 16. No 2551 of 1848.)

Read

Read Calendar of Case No. 20 of 1848 submitted by the Session Judge of Tellicherry, under date the 17th Ultimo.—

(Here enter F.C. No. 2552 of 1848.)—

Read Calendar of Case No. 30 of 1848, submitted by the Session Judge of Bellary under date the 21st Ultimo.—

(Here enter F.C. No. 2553 of 1848.)

Read Calendar of Case No. 46 of 1848, submitted by the Session Judge of Coimbatore under date the 17th Ultimo.—

(Here enter F.C. No. 2554 of 1848.)

Read Letter dated the 23d Ultimo from the Session Judge of Coimbatore, referring to an observation made by the Principal Sudr. Ameen in his Criminal Report of Case No. 208 of 1848,— annexing an Extract from the Proceedings of the Session Court under date the 3d November, and submitting certified copies of a Precept issued to the Magistrate of Coimbatore, his return thereto and copy of a sentence passed by the Assistant Magistrate, which accompanied the said Return.—

(Here enter F.C. No. 2555 of 1848.)

Read Calendar of Case No. 31 of 1848, submitted by the Session Judge of Bellary under date

date the 24th Ultimo.—

(Here enter F.C. No. 2562 of 1848.)—

Read return dated the 22d Ultimo from the Officiating Session Judge of Mangalore to the Precept of the Fouzdaree Udalut under date the 16th Idem, returning the Calendar of Case No. 45 of 1848, with directions to amend the Statement of the charge therein entered.—

(Here enter F.C. No. 2565 of 1848.)

Read Calendars of Cases Nos. 18, 19, and 20, of 1848, submitted by the Session Judge of Trichinopoly under date the 2d Instant.—

(Here enter F.C. Nos. 2612, 2613, and 2614 of 1848.)

Read Calendar of Case No. 53 of 1848, submitted by the Session Judge of Cuddapah under date the 4th Instant.—

(Here enter F.C. No. 2615 of 1848.)

Read Calendar of Case No. 46 of 1848, submitted by the Session Judge of Combaconum under date the 5th Instant.—

(Here enter F.C. No. 2629 of 1848.)

Read Calendar of Case No. 16 of 1848, submitted by the Session Judge of Masulipatam under date the 30th Ultimo.—

(Here enter F.C. No. 2638 of 1848.)

Read

11th December 1848.—

Read return dated the 6th Instant from the Sessions Judge of Cuddapah, to the Precept of the Fouzdaree Udalut under date the 23d Ultimo - directing to be informed what notice has been taken by the Magistrate of the misconduct of the Village Officers who concealed the circumstances under which the child Venkatamma met her death in Calendar No 36 of 1848.—

(Here enter F. C. No 2639 of 1848.)

F. D. M.

Monday, 18th December 1848. At a Court of the Fouzdaree Udalut

Present

W. K. G. A. Hooper Esqre — 1st Puisne Judge

C. P. E. Thompson Esqre — 2d Puisne Judge

W. A. Morehead Esqre — 3d Puisne Judge

Read letter dated the 2d Instant, from the Sessions Judge of Madura, submitting for the final Judgment of the Fouzdaree Udalut the Record of Case No 54 of 1848 of the Calendar of the Sessions Court.—

(Here Enter F. C. No 2625 of 1848)

Mr C. P. Thompson and Mr W. A. Morehead

The Court of Fouzdaree Udalut, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the Prisoners,

1st. Nagalingum Pillay

and

2d. Mootloozawmiah Pillay

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

be set at liberty.-

The Court of Foujdaree Udalut totally discredit the testimony of the 1st and 2d Witnesses as to the recognition of the prisoners on the night in question. and have accordingly ordered the unconditional release of the said Prisoners.-

Ordered that Extract from these proceedings be sent to the Sessions Judge of Madura for his information.-

(Sent in No. 1275)

Read Miscellaneous Petition pre. sented on the 27th November 1848 by L. Vencata, Sunny Raidoo of Zillah Salem.-

(Here Enter S.R. No. 3037 of 1848)

1 The object of this Petition is to induce the Court of Foujdaree Udalut to reconsider their orders of the 9th October 1848 rejecting the Petitioners application for his restoration to the situation of Jail Peon in the Jail at Salem.-

2 The Court see nothing in this Petition which would induce them to question the propriety of their orders of which the Petitioner

Petitioner complains, and they accordingly resolve to dismiss this Petition.-

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

Read Miscellaneous Petition presented on the 27th November 1848 by Nader Khan and others of Zillah Cuddapah.-

(Here Enter S.R. No. 3035 of 1848)

1. The Petitioners pray the Court of Foujdaree Udalut to order their restoration to their respective situations of Duffadar and Peons on the establishment of the Jail at Cuddapah from which they have recently been dismissed by the Subordinate Judge of that Zillah on their return from the Jail at Chingleput where they had served for a period of two years.-

2. The Petitioners represent that they were directed at their own request by the Sessions Judge of Chingleput to return to Cuddapah the usual period for which Peons deputed from other Zillahs in charge of prisoners forwarded to Chingleput having expired

expired, and that they were furnished by the Sessions Judge with a letter to the Subordinate Judge of Cuddapah upon the receipt of which the latter officer deprived them of their belts on the alleged ground that they had thrown up their situations at Chingleput.-

3. The Court of Foujdaree Adalut are of opinion that the case of the Petitioners is deserving of the consideration of the Subordinate Judge, and that they should be restored to employment on the first occasion of vacancies occurring in the Cuddapah Jail establishment, & the more so, if the Petitioner's assertion be correct that other peons who had served for a shorter period than themselves at Chingleput were provided for in preference to them.-

4. And as it is probable that the Petitioners left their families behind them at Cuddapah in the anticipation that they would be retained at the end of the usual period, the request made by them to the Sessions Judge to be permitted to return does not appear to the Court of Foujdaree Adalut to be unreasonable.-

5. The Court of Foujdaree Adalut do accordingly

accordingly direct that the Subordinate Judge of Cuddapah will re-employ the Petitioners upon the first opportunity that may occur.-

Ordered that Extract from these proceedings be sent to the Subordinate Judge of Cuddapah for his information and guidance.-

(Sent in No. 1976)

Ordered also, that Extract from these proceedings be granted to the Petitioners on their application.-

Read again Calendar of case No 36 of 1848 on the file of the Sessions Court of Tinnevelly.

