264

1130

573

3d January 1849

23

Adalut deem it proper that a full and searching investigation should be made with the Conduct of the Head of Police and also of the Subordinate Officers of Police as it regards this Case. The Sessions Judge will be pleased to issue the requisite instructions to the Magistrate, and to forward for their consideration, with as little delay as possible, the Magistrate's report on the subject, together with any remarks that it may occur to the Sessions Judge to offer thereon.

24 The Court of Sudder Adalut presume that the Magistrate has long since commenced an inquiry into the conduct of the Head of Police who is reported to have been suspended.

Ordered that Extracts from these Proceedings be sent to the Sessions Judge of Chittagong by parcel post to be delivered within four weeks from and after its receipt.

(Sent following Precept No. 1.) to

3d January 1849.

Read Monthly Reports submitted by the Sessions Judge of Combaconum for the month of October 1848.

(Here enter Proceedings No 2495 of 1848.)

Cases No. 139, 140, 141, 145, 152

1.

In case No 139. the Prisoners were charged with "conspiracy" and have been respectively sentenced to imprisonment for various periods under the provisions of Section VII Regulation X of 1816.

2.

In the next case noted in the margin other prisoners tried on a similar charge have been sentenced, the 1st to seven days' imprisonment under Section II Regulation IX of 1832 and the 2d 3d and 4th to three months' imprisonment under the provisions of Section VII Regulation X of 1816.

3.

In Case No 141. also on a similar charge two prisoners have been sentenced to one months imprisonment one under Section II Regulation IX of 1832. and the other under Section VII Regulation X of 1816.

4.

In Cases No. 145 five Prisoners have been committed for trial before the Sessions Court on a charge of "Conspiracy".

5

From the abstract of the charges as entered in the reports of the Cases above referred to, it appears that the "conspiracy" with which the prisoners

No. 16.

3d January 1849.

Prisoners have been charged convicted of false complaints preferred before Heads of District Police by certain of the Prisoners and supported by the evidence of the others; and that the parties by whom the complaints were preferred have been punished under the provisions of Section II Regulation IX of 1832, the witnesses being dispersed of under Section VII Regulation X of 1816.

In adopting this course the Court of Foujdaree Adaulut after that the Sessions Judge has been guided by the instructions conveyed in the proceedings of the Foujdaree Adaulut; before upon the letter from the late Sessions Judge of Combaconum under date the 26th February 1845 Submitting the annual Sessions Report for the year 1844, wherein with reference to certain remarks preceded by that Officer regarding the absence of any provision for the punishment of the authors and instigators of false complaints it was observed by the Court of Foujdaree Adaulut that under the Mahomedan Law parties proved to have been concerned in the instigation of false charges may be punished for conspiracy although the provisions of Regulation IX of 1832 would not be attended to

3d January 1849.

Reads Monthly Reports submitted by the Sessions Judge of Combaconam for the month of October 1848.

Vide Letter From No. 2495 of 1848.

Cases Nos. 139, 140, 141, 145, 152

1.

In Case No. 139. the Prisoners were charged with "conspiracy" and have been respectively sentenced to imprisonment for various periods under the provisions of Section VII Regulation X of 1816.

2.

In the next case noted in the margin other prisoners tried on a similar charge have been sentenced, the 1st to seven days' Imprisonment under Section II Regulation IX of 1832; and the 2d 3d and 4th to three months' Imprisonment under the provisions of Section VII Regulation X of 1816.

3.

In Case No. 141. also on a similar charge two prisoners have been sentenced to nine months' Imprisonment one under Section II Regulation IX of 1832. and the other under Section VII Regulation X of 1816.

4.

In Case No. 145. five Prisoners have been committed for trial before the Sessions Court on a charge of "Conspiracy".

5.

From the abstract of the charges as entered in the reports of the Cases above referred to, it appears that the "Conspiracy" with which the prisoners

46.

3d January 1849.

Prisoners have been charged convicted of false complaints preferred before Heads of District Police by certain of the Prisoners and supported by the evidence of the others; and that the parties by whom the complaints were preferred have been punished under the provisions of Section II Regulation IX of 1832, the witnesses being disposed of under Section VII Regulation X of 1816.

6.

In adopting this course the Court of Tanjore Adalut infer that the Subordinate Judge has been guided by the instructions conveyed in the proceedings of the Court of Tanjore Adalut; before upon the letter from the late Sessions Judge of Combaconam under date the 26th February 1845 submitting the annual Sessions Report for the year 1844, wherein with reference to certain remarks recorded by that Officer regarding the absence of any provision for the punishment of the authors and instigators of false complaints it was observed by the Court of Tanjore Adalut that under the Mahomedan Law parties proved to have been concerned in the instigation of false charges may be punished for conspiracy although the provisions of Regulation IX of 1832. would not be attributable

to

to them"

7. The Court however are of opinion that the Subordinate Jrof has misconceived the intent of the observations above quoted & if he considered that it was thereby intended to sanction the punishment of witnesses giving evidence in support of a false complaint, upon a charge of conspiracy, only if the parties charged were proved to have been the authors and instigators of the false complaint.-

8. It would seem to be within that this was the intention of the Court in recording the observations above referred to, when the Circular Order No 57 is taken into consideration wherein it is declared "that Regulation IX of 1832 does not authorize Courts giving false evidence but only the Court by whom the charge shall have been preferred" and that the punishment of persons giving false evidence not upon oath "cannot be considered legal without a special provision rendering the act a Criminal offence."

9. It is to be inferred that the terms of the Circular Order in question were misunderstood by the Court of Tinjdaree Adalat in

misreading their instructions above adverted to.-

10. It is therefore the opinion of the Court of Tinjdaree Adalat that the punishment of witnesses giving false evidence not upon oath is illegal, unless they can be proved to have been the authors or instigators of the false complaint in support of which their evidence has been given in which case as above observed they would be punishable for Conspiracy under the provisions of the Mahomedan Law and the Court accordingly resolve to direct that the Prisoners noticed in the margin be severally discharged.-

Case No 139
3d and 5th Prisoners

Case No 150
2d 3d and 4th Prisoners

Case No 161
2d Prisoner.

Case No 165.
2d 3d 8th & 15th Prisoners

11. The Court of Tinjdaree Adalat further direct that cases in which different prisoners are charged with different offences be divided with separate numbers according as the offences charged may be separate and distinct.-

Ordered that Petition & Proceedings be forwarded to the Sessions Jrof of Cooch Behar for his information and guidance by Precept returnable within three days from date after its receipt.-

Suit following precept No 2 /

Friday

5th January 1849.

J. U.

At a Court of the Tonjdaree Adalut

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 27th Ultimo from the Sessions Judge of Mangalore submitting for the final sentence of the Tonjdaree Adalut the Proceedings in Case No. 49 of 1848.

(Here Enter S.C. No. 19 of 1849)

Mr. G. S. Hooper

The Court of Tonjdaree 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 Sunkaya

and

2d Nanna

is sufficient to convict them of the crime of Culpable Homicide for which the penalty of Deyut is awardable under the Moohummedan Law, as declared in Futwas of their Law Officers, do convict them

them thereof; and under the provisions of Clause second Section XV Regulation VII of 1802 and Section XXXIV Act VII of 1843, Sentence the prisoner

1st Lunkaya

to be transported to such place or places beyond sea, as the Governor in Council shall appoint, there to be imprisoned and kept to hard labor in irons on the public roads or other public works, for and during the period of his natural life; and the Prisoner;

2nd Nanna

to be imprisoned and kept to hard labor in irons on the public roads or other public works, for and during the period of /14/ fourteen years.

(Sent following letter No. 5)

Read return dated 30th December 1848 from the Sessions Judge of Chittoor to the precept of the Foujdaree Adalut under date the 23d December 1848 desiring to be informed upon what grounds the Sub Criminal Judge by whom the Case No. 35 of 1848 on the file of the Session Court was committed, considered that he was not competent to dispose of the offence charged against

against the Prisoners.

/Here Enter F.H. No. 1. of 1849/

Read Calendar of Case No. 39 of 1848 submitted by the Sessions Judge of Chittoor under date the 28th December 1848.

/Here Enter F.H. No. 4. of 1849/

Read Calendar of Case No. 73 of 1848 Submitted by the Sessions Judge of Cuddapah under date the 28th December 1848.

/Here Enter F.H. No. 6 of 1849/

Read Calendar of Case No. 63 of 1848 submitted by the Sessions Judge of Madura under date the 27th December 1848.

/Here enter F.H. No. 13 of 1849/

Read Calendar of Case No. 64 of 1848 submitted by the Sessions Judge of Nellore under date the 30th December 1848.

/Here enter F.H. No. 14 of 1849/

Read Calendar of Case No. 53 of 1848 submitted by the Sessions Judge of Salem under date the 27th December 1848.

/Here Enter F.H. No. 16 of 1849/

Read

5th January 1849.