(Here Enter F.R. No 2410 of 1848)

Read also Miscellaneous Petition forwarded by the Sessions Judge of Tinnevelly from Aryaval an inhabitant of that Zillah.-

(Here Enter F.R. No 2980 of 1848)

Read also return under date the 29th November 1848 from the Sessions Judge of Tinnevelly to the precept of the Foujdaree Adalut dated the 23d November 1848 requiring certain information with reference to the foregoing case.-

(Here Enter F.R. No 2608 of 1848)

On perusal of the foregoing return,

the

the Court of Sudder Dewanny Adawlut deem it proper to direct that an English translation of the entire record of the case therein referred to be submitted for their consideration.-

Ordered that Extract from these proceedings be sent to the Session Judge of Tinnevelly for his information and guidance and for communication to the Petitioner by precept returnable within XV days from and after its receipt.-

(Sent following Precept No. 1277)

Kader Khan and others of Cuddapah

Miscellaneous Petition No 305 of 1848-

Ordered accordingly-

Read Report dated 1st ultimo submitted by the Session Judge of Cuddapah of cases pending on the 30th September and committed for trial during the month of October 1848.-

(Here Enter F & R No 2422 of 1848)

Read Report dated 1st ultimo submitted by the Session Judge of Masulipatam of cases pending on the 30th September and committed for trial during the month of October 1848.

(Here Enter F & R No 2432 of 1848)

Read

Read Report dated 1st ultimo submitted by the Session Judge of Canara of a case pending before him for more than 25 days during the month of October 1848.-

(Here Enter F & R No 2457 of 1848)

Read Calendar of Case No 340 of 1848 submitted by the Session Judge of Chittoor under date the 17th ultimo.-

(Here Enter F & R No 2532 of 1848)

Read Calendar of Cases Nos 564 & 570 of 1848 submitted by the Session Judge of Madura under date the 27th ultimo.-

(Here Enter F & R No 2577 of 1848)

Read Criminal Report dated 28th ultimo submitted by the Session Judge of Guntoor for the month of November 1848.-

(Here Enter F & R No 2589 of 1848)

Read Letter dated the 1st Instant from the Session Judge of Chingleput reporting that no cases as required by the Circular letters dated 10th October 1844 and 21st January 1845 were pending before him during the last month.-

(Here Enter F & R No 2590 of 1848)

Read

Read letter dated the 1st Instant from the Session Judge of Bellary reporting that no cases were pending for trial for a period exceeding 25 days during the months of November 1848.-

(Here Enter Sr No 2595 of 1848)

Read letter dated the 1st Instant from the acting Session Judge of Cuddalore reporting that no case was pending trial before him for a period exceeding 25 days calculated from the date of commitment during the months of November 1848.-

(Here Enter Sr No 2599 of 1848)

Read report dated the 1st Instant submitted by the Session Judge of Salem of cases pending on the 30th November 1848 before him for a period in excess of 25 days calculated from the date of commitment.

(Here Enter Sr No 2600 of 1848)

Read report dated the 1st Instant submitted by the Session Judge of Chingleput of cases pending on the 31st October and committed for trial during the month of November 1848.-

(Here Enter Sr No 2605 of 1848)

Read letter dated the 24th Ultimo from the Session Judge of Honore reporting that a Security Prisoner named Coollumby Ramo escaped from the Jail on the 30th October, and that he was reapprehended on the 3d November.

and

and forwarding the depositions &c. taken on the subject.-

(Here Enter Sr No 2606 of 1848)

Read Report dated the 1st Instant submitted by the Session Judge of Calicut of cases pending on the 31st October and committed for trial during the month of November 1848.-

(Here Enter Sr No 2618 of 1848)

Read letter dated the 1st Instant from the Session Judge of Masulipatam reporting that there are no Criminal cases pending beyond 25 days between 31st October and 30th November last.-

(Here Enter Sr No 2617 of 1848)

Read report dated the 1st Instant submitted by the Session Judge of Tinnevelly of cases pending before him up to the 30th November 1848 in which the Trial has been delayed beyond 25 days.-

(Here Enter Sr No 2620 of 1848)

Read letter dated the 1st instant from the Session Judge of Tellicherry reporting that no case was pending before him during November 1848 for a period in excess of 25 days

18th December 1848

days from the date of arrival.—

(Here Enter F.R. No 26240 of 1848) S

Ed. H. Lyth

J. H.

Tuesday 19th December 1848.

At a Court of the Foujdaree Adalut.

Present.

G. S. Dooper Esqr. ——— 1st Puisne Judge

E. P. Thompson Esqr. ——— 2nd Puisne Judge

W. A. Morehead Esqr. ——— 3rd Puisne Judge.

Read letter dated the 11th Instant —

from the Sessions Judge of Cuddapah, submitting for the final Judgment of the Foujdaree Adalut the Record of Case No 39 of 1848. of the Calendar of the Sessions Court.—

(Here enter No 2670).

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 proof against the Prisoner,

"Guddam Soobbadoo"

is sufficient to convict him of the crime of Treason and Rebellion, do convict him thereof, and under the provisions of Sections II and III Regulation I of 1834, and Clause third Section VIII Regulation XV of 1803, sentence him to be imprisoned for (3) three years, and to be banished during the period of his sentence from the District, in which his place of abode is situated, and kept to hard labor in irons on the public

public roads, or other public works in the Zillah Jail of Masulipatam.—

The Court of Foujdaree Adalut are unable to concur in the opinion of the Sessions Judge that it will be sufficient to hold the prisoner to security. The position he occupied, and the influence he must necessarily have exercised over the body of Peons under his direction, and who went over, in large numbers, to the Chief Rebel Narsimha Reddy, seem to render him a fit object of punishment.—

The Court of Foujdaree Adalut, direct that their sentence in the trial No. 39, from the Sessions Judge of Cuddapah, together with the whole of the proceedings held in the Case, be transmitted to the officiating Chief Secretary to Government, for the purpose of being laid before the Right Honorable the Governor in Council, to the intent that the Court may, in conformity with the provisions of Regulation I of 1831, Section V Regulation XX of 1802, and Section V Act No. V of 1841 receive the orders of Government, before they direct their sentence to be carried into execution.—

(Sent in No. 1282).

Read letter under date the 2nd December 1848. from the Sessions Judge of Trichinopoly.—

(Here enter F. R. No. 2604 of 1848).

1. In the foregoing communication, the Sessions

19th December 1848.

Sessions Judge submits for the consideration of the Court of Foujdaree Adalut, Copies of a correspondence which has passed between himself and the Magistrate of Trichinopoly, in reference to the Magisterial proceedings of Mr. C. J. Bird late Temporary Joint Magistrate, in that District.—

2. Adverting to the absence of any notification in the official Gazette of Mr. Bird's appointment as Joint Magistrate in the Zillah of Trichinopoly, the Sessions Judge expresses the opinion that every exercise of Magisterial authority on the part of Mr. Bird, has been illegal and accordingly desires to be informed whether he is to review Mr. Bird's proceedings or to pass them without notice.—

3. The Court of Foujdaree Adalut observe that the absence of a notification in the official Gazette of the appointment of Mr. Bird as Joint Magistrate in the Zillah of Trichinopoly, cannot be considered to affect the legality of the proceedings held by him in that capacity, his appointment having been made by Government and the prescribed oath administered to him by the late Acting Sessions Judge.

4 It is therefore incumbent upon the Sessions Judge to review such of the proceedings of Mr. Bird as may come before him.—

Ordered that Extract from these—

Proceedings

19th December 1848.

Proceedings be sent to the Sessions Judge of Trichinopoly for his information and guidance.—

(Sent in No. 1283)

Read letter under date the 1st Instant from the Officiating Sessions Judge of Mangalore.—

(Here enter F. C. No. 2622 of 1848).

1. The officiating Sessions Judge in the foregoing communication submits for the consideration of the Judges of the Foujdaree Adalut whether on the commitment of cases for trial by the Session Court under Section XXIX Act VII of 1843 the reasons for such committal should be entered in the proper column of the Report A forwarded by the Committing Officer.—

2. The Court of Foujdaree Adalut observe that in the Form laid down in Circular Order No. 185 the fact of Commitment and date of Committal is the only information which it is requisite that the column referred to by the Officiating Sessions Judge should contain in regard to cases committed for trial by the Session Court.

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

(Sent in No. 1284)

Ext F.C.

Friday
22nd December 1848.

F. C.

At a Court of the Foujdaree Adalut.—

Present.

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

Read letter under date the 17th November 1848 from the Session Judge of Salem reporting the execution of the Sentence of death passed upon the prisoner in Case No. 42 of 1848 on the file of the Session Court.

(Here enter F. C. No. 2515 of 1848)

1. With the foregoing letter the Session Judge in the absence of the Subordinate Judge submits a copy of the warrant issued by the Court of Foujdaree Adalut for the execution of the prisoner in the case referred to.

2. Adverting to the provisions of Section XIII Regulation VIII of 1802, the Court of Foujdaree Adalut direct that the original warrant issued in this case be returned with the usual endorsement.

Ordered

Ordered that Extract from these proceedings be forwarded to the Acting Subordinate Judge of Salem by precept returnable within 10 days from and after its receipt.

(Sent following precept No. 1286

Read Calendar of Case No. 40 of 1848 on the file of the Sessions Court of Nellore

/ Herewith Plo. No. 2583 of 1848 /

The Prisoner in this case a female has been convicted of the offence of Forgery and has been sentenced by the Court of Session to seven years Imprisonment with labor suited to her sex.

2. Adverting to the sex and want of education of the prisoner the Sessions Judge recommends a mitigation of the prescribed punishment to such an extent as to the Court of Fouzdaree Adalut may seem fit.

3. Under all the circumstances of the case the Court of Fouzdaree Adalut consider that a sentence of six months Imprisonment will be sufficient to meet the demands of justice and they direct that the Sessions Judge will issue his warrant accordingly.

4. The Court of Fouzdaree Adalut observe

observe that with reference to the provisions of Clause second Section III Regulation I of 1825 it was incumbent upon the Sessions Judge to state the specific period of Imprisonment which he considered should be awarded to the prisoner in mitigation of the sentence passed.-

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

(Sent in No. 1287

Read Criminal Reports for the month of November 1848 submitted by the Sessions Judge of Guntoor under date the 12th Instant.

/ Herewith Plo. No. 2674 of 1848 /

Read Calendar of Case No. 60 of 1848 submitted by the Sessions Judge of Cuddapah under date the 16th Instant.

/ Herewith Plo. No. 2700 of 1848 /

Read return dated the 13th Instant from the Sessions Judge of Chingleput to the precept of the Fouzdaree Adalut under date the 30th Ultimo, desiring to be informed if any, and what notice has been taken by the Magistrate of the irregularities

irregularities exercised by the Thasildar of Mannimungalum Talook in Case No 23 of 1848 on the Calendar of the Session Court of Chingleput.

/Herewith F. No 2709 of 1848/

Read Calendar of Case No 37 of 1848 submitted by the Session Judge of Guntoor under date the 16th Instant.