Read Calendar of Cases Nos. 46 to 50 of 1848 submitted by the Sessions Judge of Salem under date the 20th December 1848.

(Here enter F.H. No. 17 of 1849)

Read Calendar of Case No. 35 of 1848 submitted by the Sessions Judge of Bellary under date the 29th December 1848.

(Here enter F.H. No. 18. of 1849)

Read letter dated 2nd Instant from the Sessions Judge of Chingleput reporting that no cases to be reported as required by the Circular letters dated 10th October 1844 and 21st January 1845 were pending during last month before his Court.

(Here enter F.H. No. 21 of 1849)

Read Calendars of Cases No. 7 and 18 of 1848 submitted by the Sessions Judge of Masulipatam under date the 30th December 1848.

(Here enter F.H. No. 27 of 1849)

Ent. F.H.

F. H.

Monday, 8th January 1849.

Ma Court of the Foujdaree Adalut

Present,

The Hon'ble G. S. Hooper Esqr. 1st Puisne Judge.
E.R. B. P. Thompson Esqr. 2nd Puisne Judge.
W.H. W. A. Morehead Esqr. 3rd Puisne Judge.

Read Miscellaneous Petition presented on the 11th December 1848 by Maracaiammal of Bellary Cuddalore.

(Here enter F.M.P. No. 321 of 1848)

The Court of Foujdaree Adalut will not interfere in the matter of this Petition which is connected with the discipline of the Jail of Cuddalore, and has apparently been disposed of by the Sessions Judge.

The Petition is accordingly dismissed.

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

Read Miscellaneous Petition presented on the 25th September 1848 by Canal Mahomed of Bellary

8th January 1849 Zillah Cuddapah.

(Henretta Fm. P No 258 of 1848)

1 This is an application for the reversal of the sentence awarded to the Petitioner's brother in law a prisoner in case No 41 of 1848 on the file of the Sessions Court of Cuddapah who has been sentenced to four years imprisonment on a charge of oppression and abuse of authority, of which the Petitioner alleges that he is entirely innocent.

2 The Court of Foujdaree Udalut considered the abstract of the Evidence as contained on the Calendar to be conclusive of the guilt of the Petitioner's brother in law, and they accordingly refuse to interfere in the matter of this Petition.

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

8th Jan

F: 86:

Tuesday 9th January 1849

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: 41 of 1848. on the file of the Sessions Court of Cuddalore. (Here enter F: 86: No: 2467 of 1848).

1. The prisoner in this Case was charged with "theft", and having been committed for trial before the Court of Sessions as an old offender has been sentenced to three years imprisonment with hard labor in irons under the provisions of Clause fourth Section II Regulation VII of 1822, the Law officer having declared him to be liable only to Sookoolut, Bud being barred for reasons stated in the Futwa.-

2. The Court of Foujdaree Adalut observes that in this case a third question should have been propounded to the Law officer to remove the bar to Bud, and the Sentence should then have been passed under Section XXI Regulation VIII of 1802, it being open to the Sessions Judge to propose a mitigation of the prescribed punishment to such an extent as he might have deemed it proper to recommend.-

This

3. This course the Acting Sessions Judge will now be pleased to adopt.-

Ordered that Extract from these Proceedings be sent 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. 13)

Read letter under date the 27th November 1848 from the Sessions Judge of Coimbatore.-

(Here enter F. G. No. 2592 of 1848)

1. In the foregoing letter the Sessions Judge submits for the decision of the Court of Foujdaree Udalut the question whether a prisoner sentenced by a Sessions "Gang Robbery by open violence" can be sentenced by a lower Court to an additional punishment for having escaped from custody when apprehended on the above charge of Gang Robbery.-

2. The Sessions Judge being of opinion that such an additional sentence is opposed to the spirit of the Circular Order of the Foujdaree Udalut No. 137 has ordered the annulment of the sentence passed by the Principal Sudder Ameen upon the 1st Prisoner in Case No. 43. of 1848. on the file of the Sessions Court; but the Principal Sudr. Ameen doubting the applicability of the Circular Order above quoted to cases of the nature of that referred to the Sessions Judge has referred the point for the

9th January 1849.

decision of the Foujdaree Udalut.-

3. The Court of Foujdaree Udalut are clearly of opinion that the sentence awarded by the Principal Sudr. Ameen is legal the offence of escape having been ruled in Circular Order 13th July 1829. to be distinct from all others and to be punishable by a sentence additional to that which may have been awarded for the original offence which may have led to the apprehension of the accused.-

4. In the opinion of the Court of Foujdaree Udalut the Circular Order quoted by the Sessions Judge cannot be considered to apply to cases of escape.-

5. The Court of Foujdaree Udalut accordingly authorize the Sessions Judge to amend the order issued by him in the matter to which he refers.-

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

(Sent in No. 14).

Read letter under date the 27th November 1848 from the Sessions Judge of Rajahmundry.-

(Here enter F. G. No. 2596 of 1848).

1. With the foregoing communication the Sessions Judge submits Copy of a correspondence which has passed between himself and the Subordinate Judge regarding the case of the 2nd Prisoner in Case

No.

9th January 1849.

No. 110 of 1848 on the file of the Subordinate Criminal Court who was placed by that officer under a requisition of Security upon a charge of theft and has been ordered by the Sessions Judge upon a review of the record of the case to be unconditionally released.—

2. On perusal of the papers before them the Court of Foujdaree Adalut concur with the Sessions Judge in considering that no sufficient grounds existed for the requisition of Security under which the Dft. prisoner in the case referred to has been placed.—

3. The Court of Foujdaree Adalut are of opinion that in a case of this nature the Sessions Judge would have been justified in declining to make any reference to the Higher Court in regard to the propriety of the orders issued by him.—

4 It appears to the Court that the case under notice should have been committed for trial to the Court of Session with reference to the nature of the offence charged which should have been designated as "Snatching".

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

(Sent in No. 15)

Read Criminal Reports submitted by the Acting Sessions Judge of Cuddalore for the month

F. G.

9th January 1849.

month of November 1848.—

(Here enter F. G. No. 2677 of 1848).

Magistrates Report B.

1. The Court of Foujdaree Adalut direct that the Magistrate be instructed to observe in future, that a proper Heading be prefixed to the Statement of the charge in Cases disposed of by him and his Assistants, and also that the name of the authority disposing of the Case be entered in the appropriate column.— The Magistrates Report for the month now under review is deficient in both of these particulars.

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Cuddalore for his information and for communication to the Magistrate for the future guidance of that officer.

(Sent in No. 16).

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

(Here enter F. G. No. 2684 of 1848).

Report B.

Cases Nos. 210, 211 and 213.

1. The Court of Foujdaree Adalut require to be informed whether, or not, the Prisoners were convicted of the charges preferred against them in each of the Cases noted in the margin, and the Court request that the Session Judge will, in future, observe that when the same Prisoner is charged with two or more offences, his acquittal or conviction as the case may be, upon each separate charge be distinctly recorded in the appropriate

appropriate column.-

2. The Court further request that the Sessions Judge will in future observe that the date of despatch be duly notified on the back of the Reports previous to their transmission to the Foujdaree Adalut.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chittoor for his information and future guidance by Receipt returnable within III days from and after its receipt.-

(Sent following Receipt No. 17).

Read Calendar of Case No. 33 of 1848 on the file of the Sessions Court of Bellary.-

(Here enter F. A: No. 2697 of 1848).

Adverting to the remark recorded by the Sessions Judge that "the original information upon which the Head of Police sent peons to trace out the theft" charged in this case, the Court of Foujdaree Adalut desire that the Acting Magistrate will direct the attention of the several Heads of Police in the District under his charge to the rule laid down in the Circular Order of the Foujdaree Adalut dated the 29th April 1833 wherein it is directed that all complaints of Crimes should invariably be taken in writing.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Bellary for communication to the Acting Magistrate.-

(Sent in No. 18).

Read.

9th January 1849.

Read letter under date the 12th December 1848 from the Sessions Judge of Tinnevelly submitting the Magistrates Monthly Criminal Report for the Month of November 1848.-

(Here enter F. A: No. 2692 of 1848).

Case No. 24.

The Court of Foujdaree Adalut observe that with reference to the manner in which the prisoner in this Case is stated to have effected his entry into the Prosecutors house Viz^t. "though the opening between the roof and the wall," the offence charged should have been designated as "house breaking," and the prisoner committed for trial by the Criminal Court.-

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

(Sent in No. 19).

Read Criminal Reports submitted by the Sessions Judge of Tellicherry for the Month of November 1848.

(Here enter F. A: No. 2702 of 1848).

Report B.
Case No. 89.

1. The Court of Foujdaree Adalut desire to be informed upon what grounds the prisoner in this Case, who it is observed has been convicted of a similar offence Viz^t. House breaking, in the two following Cases, has been exempted from irons.-

J.

appropriate column.—

2. The Court further request that the Sessions Judge will in future observe that the date of despatch be duly notified on the back of the Reports previous to their transmission to the Foujdaree Adawlut.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chittoor for his information and future guidance by Receipt returnable within III days from and after its receipt.—

(Sent following Receipt No. 17).