/Herewith F. No 2710 of 1848/

Read Calendar of Case No LX of 1848 submitted by the Session Judge of Madura under date the 15th Instant.

/Herewith F. No 2711 of 1848/

Read Calendar of Case No 70 of 1848 submitted by the Session Judge of Tinnevelly under date the 11th Instant.

/Herewith F. No 2712 of 1848/

Read Calendar of Case No 72 of 1848 submitted by the Session Judge of Cuddapah under date the 18th Instant.

/Herewith F. No 2715 of 1848/

Ent 4th.

Saturday 23rd December 1848.

F. No

At a Court of the Foujdaree Udalut

Present

G. A. R.
D. R.
D. M.

Sy. S. Hoosein Esqre — 1st Puisne Judge.
C. K. Thompson Esqre — 2nd Puisne Judge.
W. A. Morehead Esqre — 3rd Puisne Judge.

Read again return under date the 24th November 1848 from the Sessions Judge of Combaconum to the precept of the Foujdaree Udalut dated the 21st November 1848 directing the production of the sentence awarded to the prisoner in Case No 41 of 1848 on the file of the Sessions Court, and requiring an explanation from the Darogah of Kevalore of his failure to conform to the requisitions contained in Section III Regulation II of 1825 in regard to the document A filed in the record of the Case in question.

/Herewith F. No 2556 of 1848/

Adverting to the remark recorded in the 2nd para of their proceedings of the 8th Instant that "according to the

provisions of

provisions of Clause Second Section III Regulation II of 1825 the payment of the penalty should have been certified upon the instrument upon which it was levied" the Court of Fouzdaree Udalut observe on reference to the original document to which the foregoing remark bore reference it has been ascertained that the prescribed certificate was duly entered thereon, its omission in the translation which was made for the perusal of the Judges having led the Court to infer that it had likewise been omitted in the original.

Ordered, that Extract from these Proceedings be sent to the Sessions Judge of Combaconum for his information.

(Sent in ditto)

Read Calendar of Case No. 58 of 1848 on the file of the Sessions Court of Madura.

(Here enter P.C. No. 2597 of 1848.)

The Prisoner in this case was charged with Robbery by open violence of

of which offence he has been convicted, the Sessions Judge recommending that the prescribed period of imprisonment should be reduced to eight years, on the ground that he would appear not to have taken an active part in the robbery and that he furnished the only evidence of his guilt by his confession and delivery to the Police of the property taken by him. By this recommendation the Court of Fouzdaree Udalut approve and do thy authorize the Sessions Judge 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 ditto)

Read Calendar of Case No. 25 of 1848 of the Sessions Court of Canara.

(Here enter P.C. No. 2693 of 1848.)

1. In this case five Prisoners were charged with "House breaking and Theft."

2. The Sessions Judge in concurrence with

with the Fatwa of the Law Officer convicted the 1st Prisoner of the crime charged, and sentenced him to seven years imprisonment with hard labor in irons.

3. The 2nd 3rd 4th and 5th Prisoners were acquitted and unconditionally released.

4. In the absence of any aggravating circumstances attendant on the commission of the crime in this case, the Court of Fouzdaree Udalut are of opinion that a mitigation of the 1st Prisoner's sentence may, with propriety be allowed, 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 three (3) years.

5. The Session Judge will be pleased to issue a fresh warrant in accordance with the foregoing resolution.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Honore by precept returnable within III days from and after its receipt.

(Sent following precept &c

Read

F. W.

23rd December 1848.

Read Calendar of Case No. 35 of 1848 on the file of the Session Court of Chittoor.

(Here enter F.W. No 2533 of 1848.)

1. The prisoner in this case was charged with house breaking and an attempt at theft, and having been committed for trial by the Subordinate Court has been acquitted and released.

2. The Court of Fouzdaree Udalut desire to be informed upon what grounds the Subordinate Judge, by whom this case was committed, considered that he was not competent to dispose of the offence charged under the provisions of Clause Sixth, Section II Regulation VI of 1822.

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

(Sent following precept &c

Read

23rd December 1848

Read a Miscellaneous Petition presented on the 16th October 1848 by Perumal Moopsens of Lillah Salem.

(Here enter F/C. M.P. No. 277 of 1848.)

1. Petitioner complains of the unjust usurpation by one Venaata Reddy of a Palmyra Tope and Lands thereto attached situated in the Village Cauenungary in the Lillah of Salem, which lands and tope, the Petitioner asserts, are his own ancestral property.

2. Petitioner further complains of a severe assault committed at the instigation of the said Venaatareddy upon his (the Petitioners) brother, in consequence of which cruel treatment his Brother subsequently died.

3. Before passing final orders on this Petition, the Court of Foujdaree Udalut resolves to forward the English translation thereof to the Sessions Judge, who will be pleased to submit a full report upon the several allegations it contains.

Ordered that Extract from these

23rd December 1848.

these Proceedings be forwarded to the Sessions Judge of Salem by Precept returnable within 2 days from and after its receipt.

(Seal) (following) precept No.

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

Read Calendar of Case No. 41 of 1848 on the file of the Sessions Court of Rajahmundry.

(Here enter F/C. No. 2706 of 1848.)

1. Four prisoners in this case were charged with murder in having administered medicine to one Potiala Veeramah for the purpose of causing abortion, from the effects of which she died.

2. The Jury find that "the giving of the medicine is proved and admitted but acquit the 1st Prisoner and consequently the other three of all criminality connected with the death of the deceased."

3. In this verdict the Sessions Judge concurs and releases the prisoners "with a warning never again to attempt a repetition of a practice which they have now

now seem may be fatal."

4 The Court of Fouzdaree Udalut are at a loss to understand how the Sessions Judge has considered himself justified in acting upon a verdict of the nature of that recorded by the Jury in this case.