Read Calendar of Cases No. 33 of 1848. on the file of the Sessions Court of Bellary—

(Here enter F. C. No. 2697 of 1848).

Adverting to the remark recorded by the Sessions Judge that the original information upon which the Head of Police sent peons to trace out the theft charged in this case, the Court of Foujdaree Adawlut desire that the Acting Magistrate will direct the attention of the several Heads of Police in the District under his charge to the rule laid down in the Circular Order of the Foujdaree Adawlut dated the 29th April 1833. wherein it is directed that all complaints of Crimes should invariably be taken in writing.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Bellary for communication to the Acting Magistrate.—

(Sent in No. 18)

Read.

Read letter under date the 12th December 1848. from the Sessions Judge of Tinnevelly submitting the Magistrates Monthly Criminal Report for the Month of November 1848.—

(Here enter F. C. No. 2692 of 1848).

Case No. 24.

The Court of Foujdaree Adawlut observe that with reference to the manner in which the prisoner in this Case is stated to have effected his entry into the Prosecutor's house Viz. "though the opening between the roof and the wall," the offence charged should have been designated as "house breaking" and the prisoner committed for trial by the Criminal Court.—

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

(Sent in No. 19).

Read Criminal Reports submitted by the Sessions Judge of Tellicherry for the Month of November 1848.

(Here enter F. C. No. 2702 of 1848).

Report B.
Case No. 89.

1. The Court of Foujdaree Adawlut desire to be informed upon what grounds the prisoner in this Case, who it is observed has been convicted of a similar offence Viz. House breaking, in the two following Cases, has been exempted from irons.—

II.

9th January 1849.

Case No. 98.

2. It does not appear under what circumstances Clause third Section II Regulation VI of 1822. was considered applicable to the offence charged in this case, or upon what grounds the prisoner has been committed for trial before the Sessions Court.—

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

(Sent following Recpt No. 20).

Read Criminal Reports submitted by the Sessions Judge of Rajahmundry for the Month of November 1848.—

(Here enter F. R. No. 2704 of 1848).

Report B.
Case No. 115.

It is observed that the offence charged in this case should have been designated as "snatching" and that the case should have been committed for trial before the Court of Session.—

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

(Sent in No. 21).

Read Calendar of Case No. 51 of 1848 on the file of the Sessions Court of Salem.—

(Here enter F. R. No. 2714 of 1848).

The

F. R.
9th January 1849.

1. The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this case that the prescribed period of Imprisonment awarded to the Prisoner who has been convicted of housebreaking and theft, and has been sentenced to seven Years Imprisonment with hard labor in irons under the provisions of Section XXI Regulation VII of 1802 should be reduced to three years.—

2. And the Court authorize the Session Judge to issue his warrant accordingly.—

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

(Sent in No. 22).

Read Calendar of Case No. 32 of 1848. on the file of the Sessions Court of Bellary.—

(Here enter F. R. No. 2721 of 1848).

The Court of Foujdaree Udalut direct that the period of Imprisonment, awarded to the prisoner in this case 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, which sentence the Court consider under all the circumstances of the case will be sufficient to meet the demands of justice.—

Ordered that Extract from these Proceedings be

be sent to the Sessions Judge of Bellary for his infor-
=mation and guidance.—

(Sent in № 23).

Read Calendar of Case № 143 of 1848
on the file of the Sessions Court of Nellore.—

(Here enter F. G: № 2722 of 1848).

Adverting to the circumstance that
the prisoner in this case who has been convicted of
an "assault" and sentenced to six months Imprisonment
without irons has been detained in confinement since
the 11th October 1848 the Court of Foujdaree Adalut direct
that the period of Imprisonment awarded to him be
reduced to one month from the date upon which the
sentence was passed.—

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

(Sent in № 24).

Read Calendar of Case № 28 of 1848
on the file of the Sessions Court of Honore.—

(Here enter F. G: № 2724 of 1848)

The Court of Foujdaree Adalut decline
to accede to the recommendation made by the Sessions
Judge in this case that the period of Imprisonment
awarded to the prisoners who have been convicted of—
"Robbery by open violence", and have been sentenced to—
fourteen

fourteen years imprisonment with hard labor in irons
should be reduced to eight years; the Court of Foujdaree
Adalut being unable to discover any thing in the
circumstances of the case to justify any reduction of
the punishment to which the prisoners have rendered
themselves liable.—

Ordered that Extract from these Proceed-
=ings be sent to the Sessions Judge of Honore for his
information.—

(Sent in № 25)

Read Calendar of Cases №s 41 and 49
of 1848 on the file of the Sessions Court of Mangalore.—

(Here enter F. G: №s 2731 and 2732 of 1848).

The Court of Foujdaree Adalut—
require an explanation of the delay which has occurred
in the transmission of the Calendars of these Cases.—

Ordered that Extract from these—
Proceedings be sent to the officiating Sessions Judge
of Mangalore for his information and guidance by
precept returnable within 11 days from and after its
receipt.—

(Sent following Precept № 26).

Read letter dated the 1st Instant—
from the Sessions Judge of Bellary submitting the
record of the trial in Case № 34 on the Calendar of
the Sessions Court of 1848.—

(Here enter F. G. № 38 of 1849).

The

9th January 1849.

Mr. E. P. Thompson
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,

"Duroory"

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. 27)

Read Calendar of Case No. 41 of 1848. on the file of the Sessions Court of Nellore.—

(Here enter F. U. No. 2628 of 1848).

1.

The prisoners in this Case, the first of whom is the Mahatad and the 2nd and 3rd Cawilgars of the village in which they reside, were charged with having connived at the escape of a prisoner entrusted to their charge, and have been sentenced by the Sessions Judge; who considers them to have been guilty of gross negligence rather than of connivance, to six months Imprisonment with hard labor in irons, under Clause first Section XI Regulation XIII of 1832.—

2.

The Court of Foujdaree Udalut observe that the provisions of the Law above quoted are only applicable to "peons"; and that the sentence in this

Case

F. U.

9th January 1849.

Case should have been passed under Clause first Section VII Regulation I of 1810 and Section XXIII Regulation VIII of 1802, which enactments provide for the punishment of persons of the class to which the prisoners belong for permitting the escape of parties entrusted to their custody by the Police. The Sessions Judge will be pleased to amend his sentence with reference to the foregoing remarks.—

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

(Sent in No. 28)

Read letter dated the 8th December 1848 from the Agent to the Governor of Fort St. George in Ganjam affords explanation in respect to the Warrant issued by him in the Case No. 4 of 1848. of his Criminal file.—

(Here enter F. U. No. 2701 of 1848).

Read Criminal Report dated the 13th December 1848. submitted by the Sessions Judge of Masulipatam for the month of November 1848.—

(Here enter F. U. No. 2703 of 1848).

Read Criminal Report dated the 15th December 1848. submitted by the Sessions Judge of Nellore for the month of November 1848.—

(Here enter F. U. No. 2705 of 1848)

Read

9th January 1849.

Read letter dated the 11th December 1848. from the Agent to the Governor of Fort St. George at Ganjam submitting Criminal Report No. 2 of the Agents Court together with the Reports B from his Assistants for last month.

(Here enter F. C: No. 2716 of 1848).

Read Criminal Report dated the 15th December 1848. submitted by the Agent to the Governor of Fort St. George at Kurnool for the month of November 1848.

(Here enter F. C: No. 2717 of 1848).

Read Report dated the 15th December 1848. submitted by the Agent to the Governor of Fort St. George at Vizagapatam of Persons apprehended in the Separate Tracts of Vizagapatam and delivered to the Agency in the Month of November 1848.

(Here enter F. C: No. 2718 of 1848).

End th.

F. C.

Tuesday 11th January 1849.

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 dated the 11th December 1848 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. 6 of 1848).

Read also Extract from the Minutes of Consultation No. 12 under date the 4th Instant, confirming the sentence of imprisonment and banishment passed on the Prisoner Guddam Soobbadoo in Case No. 39 of 1848 of the Calendar of the Sessions Court of Cuddapah by the Court of Foujdaree Adalut but reducing the period to one year.—

(Here enter No. 31 of 1849).

Under authority of the Right Honorable the Governor in Council the Court do accordingly direct that the Prisoner,

"Guddam Soobbadoo"

be imprisoned for (1) one year and be banished during

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 Jail of Masulipatam.—

(Sent following letter No. 29).

Read letter dated the 30th December 1848 from the Sessions Judge of Honore submitting the record of the trial in Case No. 24 on the Calendar of the Session Court for 1848.—

(Here enter F. 16. No. 56 of 1849).

Mr. G. S. Hooper.
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

Gous Saib.

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. 30).

Read Criminal Report B dated 14th December 1848 submitted by the Sessions Judge of Honore for the month of November 1848.—

(Here enter F. 16. No. 2723 of 1848).