5. The prisoners are declared to be convicted of the act charged against them which amounts to murder, and under such circumstances their release by the Court of Session was clearly illegal.

6 The Court of Fouzdaree Udalut accordingly deem it necessary to direct that immediate instructions may be issued for the re-apprehension of the prisoners, and that an English translation of the record of this case may be submitted for the consideration of the Fouzdaree Udalut with the least possible delay.

Ordered, that Extract from these Proceedings, be forwarded to the Session Judge of Rajahmundry, for his information and guidance; by precept returnable within X days, from and after its receipt.

Sent following precepts.

F. Vol
23rd December 1848.

Read Miscellaneous Petition presented on the 1st. December 1848 by James Ouchterlony, and D. Ramachendriah Vakeel on behalf of Ranee Ungammah Sacheer of Lillah of Madura.

(Here enter F. Vol. M. P. p 316 of 1848)

1. This is an application for the interference of the Court of Fouzdaree Udalut in regard to certain Proceedings of the Magistrate of Madura held under date 28th. February 1848, dismissing a charge of Forgery preferred by the Petitioner against one Ebram Ally, whom the Petitioner accuses of having fabricated an Urzee, purporting to be written by the Zemindar of Shevagunga on the 7th. October 1806 to Mr Puckle the Collector of Government Peshcush, which fabricated Urzee, it was further alleged, the said Ebram Ally placed on the records of the Collector of Madura in lieu of the genuine Urzee of that date, which had been abstracted.

2. The Court of Fouzdaree Udalut observe that this Appeal which is one from a decision passed by the Magistrate should have been addressed in the first instance to the

2nd December 1848

the Sessions Judge, from whose Orders a final Appeal lies to the Court of Foujdaree Udalut. In the present stage of proceedings the Court of Foujdaree Udalut being precluded from taking this Petition into their considerations, resolve to reject the same.

3. With reference to the statements set forth in the enclosure of this Petition, bearing the signature of Mr. Fischer, the Court would observe that such statements cannot be received in opposition to an officially recorded judgment signed by the Magistrate.

Ordered, that Extract from these Proceedings be given to the Petitioners Vakeels on their application.

S

Ext. Pet.

Lyk.

F. 66.

Thursday, 28th December 1848. — At a Court of the Tonjdaree Udalut. —

Present. —

W.A.M. G. S. Hooper Esqre — 1st Puisne Judge,
C.P. E. P. Thompson Esqre — 2d Puisne Judge,
W. A. Morehead Esqre — 3d Puisne Judge. —

W.A.M.

Read letter dated the 20th November 1848 from the Session Judge of Mangalore, transmitting for the final judgment of the Tonjdaree Udalut the Record of Case No. 42 of 1848, of the Calendar of the Session Court. —

(Here enter F. 66. No. 2720 of 1848.)

The Court of Tonjdaree Udalut, on

Mr. G. S. Hooper — and Mr. W. A. Morehead — a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the prisoner —

2d Dher Buswa

is sufficient to convict him of the crime of 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 irons, on the public roads or other public works, for, and during the period of his natural life. —

But

But being of opinion that the Prisoners

1st Hoosen Beary
and
3d Fakeera

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

(Sent following Letter No. 1297

Read Criminal Report dated the 5th Instant from the Session Judge of Guntoor for the Month of November 1848. —

(Here enter F. H. No. 2627 of 1848.)

Read return dated the 30th Ultimo from the Session Judge of Honore, to the precept of the Fouzdaree Adalut under date the 23d Idem - requiring an explanation of the delay which occurred in the apprehension of the Prisoners in Case No. 22 of 1848 on the Calendar of the Session Court. —

(Here enter F. H. No. 2630 of 1848.)

Read letter dated the 1st Instant from the Session Judge of Honore - stating that no cases were pending before the Session Court for more than 25 days during the month of November 1848. —

(Here enter F. H. No. 2631 of 1848.) —

Read

Read Calendar of Case No. 59 of 1848 submitted by the Session Judge of Madura under date the 6th Instant. —

(Here enter F. H. No. 2637 of 1848.)

Read Calendar of Case No. 69 of 1848 submitted by the Session Judge of Cuddapah under date the 9th Instant. —

(Here enter F. H. No. 2651 of 1848.)

Read letter dated the 7th Instant from the Session Judge of Madura - submitting Warrant issued for the execution of Prisoner in Calendar of Case No. IV of 1848 with return made thereto by Subordinate Judge and a letter from that Officer. —

(Here enter F. H. No. 2653 of 1848.)

Read Calendars of Cases Nos. 45, 47, and 48 of 1848 submitted by the Session Judge of Coimbatore under dated the 17th and 23d November 1848. —

(Here enter F. H. Nos. 2663. 2664 & 2665 of 1848.)

Read letter dated the 8th Instant from the Session Judge of Tellicherry - returning death warrant issued by the Court of Fouzdaree Adalut in Case No. 18 of 1848 on the Calendar of the Session Court - and reporting the execution thereof. —

(Here enter F. H. No. 2669 of 1848.)

Read

2
28th December 1848.

Read Criminal Reports dated the 15th Instant submitted by the Session Judge of Jungleput for the Month of November 1848.—

(Here enter F. C. No. 2675 of 1848.)

Read Criminal Reports dated the 13th Instant submitted by the Session Judge of Cuddapah for the Month of November 1848.—

(Here enter F. C. No. 2676 of 1848.)

Read Criminal Reports dated the 1st Instant submitted by the Session Judge of Tinnevelly for the Month of November 1848.—

(Here enter F. C. No. 2685 of 1848.)

Read Criminal Reports dated the 11th Instant submitted by the Session Judge of Calicut for the Month of November 1848.—

(Here enter F. C. No. 2686 of 1848.)

Read Criminal Reports dated the 13th Instant submitted by the Session Judge of Trichinopoly for the Month of November 1848.—

(Here enter F. C. No. 2687 of 1848.)

Read Criminal Reports dated the 4th Instant submitted by the Session Judge of Combaconum for the Month of November 1848.—

(Here enter F. C. No. 2688 of 1848.)

End F. C.

F. C.

Friday, 29th December 1848.—

At a Court of the Sudder Adalut.—

Present—

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

Read letter dated the 20th instant from the Session Judge of Calicut, referring for the final judgment of the Sudder Adalut, the Record of Case No. 57 of 1848, of the Calendar of the Sessions Court.—

(Here enter F. C. No. 2740 of 1848.)—

The Court of Sudder Adalut,

Mr. C. D. 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 proof against the prisoner,—

Eyoowen Padinjaree poorakul Ramen—

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.—

Adverting to parah 5 of the Sessions Judge's Letter, the Court of Sudder Adalut

Udalut observe that they see no reason to question the propriety of the release of the 2d and 3d Prisoners by the Subordinate Judge.—

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

(Sent following Letter No. 1298)

Read Criminal Reports dated the 30th Ultimo submitted by the Session Judge of Salem for the month of November 1848.—

(Here enter F. G. No. 2689 of 1848.)

Read Criminal Reports dated the 12th Instant submitted by the Session Judge of Madura for the month of November 1848.—

(Here enter F. G. No. 2690 of 1848.)

Read Criminal Reports dated the 11th Instant submitted by the Session Judge of Bellary for the month of November 1848.—

(Here enter F. G. No. 2691 of 1848).

Read Criminal Reports dated the 12th Instant submitted by the Officiating Sessions Judge of Mangalore for the month of November 1848.—

(Here enter F. G. No. 2693 of 1848.)

Read Calendar of Case No. 50 of 1848 submitted by the Officiating Sessions Judge

of Mangalore under date the 12th Instant.—

(Here enter F. G. No. 2694 of 1848.)

Read Calendar of Case No. 27 of 1848 submitted by the Sessions Judge of Canara under date the 9th Instant.—

(Here enter F. G. No. 2695 of 1848.)

Read Calendar of Case No. 47 of 1848 submitted by the Sessions Judge of Coimbatoor under date the 11th Instant.—

(Here enter F. G. No. 2696 of 1848.)

Read Calendar of Case No. 49 of 1848 submitted by the Sessions Judge of Coimbatore under date the 27th Ultimo.—

(Here enter F. G. No. 2698 of 1848)

Read letter dated the 8th Instant from the Agent to the Governor of Fort St. George at Ganjam affording explanation in respect to the warrant issued by him in Case No. 4 of 1848 of his Criminal file.—

(Here enter F. G. No. 2701 of 1848.)

End 11

F. Vo.

Saturday
30th December 1848 } 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. Miscellaneous Petition presented on the 16th October 1848 by Y. Appiah Vaker on behalf of Baduru Serbiah of Villahs Rajahmundry.

(Here enter F. Vo. M. P. No. 271 of 1848)

The object of this Petition is to induce the Court of Foujdaree Udalut to reconsider their orders of the 27th Ultimo rejecting the Petitioner's application for the reversal of an order of the Magistrate of Rajahmundry directing the removal of a Sheet frail erected by the Petitioner.

The Court of Foujdaree Udalut do see nothing in this Petition which would induce them to modify their orders of which the Petitioner complains.

Ordered that Extract from these Proceedings be granted to the Petitioner's

30th December 1848. Petitioner's Vakeel on his application.-

Read Miscellaneous Petition presented on the 23d October 1848 by Varanasee Vencatadry late Police Peshcar of Joogeola fully Division in the Zillah of Nellore.-

[Here enter F.C. & C.P. No 285 of 1848.]

1. The Petitioner prays the Court of Fouzdaree Udalut to order his restoration to his situation from which he states that he has been unjustly dismissed by the Joint Magistrate of Nellore in consequence of certain remarks recorded by the Sessions Judge with reference to a case in which the Head of Police of the Division to which the Petitioner was attached was charged with "Bribery."-

2. On reference to the Calendar of the case to which the Petitioner alludes the Court of Fouzdaree Udalut are satisfied that the Petitioner's dismissal was just and proper, and they accordingly refuse to interfere in his behalf.-

Ordered that Extracts from these Proceedings be granted to the Petitioner.

30th December 1848. Petitioner on his application.-

Read Miscellaneous Petition presented on the 17th July 1848 by D Rayappah Mookhtear Vakeel on behalf of V Ramasamy and others of Zillah Bellary.-

[Here enter F.C. & C.P. No 205 of 1848.]

1. This is an application for the reversal of the sentences awarded to the Petitioners and certain other individuals by the Hindoo Sudder Ameen of Bellary on their conviction of having been concerned in a riotous affray, for which they have been fined respectively in sums amounting in the aggregate to Rupees 320.-

2. The Court of Fouzdaree Udalut have carefully considered this Petition together with the reports of the cases to which it refers, and they see no reason to interfere with the sentences passed by the Criminal Court and confirmed by the Sessions Court in Appeal.-

3. The Court of Fouzdaree Udalut accordingly, resolve to dismiss this Petition.-

Ordered, that Extracts from these

30th December 1848. these Proceedings be granted to the Petitioner? Vakeel on his application.

Read Miscellaneous Petition forwarded by the Sessions Judge of Tinnevelly from Coilla mada Taven of that Zillah.

(Here enter F. M. P. No 297 of 1848.)

1 This is an application for the reversal of the sentences awarded to the prisoners in Case No 26 of 1848 on the file of the Sessions Court of Tinnevelly.

2 The Court of Fouzdaree Udalut see no reason to doubt the propriety of the conviction of the prisoners in this case, or the justice of the sentence passed upon them and they accordingly resolve to dismiss this Petition.

Ordered that Extracts from these Proceedings be forwarded to the Sessions Judge of Tinnevelly for his information, and for communication to the Petitioner.