Read

Read Calendars in Cases Nos. 57 and 58 of 1848 submitted by the Sessions Judge of Cuddapah under date the 21st December 1848.—

(Here enter F. 16. Nos. 2742 and 2743 of 1848).

Read Criminal Report A of Criminal Business for the month of December 1848 submitted by the Sessions Judge of Guntoor under date the 21st idem.—

(Here enter F. 16. No. 2745 of 1848).

Read Calendar in Case No. 44 of 1848 submitted by the Sessions Judge of Rajahmundry under date the 19th December 1848.—

(Here enter F. 16. No. 2746 of 1848).

Read Calendars in Cases Nos. 41 and 42 of 1848 submitted by the Sessions Judge of Tinnevelly under date the 23d December 1848.—

(Here enter F. 16. Nos. 2751 & 2753 of 1848)

Read return dated the 26th December 1848 from the Acting Subordinate Judge of Salem to the Precept of the Foujdaree Adalut under date the 22d idem requiring the return of the Original warrant in Calendar No. 42 of 1848 with the usual endorsement.—

(Here enter F. 16. No. 2752 of 1848).

Read Calendar in Case No. 22 of 1848 submitted by the Sessions Judge of Tellicherry under date the 20th December 1848.—

(Here enter F. 16. No. 2757 of 1848).

Ent

P. Pb.

Saturday,
13th January 1849.

At a Court of the Foujdaree Adalut.

Present,

G. L. Harper Esqr. ——— 1st Puisne Judge,
C. P. Thompson Esqr. ——— 2d Puisne Judge,
W. A. Morehead Esqr. ——— 3d Puisne Judge,

Read Calendar of Case No 52 of the Sessions Court of Calicut for 1848.

/ Vide enter P. Pb. No 2754 of 1848 /

The Prisoner on this Case was charged with "Perjury," and on conviction before the Sessions Judge was sentenced to 4 years' imprisonment with hard labor in irons, but deeming that punishment too severe, the Sessions Judge now recommends that the Prisoner's sentence be mitigated to one year's imprisonment with hard labor in irons.

2. On this recommendation the Court of Foujdaree Adalut approve, and under the provisions of Section V. Regulation I of 1825 authorize the Sessions Judge to issue his Warrant accordingly.

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

Calicut for his information and guidance.

Sent in No. 33 /

Read Calendars of Cases Nos. 46, 47, 48, 49 and 50 of 1848 of the Sessions Court of Calicut.

/ Tirwenter P. Dy. No. 17 of 1849 /

1.

In each of the above Cases, the same Prisoners, seven in number, were charged with Gang Robbery by open violence, and on conviction have been sentenced by the Sessions Judge to 14 years imprisonment with hard labor in irons.

2.

In consideration of the small value of the property stolen the Sessions Judge now recommends as mitigation of the Prisoners Sentence to 8 years imprisonment with hard labor in irons.

3.

Of this recommendation the Court of Foujdaree Udalut approve, and under the provisions of Clause third Section III Regulations of 1825, the Court authorize the Sessions Judge to issue his Warrant accordingly.

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

Sent in No. 34 /

Read letter dated the 4th Instant from

from the Sessions Judge of Calicut, submitting for the final Judgment of the Foujdaree Udalut, the Record of Case No. 58 of 1848 of the Calendar of the Sessions Court.

/ Tirwenter P. Dy. No. 65 of 1849. /

Mr. G. J. Hopen 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 Prisoners,

1st Kanaka Cheroman Cholakara Chollakel Pambady /

Chaten

and

2nd Kanaka Cheroman Pookoodan Chelly.

is sufficient to convict them - the 1st Prisoner of the crime of Murder, and the 2nd of aiding and abetting in the commission of the said Murder, do convict and them thereof; and in conformity with the provisions of Section X Regulation VIII of 1802 sentence the said 1st Prisoner,

1st Kanaka Cheroman Cholakara Chollakel &

Pambady Chaten

to suffer death, by being hanged at the usual time and place of execution; and the Prisoner,

2nd Kanaka Cheroman Pookoodan Chelly,

to be imprisoned and kept to hard labor in irons,

13th January 1849.

on the publics roads or other public works, for and during the period of (4) four years.

1. The Court of Foujdaree Udalut regret that they can discover no extenuating circumstances which would justify their relieving the 1st Prisoner in this case from the extreme penalty of the Law. By his own confession, the murder was premeditated, and the victim was his own brother.

2. In regard to the 1st witness, the Court are of opinion that there is no sufficient ground for adopting ulterior proceedings against him. His offence seems to have been no more than the omission to report what he had witnessed, to the Police; for which his degraded and ignorant condition may be accepted as a sufficient excuse.—

3. The Court observe that if the Sessions Judge doubted the propriety of placing him upon his solemn affirmation, he should not have entered his deposition on the Record: and further that he should himself have decided the course to be pursued and acted accordingly, and not left it to the Foujdaree Udalut to determine.—

4. The Court are of opinion that the most correct course would have been to have obtained sanction

F.U.

13th January 1849.

sanction for his admission as an approver.—

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

(Sent following Letter No 35)

Read report dated the 1st Instant from the Sessions Judge of Masulipatam, of Cases pending on the 30th November, and committed for trial during the month of December 1848.—

(Reverter F.U. No 28 of 1849.)

Read report dated the 2nd Instant from the Sessions Judge of Nellore, of Cases pending on the 31st December 1848 before that Court for a period in excess of 25 days.

(Reverter F.U. No 33 of 1849.)

Read report dated the 2nd Instant from the Sessions Judge of Nellore, of Cases pending on the 30th November and committed for trial during the month of December 1848 before that Court for a period in excess of 25 days.

(Reverter F.U. No 34 of 1849.)

Read Letter dated the 2nd Instant from the Acting Sessions Judge of Cuddalore, stating that no cases was pending trial before that Court

Court for a period exceeding 25 days calculated from the date of commitment during the month of December 1848.

(Herewith Fl6 No 35 of 1849.)

Read report dated the 1st Instant from the Sessions Judge of Rajahmundry of Cases pending trial before that Court on the 31st December 1848.

(Herewith Fl6 No 36 of 1849.)

Read report dated the 2d Instant from the Sessions Judge of Coimbatore, of Cases pending on the 30th November and committed for trial during the month of December 1848.

(Herewith Fl6 No 42 of 1849.)

Read return dated the 30th December 1848 from the Sessions Judge of Honore to the precept of the Tongdaree Adalut under date the 23d idem directing that the term of imprisonment awarded to the 1st Prisoner in Case No 25 on the Calendar for 1848 be reduced to 3 years, and that a fresh Warrant be issued accordingly.

(Herewith Fl6 No 48 of 1849.)

Read report dated the 2nd Instant from the Sessions Judge of Mangalore, of Cases pending on the 30th November and committed for trial during the

the month of December 1848.

(Herewith Fl6 No 52 of 1849.)

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

(Herewith Fl6 No 53 of 1849.)

Read report dated the 1st Instant from the Sessions Judge of Calicut, of Cases pending on the 30th November, and committed for trial during the month of December 1848.

(Herewith Fl6 No 54 of 1849.)

Read Calendar of Cases No 7 of 1849 submitted by the Sessions Judge of Bellary under date the 6th Instant.

(Herewith Fl6 No 60 of 1849.)

Read letter dated the 2d Instant from the Sessions Judge of Tellicherry reporting that no cases was pending before that Court during the month of December 1848 for a period in excess of 25 days.

(Herewith Fl6 No 63 of 1849.)

Read Criminal Report for the month of January 1849 submitted by the Sessions Judge of Masulipatam under date the 5th idem.

(Herewith Fl6 No 64 of 1849.)

Read

th January 1849.

Read report dated the 2nd Instant
from the Sessions Judge of Nonore of cases pending before
that Court for a period exceeding 25 days during the
month of December 1848.

(Seventeen F. Dc. No. 87 of 1849.)

Read Calendar of Case No. 57 of 1848
submitted by the Sessions Judge of Mangalore
under date the 5th Instant.

(Seventeen F. Dc. No. 73 of 1849.)

Read Calendar of Case No. 76 of 1848
submitted by the Sessions Judge of Cuddapah under
date the 9th Instant.

(Seventeen F. Dc. No. 78 of 1849.)

Read Calendar of Case No. 59 of 1848
submitted by the Sessions Judge of Calicut under
date the 6th Instant.

(Seventeen F. Dc. No. 79 of 1849.)

F. U.

Monday
15th January 1849.

At a Court of the Foujdaree Adalut.

Present

G. S. Cooper Esqre — 1st Puisne Judge
E. S. Thompson Esqre — 2d Puisne Judge
W. A. Morehead Esqre — 3d Puisne Judge

T. Royapah Mookhtar Vakeel
on behalf of V. Ramasamy and others of Bellary
moves the Court to return the enclosures in
Foujdaree Miscellaneous Petition No. 205 of 1848

Ordered accordingly.

Tuesday,
16th January 1849.