(Sent in &c.)

Read Miscellaneous Petition presented on the 27th November 1848 by B. Atchesta Row late Magistrate's Jemadar of Cuddapah.

(Here enter F. C. M. P. No 312 of 1848.)

The

30th December 1848. 1 The Petitioner prays to be furnished with copies of the Letters addressed by the Magistrate, and Sessions Judge of Cuddapah to the Court of Fouzdaree Udalut relative to the charges of Conspiracy &c. recently preferred by the Magistrate against the Petitioner and of the Proceedings of the Court of Fouzdaree Udalut held thereon.

2 The Court of Fouzdaree Udalut refuse to comply with the prayer of this Petition, the Petitioner being in no way entitled to obtain copies of the documents for which he applies.

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

Ordered also that the stamps furnished by the Petitioner be returned to him.

Read Miscellaneous Petition presented on the 27th November 1848 by Tippoo Beber of Zillah Cuddalore.

(Here enter F. C. M. P. No 311 of 1848.)

The

30th December 1848.

1. The Petitioner prays the release of her son Sheik Salaut Prisoner in Case No. 36 of 1848 of the Sessions Court of Cuddalore convicted of "Sodomy" and sentenced to five year's imprisonment with hard labor in irons.

2. The Court of Fougdaree Udalut being satisfied from a perusal of the evidence set forth in the Calendar of the justices of the Prisoner's conviction, refuse to interfere in the manner solicited.

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

Read again Miscellaneous Petition presented on the 23d October 1848 by Iyahswamy Pillay and Goolam Moideen late Jail Jemadar and Duffadar in the Jail at Madura.

(Here enter F. Uc. No. 280 of 1848.)

Read also return under date the 18th November 1848 from the Sessions Judge of Madura to the precept of the Fougdaree Udalut dated the 6th November 1848, calling for

30th December 1848.

for information with reference to the foregoing Petition.

(Here enter F. Uc. No. 2525 of 1848.)

Read also return under date the 22nd December 1848 from the Civil Judge of Madura to the precept of the Fougdaree Udalut dated the 11th December 1848 calling for further information with reference to the foregoing Petition.

(Here enter F. Uc. No. 2729 of 1848.)

1. On consideration of the reasons assigned by the Subordinate Judge for the dismissal of the Petitioners from their respective situations of Jemadar and Duffadar in the Jail at Madura the Court of Fougdaree Udalut refuse to interfere in the Petitioners behalf.

2. The Court however cannot admit the validity of the grounds assigned by the Session Judge in his return of the 18th November 1848 for refusing to take into consideration the Appeal made to him by the Petitioners from the order of the Subordinate Judge.

3 The Court observe that the course

course adopted by the Sessions Judge was calculated to defeat the chief object of the establishment of the Local Courts of Appeal.

4. In refusing to entertain the Petitioners Appeal and to pass such orders thereon as justice demanded the Sessions Judge reduced the Petitioners to the necessity of applying for redress to the Court of Ponjdaree Adalut, situated several hundred miles distant from their houses, and imposed upon that Court a duty which it was incumbent upon the Sessions Court to perform.-

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

(Sent in A°)

Ordered also that Extract from these Proceedings be granted to the Petitioners on their application.-

Read again Miscellaneous Petitions presented on the 23rd October 1848 by Kistnien, Mootten Oodien and Vengoommal of Dillah Combaconum.-

(Here enter P. C. M. P. Nos 281, 284 and 286 of 1848.)

Read,

P. C.
30th December 1848.

Read also return under date the 21st December 1848 from the Sessions Judge of Combaconum to the precept of the Ponjdaree Adalut dated the 6th December 1848 calling for information with reference to certain allegations put forth in the foregoing Petitions.-

(Here enter P. C. No. 2747 of 1848.)

1. It appears from this return that the allegation of the Petitioners in regard to an order which they assert to have been issued by the Magistrate of Tanjore is entirely unfounded, no such order having been issued by any of the Officers of the Magistracy on the occasion to which the Petitioners refer.-

2. And as the Court of Ponjdaree Adalut see no reason to question the propriety of the sentence of which the Petitioners complain they resolve to dismiss these Petitions.-

Ordered that Extract from these Proceedings be granted to the Petitioners on their application.-

Read Miscellaneous Petition presented

30

presented on the 13th. November 1848 by (Roos-
-sing of Lillah Cuddapah.

(Here enter F. C. M. P. No. 296 of 1848.)

Read also Miscellaneous Petition
presented on the 20th. November 1848 by P.
Venkatasamy of Lillah Cuddapah.

(Here enter F. C. M. P. No. 302 of 1848.)

1 The Petitioners represent them-
-selves to be the relatives of the prisoners in
Case No. 45 of 1848 on the file of the Sessions
Court of Cuddapah whose innocence they
assert of the crimes laid to their charge
and pray that the sentences awarded to
them may be reversed, and that they may
be restored to their situations on the
Police Establishment from which they
have been dismissed by the Magistrate
of Cuddapah.

2 The Court of Foujdaree Udalut
see no reason to question the propriety of
the sentences of which the Petitioners com-
-plain, nor will they order the restoration
of the prisoners to the situations from which
they have been dismissed.

Ordered that Extract from
these

30th December 1848. these Proceedings be granted to the Petitioners
on their application.

Read Miscellaneous Petition
forwarded by the Sessions Judge of Tinnevelly
from Pollamada Taiven of that Zillah.

(Here enter F. C. M. P. No. 297 of 1848.)

1 This is an application for the
reversal of the sentences awarded to the
prisoners in Case No. 26 of 1848 on the file
of the Sessions Court of Tinnevelly.

2 The Court of Foujdaree Udalut
see no reason to doubt the propriety of the
conviction of the prisoners in this case,
or the justice of the sentence passed upon
them and they accordingly resolve to
dismiss this Petition.