F. Pb.

At a Court of the Foujdaree Udalut.

Present.

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

Read letter dated the 9th Instant from the Sessions Judge of Salem, submitting for the final judgment of the Foujdaree Udalut, the Record of Case No 52 of 1848, of the Calendar of the Sessions Court

(Here enter F. Pb. No 30 of 1849.)

Mr. C. P. Thompson.
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,

"Odda Punnen."

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

The Court of Foujdaree Udalut

absente

observe that the Prisoner made a detailed confession before the Police, but the Subordinate Court, when the Prisoner was before that tribunal, made no reference whatever to that confession. This was an omission which the Court observes, is not unusual in the Salem Courts and the Court direct that the matter be brought to the notice of the Session Judge, in order that he may issue the requisite instructions to the Subordinate Judge.

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

(Sent following Letter No. 37 /

Read Calendar of Case No. 43 of 1848 on the file of the Sessions Court of Coimbatore.

Here enter P.Rec. No. 2555 of 1848 /

1.

The prisoner in this case was charged with "Gang Robbery" and on conviction has been sentenced to 14 years imprisonment with hard labor in irons.

2.

On reference to the Futwa delivered by the Law Officer in this case the Court of Sunjdaree Adalut are unable to discover any sufficient grounds for the conviction of the prisoner and they accordingly resolve to direct that the Sessions Judge will submit a statement of his reasons for considering the offence charged

charged against the prisoner to have been proved.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Coimbatore for his information and guidance by precept returnable within 15 days from and after its receipt.

(Sent following precept No. 38 /

Read Calendar of Case No. 33 of 1848 of the Sessions Court of Calicut.

/ Here enter P.Rec. No. 2755 of 1848 /

The Prisoner in this case was charged with Subornation of Perjury and on conviction before the Sessions Judge was sentenced to 4 years imprisonment, but deeming that punishment too severe, the Sessions Judge now recommends that the Prisoner's sentence be mitigated to one years imprisonment without hard labor or irons.

1.

Of this recommendation the Court

2.

of Sunjdaree Adalut approve, and under the provisions of Section V. Regulation I of 1825, authorize the Sessions Judge to issue his Warrant accordingly.

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

(Sent rise No. 39 /

Read

16th January 1849.

Read Criminal Reports of the Sessions Court of Chicacole for November 1848.

(Vide inter F.16. N°3756 of 1848)

Report A
Case N°35.

1. Adverting to the remarks recorded by the Sessions Judge in his Proceedings held on this case, the Court of Foujdaree Adalut observe that that officer acted in considering that he had no authority at that stage of proceedings to pass any orders for the guidance of the Principal Sudder Ameen. If the Sessions Judge was of opinion that the case had been illegally disposed of, he was fully competent to correct any error that might appear to have been committed by the Principal Sudder Ameen by directing the recommittal of the Prisoner.

2. The Court accordingly now resolve to return the translations which accompanied the Proceedings in this case to the Sessions Judge who will be pleased to pass such orders in the matter as may to him seem proper, reporting the result for the information of the Foujdaree Adalut.

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

(Vide following Precept N°20)

Read

F.16.

16th January 1849.

Read Letter dated 11th December 1848 from the Sessions Judge of Calicut

(Vide inter F.16. N°2679 of 1848)

1. With the above communication the Sessions Judge submits for the consideration and orders of the Court of Foujdaree Adalut copies of correspondence with the Magistrate of Malabar regarding the liability of two subjects of the Cochin Circar to prosecution before the Company's Authorities for selling and purchasing, while in the Rajah's Territories, a child originally taken from the Company's Territories.

2. The case is stated thus. A a subject of the Cochin Government, sold a young girl of 6 years of age, a British subject, from the British into the Cochin Rajah's Territory and there sells her to B as prostitute who like himself, A, is the Rajah's subject.

3. The Magistrate visalines to the opinion that both A and B are amenable to a British tribunal, but the Sessions Judge differing therefrom the question has been referred at the request of the former officer for the consideration and orders of the Court of Foujdaree Adalut.

4. The Court of Foujdaree Adalut are of

16th January 1849.

Sessions Court of Mangalore for 1848.

(Reference F. No. 8 of 1849.)

1. The Prisoner in this case was charged with having severely wounded the Prosecutor's son by stabbing him on the forehead and left arm with a knife from the effects of which wounds he died, and on conviction before the Sessions Court has been sentenced to one year's imprisonment with hard labor in irons.-

2. Adverting to the fatal results which ensued from the Prisoner's violence, the Court of Foujdaree Udalut cannot but deem the above sentence to be very inadequate punishment for the crime committed.-

3. The Sessions Judge will be pleased to explain the cause of the great delay which is observable between the date of the sentence in this case, and that of the transmission of the Calendar to the Court of Foujdaree Udalut.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Mangalore by Precept returnable within 10 days from and after its receipt.

(Sent following Precept No. 44.)

Read Calendar of Cases No. 43 of 1848 of the Sessions Court of Rajahmundry.

(Reference F. No. 15 of 1849.)

Adverting

F. No.

16th January 1849.

Adverting to the remarks recorded in the Calendar of this case regarding the manner in which the search for stolen property in the Prisoner's house was conducted, the Court of Foujdaree Udalut deem it proper to direct that the attention of the Magistrate be called to Foujdaree Udalut Circular Order No. 116 dated 29th January 1840, the requisitions of which, it is manifest, could not have been observed in the case under consideration.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Rajahmundry for his information and for communication to the Magistrate.

(Sent in No. 25.)

Read Calendar of Case No. 12 of the Sessions Court of Madura for 1848.-

(Reference F. No. 27 of 1848.)

1. The Prisoner in this Case was charged with "Murder," but the Sessions Judge deeming the case to be one of "Culpable Homicide," rather than "express Murder," convicted him thereof, and sentenced him to ten (10) years imprisonment with hard labor in irons.-

2. The Court of Foujdaree Udalut are of opinion that no mitigations in the Prisoner's

Sentence

sentence may in this case with propriety be allowed, and under the provisions of Section XXXV Act VII of 1843 the Court resolves to direct that the term of the Prisoner's imprisonment be reduced to 7 years.

3. The Sessions 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 Sessions Judge of Madura by Precept returnable within III days from and after its receipt.

(And following Precept No 46/

Read Calendar of Case No 61 of the Sessions Court of Madura for 1848.

(Reventer P. No 72 of 1849/

1. In this case four Prisoners were charged with "Possessing Stolen Property"

2. The Sessions Judge concurring in the Opinion of the Law Officer, which acquitted the 1st 3rd and 4th Prisoners unconditionally and declared the 2nd liable to suspicion, sentenced the 2nd Prisoner to find 2 Securities in Rupees 50 each for his good behaviour and appearance when required for and during the period of 3 three years or in default to be imprisoned for

for that period.-

3. Under all the circumstances of the case the Court of Sudder Adalut are disposed to consider the amount of Security demanded from the Prisoner to be unnecessarily large, and under the provisions of Act VII of 1843 the Court resolve to direct that the same be reduced to two sureties in the sum of Rupees 25 each.-

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

(Seventeen No 47/

Read Letter dated the 2nd Instant from the Sessions Judge of Cuddapah reporting that there were no cases to be entered in the Monthly Report of cases pending trial before that Court for the last month.

(Reventer P. No 57 of 1849/

Read Calendar of Cases Nos 1 and 2 of 1849 submitted by the Sessions Judge of Combaconum under date the 10th Instant.

(Reventer P. No 83 of 1849/

Read Letter dated the 11th Instant from the Sessions Judge of Chittoor forwarding for the

16th January 1849.

the information of the Foujdaree Adalut a copy of a letter from the Subordinate Criminal Judge under date the 9th idem, reporting the death of the insane Prisoner Naugummay detained in Hospital under the orders of this Court dated the 29th July 1846.

(Vide enter F. A. No. 87 of 1849.)

Read Letter dated the 10th Instant from the Sessions Judge of Chittoor submitting the Criminal Reports for the month of December 1848.

(Vide enter F. A. No. 88 of 1849.)

Read Letter dated the 9th Instant from the Agent to the Governor of Fort St. George at Vizagapatam, forwarding a warrant issued to the Principal Assistant Agent for the execution of Doora Cummanah bearing his endorsement also submits his letter which accompanied it.

(Vide enter F. A. No. 95 of 1849.)

F. A.

Thursday 18th January 1849.

At a Court of the Foujdaree Adalut.

Present

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

Read letter dated the 5th Instant, from the Sessions Judge of Tellicherry, submitting for the final Judgment of the Foujdaree Adalut the Record of Case No. 10 of 1848. of the Calendar of the Sessions Court.

(Vide enter F. A. No. 97 of 1849.)

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 Vengueil Chatoo.
2nd Eyoothan Ramen
3rd Eyoothen Chindan
4th Velaiangott Rama Pisharody
5th Koonolevatil Ramen Nambiar
6th Palery Karen.
and.
7th Ramaporatha Podwal Kamen.

is sufficient to convict them of the crime of Resistance to legal Process, for which according to the Moohummudan Law as declared in futwas of their Law officers, —

discretionary

discretionary punishment is awardable, do convict them thereof; and under the provisions of Clause Third Section VII Regulation XV of 1803 and Section XXXIV Act VII of 1843, sentence the Prisoners,

1st Vengail Chatoo

4th Velaiangott Rama Pisharody

6th Palery Koren

and

7th Ramaporatha Podwal kanen.

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 to be calculated from the close of the Trial before the Court of Sessions; and the

2nd Cyootham Ramen

3rd Cyootham Chindan

and

5th Koonotedatil Ramen Nambiar.

to be imprisoned and kept to labour without Irons, on the public roads or other public works for and during the period of (6) six months to be calculated from the close of the Trial before the Court of Session.

The Court of Foujdaree Adawlut observe that the Session Judge should have submitted with the record, the Tahsildars report and the inquest & paper connected with the death of the individual alluded

18th January 1849.

alluded to in the 13th Para of his letter.-

Ordered, that Extract of these proceedings be sent to the Session Judge of Tellicherry for his information.-

(Sent following letter No. 51)

Read letter dated the 20th November 1848. from the Session Judge of Calicut transmitting the Warrant issued for the execution of the sentence of Death passed on the Prisoner in Case No. XLVI of 1848. on the Calendar of the Session Court with the endorsement of the Subordinate Judge and Copy of his Report.-

(Here enter F. D. No. 2557 of 1848)

Read Calendar in Case No. 42 of 1848 submitted by the Session Judge of Rajahmundry under date the 8th December 1848.-

(Here enter F. D. No. 2666 of 1848).

Read Calendar in Case No. 37 of 1848 submitted by the Session Judge of Guntoor under date the 16th December 1848.-

(Here enter F. D. No. 2710 of 1848).

Ent'd H.

Monday
19th January 1849.

J. U.

At a Court of the Inquisitorial Adalut

Present

GWW — G. S. Hooper Esqre 1st Puisne Judge
EPT — E. P. Thompson Esqre 2d Puisne Judge
WAM — Wm A. Morehead Esqre 3d Puisne Judge

Read again Letter dated the 16th October 1848 from the Acting Magistrate of North Arcot, submitting for the consideration and orders of the Court of Inquisitorial Adalut, a copy of the Criminal Report of Case No 178 of 1848.

(Vide inter Fdc No 2288 of 1848.)

Read also Extract from the Proceedings of the Sessions Court of Chittoor under date the 4th December 1848 conveying the concurrence of the Sessions Judge in the propriety of the Acquittal and release by the Subordinate Criminal Court of the Prisoners in Case No 178 of 1848.

(Vide inter Fdc No 2640 of 1848)

Read also letter dated the 11th Ultimo from the Sessions Judge

19th January 1849 of Chittoor, forwarding a communication from the Acting Magistrate of North Arcot, having reference to Case No 1785 of 1848 of the Subordinate Criminal Court File.-

(Here enter F.C. No 2667 of 1848)

The Court of Foujdaree Udalut do not deem it expedient or necessary to enter into any detailed review of the Statements advanced by the several Officers who have been concerned in the disposal of this case.-

2 The Sessions Judge of Chittoor appears to have given to the case, the fullest consideration; and it does seem that the propriety of the release of at least several of the Prisoners is beyond doubt.-

3 In respect of those whom the Acting Magistrate has detained in confinement, the Court observe that under the Provisions of Section III Regulation II of 1822, if he deem them suspicious person or persons of notoriously bad character &c he is authorized to keep them in custody

4 The case having been

19th January 1849 thus disposed of by competent authority, the Court are of opinion that no useful end would be gained by calling up the Record or entering further upon the subject.-

Ordered that Extracts from these Proceedings be sent to the Sessions Judge of Chittoor for his information and for communication to the Acting Magistrate and the Subordinate Judge.-

(Sent in No. 54)

Read the following Letter dated the 8th received on the 15th instant from the Sessions Judge of Honore

(Fur Inter Fur No 86 of 1849)

1 In this Letter, the Sessions Judge requests authority to admit

"Dewby Goonno"

the third prisoner in Case No 26 of the Calendar of the Session Court of 1848, as an approver.-

2 The Court of Foujdaree Udalut are of opinion that this is not a case in which they would be justified in exercising the discretionary power vested in them

by

19th January 1849

by Section XII Regulation XIII of 1832.

3. It does not appear that there is, as yet, any evidence whatever against the 1st Prisoner.

4 The Court are therefore of opinion that the Sessions Judge should proceed immediately to dispose of the case on the evidence now before him.—

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

(Sent in No. 55)

Read Calendar of Case No. 27 of 1848 of the Sessions Court of Chingleput

(Here enter F. U. No. 70 of 1849)

The Prisoner in this case was charged with "Culpable Homicide," and on conviction has been sentenced to (3) three years imprisonment with hard labor in irons.—

2 As it appears from the remarks recorded by the Sessions Judge that the blow was in his opinion inflicted by the Prisoner upon the deceased with a rattan, which, under ordinary circumstances could not cause death, the

F. U.

19th January 1849

Court of Foujdaree Udalut are of opinion that the ends of justice may be attained by a less severe sentence than that recorded against the Prisoner by the Sessions Judge. The Court accordingly resolve to direct that the term of his imprisonment be reduced to Six months, and that he be kept in confinement without labor and without irons.—

3 The Sessions Judge will be pleased to amend his Warrant in accordance with the foregoing resolution.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chingleput by Precept returnable within 10 days from and after date of Receipt.—

(Sent following Precept No. 56)

Read Calendar of Case No. 40 of 1848 on the file of the Sessions Court of Chittoor.—

(Here enter F. U. No. 57 of 1849)

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this case that the period of Imprisonment awarded

19th January 1849 awarded to the Prisoners who have been sentenced respectively to seven years imprisonment with hard labor in irons on a charge of "housebreaking and theft" be reduced to five years; and the Court of Sessions Udalut authorize the Session Judge to issue his warrant accordingly.-

Ordered that Extracts from these Proceedings be sent to the Session Judge of Cuttack for his information and guidance.-

(Sent in No. 57)

Read Calendar of Case No. 54 of 1848 of the Session Court of Mangalore.-

(Here enter Fic. No. 69 of 1849)

1 In this case (6) Six Prisoners were charged with Gang Robbery without aggravating circumstances.-

2 The Session Judge concurred with the Law Officer in acquitting the 1st. Prisoner, who was unconditionally released, and in convicting the 2d. 3d. 4th. 5th. and 6th. Prisoners whom the Session Judge now recommends to the mitigated punishment of 5 Years imprisonment with

19th January 1849 with hard labor in irons.-

3 Of this recommendation the Court of Sessions Udalut approve, and under the provisions of Clause third Section III Regulation I of 1825 the Court authorize the Session Judge to issue his Warrant accordingly.-

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

(Sent in No. 58)

Read Calendar of Case No. 36 of 1848 of the Session Court of Bellary.-

(Here enter Fic. No. 43 of 1849)

1 The Prisoner in this case (a female) was charged with "Housebreaking and Theft" and, on conviction, has been sentenced by the Session Judge to seven years imprisonment with labor suitable to her sex, but in consideration of the small value of the Property stolen, the Session Judge recommends a mitigation of that Sentence to (2) two years imprisonment.-

19th January 1849 awarded to the Prisoners who have been
sentenced respectively to seven years
imprisonment with hard labor in
on a charge of "housebr
be reduce

Sent in No. 59
Read Calendars of Cases Nos.
51. 52 and 53 of 1848 on the file of the
Sessions Court of Mangalore.
(Here enter Rs. Nos 9. 10. and 11 of 1849)

1. The prisoners in these Cases
have been severally charged with
"Perjury," and having been convicted
thereof, are recommended by the
Sessions Judge to be sentenced to two
years imprisonment with hard
labor in irons.—

2. The Court of Sirsi Udalut
consider that under all the circumstances
of these cases the prescribed period
of imprisonment may with propriety

be
man
Court

S. D. C.
19th January 1849

be reduced to one year, and the Court
authorize the Sessions Judge to issue
his Warrants accordingly.—

The Court of Sirsi
Udalut require an explanation of the
delay which occurred in putting the prison-
ers upon their trial, the perjury charged
against them having been committed
upon the 29th April 1848 whereas they
were not apprehended and put upon their
trial until the 29th September following.

4 The Court also direct that
the delay which has occurred in the
transmission of the Calendars may be
explained.

Ordered that Extract from
these Proceedings be forwarded to the
Sessions Judge of Mangalore for his
information and guidance by Dak
returnable within V Days from
and after its receipt.—

(Sent following Dak Perch No. 60)
Read Calendar of Case No 39
of 1848 on the file of the Sessions Court
of Mangalore.