Ordered, that Extract from
these Proceedings be forwarded to the Sessions
Judge of Tinnevelly for his information and
for communication to the Petitioner.

(Put me Sp.)

Read Miscellaneous Petition
presented on the 27th. November 1848 by
Khodaigee of Zillah Cuddapah.

(Here enter F. C. M. P. No. 303 of 1848.)

The

30th December 1848.

1 The Petitioner prays the Court of Tonjadore Udalut to order his restoration to the situation of Jemadar in the Jail at Cuddalpah from which he was dismissed on the 18th August 1848 by the Subordinate Judge.

2 The Court of Tonjadore Udalut cannot interfere in the matter of the Petitioner's removal from the situation for which in the opinion of the Subordinate Judge his age and infirmities have rendered him unfit.

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

Read Miscellaneous Petition of Vatagherry of Zillah Bellary forwarded by the Sessions Judge of that Zillah and filed in this Court on the 13th December 1848.

(Here enter F. C. M. P. No 322 of 1848)

1 This is an appeal from the sentence passed by the Sessions Judge of Bellary upon this Petition, Prisoner in Case No 20 of 1848 who was convicted of fraud and sentenced to five years imprisonment with hard labor in irons.

The

F. C.
30th December 1848

2 The Court of Tonjadore Udalut resolve to reject the prayer of this Petition being satisfied from a perusal of the Calendar of the justness of the Prisoners conviction and of the propriety of the sentence awarded to him.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Bellary for communication to the Petitioner.

/ Seal in Ct /

Read Miscellaneous Petitions presented on the 27th November and 4th December 1848 by Vroonachella Odooven of Zillah Cuddalore.

(Here enter F. C. M. P. Nos 304 and 315 of 1848)

1 The Petitioner complains of an order passed by the Acting Sessions Judge of Cuddalore under date the 24th October 1848 refusing to interfere with an order of the Magistrate of South Arcot referring the Petitioner to seek redress from the Civil Court in regard to an encroachment alleged to have been made upon his lands.

2 The Court of Tonjadore Udalut

/ approve

approve of the order of which the Petitioner complains and they accordingly resolve to dismiss this Petition.-

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

Read a Miscellaneous Petition presented on the 18th December 1848 by Appengar of Lillah Trichinopoly.-

(Here enter F. No. M. P. No. 326 of 1848)

1. The object of this Petition is to induce the Court of Fouzdaree Udalut to reverse the sentence passed on the Petitioner's Brother, Prisoner in Case No 17 on the file of the Sessions Court of Trichinopoly, who was convicted of Forgery, and adjudged to seven years imprisonment with hard labour in irons.-

2. The Court of Fouzdaree Udalut being satisfied from a consideration of the evidence set forth in the Calendar of the justness of the Prisoner's conviction refuse to disturb the sentence passed upon him.-

Ordered

Ordered, that Extract from these Proceedings be given to the Petitioner on his application.-

Read again Calendar of Case No 34 of 1848 on the file of the Sessions Court of Cuddapah.-

(Here enter F. No. No 1870 of 1848)

Read also a Miscellaneous Petition presented on the 11th December 1848 by James Cuchterlony Esqre Vakeel on behalf of P. Ragava-=ruddy of Lillah Cudapah.-

(Here enter F. No. M. P. No 318 of 1848)

The Court of Fouzdaree Udalut resolve to direct that an English Translation of the entire record of the foregoing case, together with copies of all official documents bearing upon the case may be submitted for their consideration with the least practicable delay and that the prisoners under sentence in the case referred to be retained from labor in irons, pending the receipt of further orders from the Court of Fouzdaree Udalut.

Ordered, that Extract from these Proceedings be forwarded to the Sessions

December 1848

Sessions Judge of Cuddalore, by precept returnable within XV days, from and after its receipt.

/Sent following precepts Nos /5

Ordered also, that Extracts from these Proceedings be granted to the Petitioners Vakeel on his application.

Read Report dated 1st Instant submitted by the Officiating Sessions Judge of Mangalore of Cases pending on the 31st October and committed for trial in the month of November 1848 before the Sessions Court of Mangalore.-

/Here enter F. No. 2621 of 1848./

Read letter dated the 12th Instant forwarded by the Sessions Judge of Tellicherry submitting Extracts from Calendars of persons discharged and committed by Joint Magistrate of Malabar during 1st Quarter of 1848.

/Here enter F. No. 2700 of 1848/

In The Court of Small Causes of Madras.

Suit No. 13117 of ~~1925~~ 1891

Before the *Judge.*

Hearing : V Subramania Ayr .....*Plaintiff*

1 Dhoji 2 Sankara 3- Narasa .....*Defendant*

I Sankara

.....the ~~Plaintiff~~ / Defendant abovenamed to hereby appoint **Mr. N. Ramachandra Aiyar,** as ~~my~~ / our Vakil to ~~commence~~ / appear for in the above ~~suit~~ / matter and on ~~my~~ / our behalf to conduct and prosecute the same and all proceedings upon any degree or order that may be passed therein.

The terms upon which the said Vakil is to act for ~~me~~ / us as aforesaid are that he shall receive all outfees, and the sum of Rupees 5/- .....for his fees and all day costs allowed herein.

~~I~~ / We hereby declare that no counter agreement has been made between the said Vakil and ~~myself~~ / ourselves or any other person in respect of the said costs or remuneration.

Dated the 27 day of Nov 1926

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Accepted. No counter agreement has been made between me and the said ~~Plaintiff~~ / Defendant 2nd or any other person in respect of the said costs or remuneration.

Dated the 27th day of Nov. 1926

Cum 29/11

N Ramachandra

Vakil for ~~Plaintiff~~ / Defendant 2nd

This is to certify that this defendant swear'd & signed in my presence at Vepery on 29-11-26 T R Ratnam Ayr VM Vepery

Ms.
W. D. Munchen
T. L. (1138)