(Here enter S. D. No. 72 of 1849)
The Court of Sirsi
Udalut

Of this recommendation the Court of Sirjdarr Udalut approve, and under the provisions of Section IX Regulation I of 1825, authorize the Session Judge to issue his Warrant accordingly.

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

(Sent in No. 59)

Read Calendars of Cases Nos. 51. 52 and 53 of 1848 on the file of the Session Court of Mangalore.

(Here enter Fee. Nos 9. 10. and 11 of 1849)

1 The prisoners in these cases have been severally charged with "Perjury," and having been convicted thereof, are recommended by the Sessions Judge to be sentenced to two years imprisonment with hard labor in irons.—

2. The Court of Sirjdarr Udalut consider that under all the circumstances of these cases the prescribed period of imprisonment may with propriety be

be reduced to one year, and the Court authorize the Session Judge to issue his Warrants accordingly.

3. The Court of Sirjdarr Udalut require an explanation of the delay which occurred in putting the prisoners upon their trial, the perjury charged against them having been committed upon the 29th April 1848 whereas they were not apprehended and put upon their trial until the 29th September following.

4 The Court also direct that the delay which has occurred in the transmission of the Calendars may be explained.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Mangalore for his information and guidance by Precept returnable within V Days from date and after its receipt.

(Sent following Precept No. 60)

Read Calendar of Case No. 59 of 1848 on the file of the Session Court of Mangalore.

(Here enter Fee. No. 72 of 1849)

The Court of Sirjdarr Udalut

Of this recommendation the Court of Sonjdaree Udalut approve, and under the provisions of Section IX Regulation I of 1825, authorize the Sessions Judge to issue his Warrant accordingly.

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

(Sent in No. 59)

Read Calendars of Cases No. 51, 52 and 53 of 1848 on the file of the Sessions Court of Mangalore.

(Hereunto Fee. Nos 9. 10. and 11 of 1849)

1 The prisoners in these cases have been severally charged with "Perjury," and having been convicted thereof, are recommended by the Sessions Judge to be sentenced to two years imprisonment with hard labor in irons.—

2 The Court of Sonjdaree Udalut consider that under all the circumstances of these cases the prescribed period of imprisonment may with propriety

be reduced to one year, and the Court authorize the Sessions Judge to issue his Warrants accordingly.

3 The Court of Sonjdaree Udalut require an explanation of the delay which occurred in putting the prisoners upon their trial, the perjury charged against them having been committed upon the 29th April 1848 whereas they were not apprehended and put upon their trial until the 29th September following.

4 The Court also direct that the delay which has occurred in the transmission of the Calendars may be explained.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Mangalore for his information and guidance by Dawk returnable within 15 Days from date and after its receipt.

(Sent following Despatch No. 60)

Read Calendar of Cases No. of 1848 on the file of the Sessions Court of Mangalore.

(Hereunto Fee. Nos. 12 of 1849)

The Court of Sonjdaree

19th January 1849.

Udalut require an explanation of the delay of one month which has occurred in the transmission of this Calendar of this case to the Foujdaree Udalut.-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Mangalore for his information by Precept returnable within III days from and after its receipt.-

(Sent following Precept No. 61)

Read Calendar of Case No. 45 of 1848 of the Sessions Court of Rajahmundry.-

(Herewith No. 45 of 1849)

1 The Prisoner in this case was charged with "Kidnapping a child," and, on conviction, has been sentenced by the Sessions Judge to four years imprisonment with labor.-

The Court of Foujdaree

2 Udalut 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 VII of 1843, the Court

19th January 1849.

resolve to direct that the term of her imprisonment be reduced to (2) two Years.-

3 The Sessions Judge will be pleased to issue his Warrant in accordance with the foregoing resolution.-

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

(Sent following Precept No. 62)

Read Calendar of Case No. 25 of 1848 of the Sessions Court of Honore.-

(Herewith No. 2633 of 1848)

1 The 1st prisoner in this case was charged with "Housebreaking and Theft" and the 2nd 3d 4th and 5th Prisoners with being accessaries to the said Crime.-

2 The Sessions Judge in Concurrence with the Futwah of the Law Officer convicted the 1st Prisoner of the Crime charged, and sentenced him to (7) Seven years imprisonment with hard labor in irons. The 2d 3d 4th

and

19th January 1849

and 5th Prisoners were acquitted and uncon-
= conditionally released.-

3. The Court of Tanjore Westad
are of opinion that the ends of justice
may be attained by a less severe sen-
= tence than that recorded against the
first Prisoner by the Session Judge. The
Court resolve therefore, under the provi-
= sions of Section XXXV Act. VII of 1843
to direct that the term of his imprison-
= ment be reduced to (3) three years.

4 The Sessions Judge will be
pleased to amend his Warrant in
accordance with the foregoing resolution.

Ordered that Extract from
these Proceedings be forwarded to the Ses-
= sion Judge of Tanjore by Precept returna-
= ble within x days from and after its receipt

(And following Precept No. 63)

Road Calendar of Cases Nos 42
of 1848 on the file of the Sessions Court of Vellore.

(Here enter Fw. No. 71 of 1849)

The Court of Tanjore
Westad resolve to direct that an En-
glish translation of the Record of
this case be submitted for their
consideration

Fw.

19th January 1849. Condideration with the Extract
= cable dated

Ordered that Extract
from these Proceedings be forwarde

Cad

Malayalam Translator to Govt
1579 3rd July 116 Forwarding Translation of C.C. No 89 4 Aug 1848.

19th January 1849

and 5th Prisoners were acquitted and uncon-
=ditionally released.

3. The Court of Tinnevelly Westad
are of opinion that the ends of justice
may be attained by a less severe sen-
=tence than that recorded against the
first Prisoner by the Sessions Judge. The
Court, resolve therefore, under the provi-
=sions of Section XXXV Act XVII of 1843
to direct that the term of his imprison-
=ment be reduced to (3) three years.

4. The Sessions Judge will be
pleased to amend his Warrant in
accordance with the foregoing resolution.

Ordered that Extract from
these Proceedings be forwarded to the Ses-
=sions Judge of Tinnevelly by Despatch returna-
=ble within X days from and after its receipt.

(Sent following Despatch No. 63)

Read Calendar of Cases Nos 42
of 1848 on the file of the Sessions Court of Vellore.

(Here enter Fro. No 71 of 1849)

The Court of Sessions
Would resolve to direct that an En-
=glish translation of the Record of
this case be submitted to for their

Fro.

19th January 1849 Consideration with the least practi-
=cable delay.

Ordered that Extract
from these Proceedings be forwarded
to the Sessions Judge of Vellore for his
information and guidance by Despatch
returnable within X days from and
after its Receipt.

(Sent following Despatch No. 64

Encl ##.

19th January 1849

and 5th Prisoners were acquitted and uncon-
= conditionally released.

3. The Court of Tonjalarra Watu
are of opinion that the ends of justice
may be attained by a less severe sen-
= tence than that recorded against the
first Prisoner by the Session J. D.
Court resolve therefore,
= sions of Section XXXV
to direct that the sen
= must be reduced to

4. The Sessions
pleased to amend
accordance with the

Ordered
these Proceedings be for
= sion Judge of Honore
= ble within X days from
(And following
Read Cabe
of 1848 on the file of the
(Here enter Fo. No 71

The Court
Do also resolve to dire
= glish translation of the Record of
this case be submitted for their

Fo.

19th January 1849. Condideration with the least practi-
= cable delay.

Ordered that Extract
from these Proceedings be forwarded
to the Session Judge of Kellore for his
guidance by Precept
days from and

Collector of Tanjore.

5966 9 March 1849 Explaining the grounds on which he refused to
exercise the Offices of the New Addition of the
Jail transmitted to him by Bangby 16 March 1848

Receipt No. 64

19th January 1849

and 5th Prisoners were acquitted and un-
= conditionally released.-

3. The Court of Singapore Recorder
are of opinion that the ends of justice
may be attained by a less severe sen-
= tence than that recorded against the
first Prisoner by the Sessions
Court, resolve therefore, under
= sions of Section XXXX Act
to direct that the term of
= ment be reduced to (3)

The Sessions
pleased to amend his de
accordance with the
Ordered that
these Proceedings be forward
= sion Judge of Honore by
= lar within 7 days from and
(Sent following Precis
Trad Calendar
of 1848 on the file of the Sessions
(Superintendent No. 71 of 1849)
The Court of Singapore
Would respectfully solve to direct that an En-
= glish translation of the Record of
this case be submitted to for their
consideration

No. 26.

19th January 1849. Consideration with the least practi-
= cable delay.-

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

Malayalum Translator to Govt.

1579	31 July/46	Forwarding Translation of C. C. No 89 — 9 Augt 1846	No. 64

Translator to Government

3 Sept 1844 From J.C. Morris Esq. Telugoo Translator

Transmitting Copy of an Endorsement made by him on a Petition presented to Govt by certain Natives proposing to print a Telugoo translation of Mr Campbell Code of Regulations and of a letter from Govt relative thereto & Requesting the opinion of the Judges whether in their Judgment it will be desirable to publish Telugoo translation of the whole of Mr Campbells Revised edition of the Regulation or only such portion of it may be necessary for the guidance of Native Judicial Police functionaries and in the latter case Requesting that the particular Regulations may be specified

12th September 1844

Translator to Government

11149 — 27 May 1844

Forwarding a Translation of H. O. No 89 — 15 July 1844 —

19 January 1849

Ordered that the Petition be filed.

(Ordered that Petitioners be informed that the Petition just filed does not appear to be intended for publication

Ordered that a Letter be addressed to the Court of Directors by the Chief Secretary to Government informing them that the Petition has been filed

Ordered that a Letter be addressed to the Court of Directors by the Chief Secretary to Government informing them that the Petition has been filed

19th January 1849.

and 8th Prisoners were acquitted and uncon-
= conditionally released.

3. The Court of Foujdarree Adaulut are of opinion that the ends of justice may be attained by a less severe sen-
= tence than that recorded against the first Prisoner by the Sessions Judge. The

F.26.

19th January 1849. Consideration with the least practi-
= cable delay.

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

F. C.

Monday 22nd January 1849.

At a Court of the Foujdaree Udalut.

Present

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

E. P. Thompson Esqr. ——— 2nd Puisne Judge

W. A. Morehead Esqr. ——— 3rd Puisne Judge.

Read again Calendar of Case No. 38 of 1848. on the file of the Sessions Court of Tinnevelly.

(Here enter F. C. No. 2410 of 1848).

Read again also Miscellaneous Petition forwarded by the Sessions Judge of Tinnevelly from [illegible] inhabitant of Attur Zillah.—

(Here enter F. C. P. No. 298 of 1848).

Read again also return under date the 29th November 1848 from the Sessions Judge of Tinnevelly to the precept of the Foujdaree Udalut dated the 23rd November 1848. requiring certain information with reference to the foregoing Case.—

(Here enter F. C. No. 2608 of 1848).

Read also return under date the 3rd January 1849. from the Sessions Judge of Tinnevelly to the precept of the Foujdaree Udalut dated the 18th December 1848. requiring the submission of an English Translation of the record of the foregoing Case.—

(Here enter F. C. No. 62 of 1849).

On

1. On an attentive consideration of the entire record of this case the Court of Foujdaree Udalut are of opinion that the evidence is insufficient for the conviction of the prisoners of the offence laid to their charge.—

2. In the absence of other corroborative evidence the Court of Foujdaree Udalut consider that the identification of the prisoners by Moonlight by the Prosecutor and witnesses to whom they were previously unknown and under the circumstances under which this identification is alleged to have taken place should be received with distrust.—

3. The Court of Foujdaree Udalut accordingly direct that the prisoners in this Case be severally and unconditionally released.—

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Tinnevelly by precept returnable within 11 days from and after its receipt.—

(Sent following Precept No. 65).

Read Miscellaneous Petition presented on the 27th November 1848 by Kristna Reddy of Zillah Nellore.—

(Here enter F. W. P. No. 308 of 1848).

1. The object of this Petition is to induce the Court of Foujdaree Udalut to set aside the sentence passed on the Prisoner in Case No. 40 of the Nellore Sessions Court, who was convicted of Forgery, and adjudged to

22nd January 1849.

to seven years imprisonment with labor united to her sen-

2. The Court of Foujdaree Udalut observe that in their Proceedings under date 22nd December 1848. the Sentence passed upon the Prisoner was reduced to six months imprisonment. To those Proceedings this Petitioner is accordingly now referred, and informed that no other Orders than those can be issued in the matter.—

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

Read Calendar of Case No. 55 of 1848. submitted by the Sessions Judge of Calicut.—

(Here enter No. 2534 of 1848).

1. In the foregoing Case one Prisoner, namely.

Kadaikel agatha Veeran.

was charged with Housebreaking and Theft, and being convicted by the Sessions Judge was sentenced "to be "imprisoned and kept to hard labor in irons, in any "other District" to be named by the Court of Foujdaree Udalut, in consideration of his being an incorrigible thief and his having undergone his former sentences in the Calicut Jail.—

2. The Court of Foujdaree Udalut direct that the prisoner in question be imprisoned and kept to hard labor in irons in the Zillah Jail of Mangalore for and during the period of (7) Seven years from the date

date of the Sessions Judge's warrant.-

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

(Sent in No. 66).

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

(Sent in No. 67)

Read the following letter from the Agent for the Governor of Fort St. George at Kurnool under date the 20th Ultimo.-

(Here enter No. 2738 of 1848).

In the foregoing letter the Agent submits a Summary of the evidence taken before him against a prisoner named C. Nagadoo who was charged with the crime of Housebreaking, and, convicting him, he recommends that a Sentence of (4) four year's imprisonment be passed upon the Prisoner.-

2. The Court of Foujdaree Adalut have maturely considered the case, but they do not concur in the view entertained of it by the Agent.-

3. All the witnesses who speak to the time when the Prisoner absented himself from the Village namely the 3rd 4th 5th and 6th Witnesses vary in their Statements; and after the lapse of four years from

from the period in which the crime is alleged to have been perpetrated, the Court of Foujdaree Adalut are of opinion that no reliance whatever can be placed upon their testimony to this, or to any other point.-

4. They therefore resolve to release the prisoner, and they direct that their resolution be carried out by the Agent accordingly.-

Ordered that Extract of these Proceedings be forwarded to the Agent to the Governor of Fort St. George at Kurnool for his information and guidance.

(Sent in No. 68).

Read Calendar of Case No. 77 of 1848 of the Sessions Court of Cuddapah.-

(Here enter S. R. No. 104 of 1849).

1. The Prisoner in this Case was charged with "Perjury" and on conviction has been sentenced to four years imprisonment with hard labor in irons, and to exposure by Taskeer.-

2. The Sessions Judge recommends a mitigation of the above sentence to two years imprisonment with hard labor in irons with exposure by Taskeer.-

3. The Court of Foujdaree Adalut, deeming the exposure of the Prisoner by Taskeer to be uncalled for, resolve to annul that portion of his sentence which awards it, and being also of opinion that a further mitigation

mitigation in his sentence may with propriety be allowed, the Court resolve under the provisions of Section XXXV. Act VIII. of 1843. to direct that the term of his imprisonment be reduced to six months with hard labor in irons.—

4. The Session Judge will be pleased to amend his Warrant in accordance with the foregoing resolution.—

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

(Sent following Precept No. 69)

Read Criminal Reports submitted by the Agent to the Governor of Fort St. George at Kurnool for the month of December 1848.—

(Here enter F: R: No. 106 of 1849).

The Court of Foujdaree Adalut direct that the prisoner in this Case may be retained from "irons" their award being unauthorized by the provisions of the Law under which the sentence has been passed.

Ordered that Extract from these Proceedings be sent to the Agent to the Governor of Fort St. George at Kurnool for his information and guidance by precept returnable within V days from and after its receipt.—

(Sent following Precept No. 70)

Read

Read Miscellaneous Petition presented on the 21st. August 1848. by Mahomed Saib of Zillah Chittoor.—

(Here enter F: R: No. 233 of 1848).

1. Petitioner submits a Certificate of his discharge from the Jail at Gundy, and prays that Orders may be issued to the Session Judge of Chittoor, directing his re-employment as a Peon in that Zillah.—

2. The Petitioner is referred to the Subordinate Judge of Chittoor, who, without doubt, will afford him employment, when an opportunity occurs.—

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

Read letter dated the 8th. Instant from the Agent to the Governor of Fort St. George at Ganjam submitting Criminal Report No. 2 of his Court;— together with the Reports from his Assistants for last month.—

(Here enter F: R: No. 105 of 1849).

Read Criminal Reports dated the 1st. Instant submitted by the Session Judge of Cuddapah for the month of December 1848.—

(Here enter F: R: No. 107 of 1849).

Read Calendar in Case No. 61 of 1848.— submitted by the Session Judge of Cuttack under date the 8th. January 1849.—

(Here enter F: R: No. 111 of 1849).

Read

22d. Jan

22d. January 1849

Read Criminal Report B dated 1st. Instant submitted by the Sessions Judge of Vellore for the Month of December 1848.

(Here enter F. C. No. 116 of 1849).

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

(Here enter F. C. No. 118 of 1849).

Read statement dated the 12th. Instant submitted by the Sessions Judge of Mangalore of the actual produce of the labor of the Prisoners and the application of the Fund arising therefrom from 1st. October to 31st. December 1848. furnished with reference to Circular Order No. 88 dated 9th. June 1837.

(Here enter F. C. No. 123 of 1849).

Read return dated the 15th. Instant from the Sessions Judge of Chittoor to the precept of the Foujdaree Adalut under date the 9th. January 1849 requiring to be informed whether or not the Prisoner concerned in Cases Nos. 210-211. and 213. of 1848. was convicted of the charges preferred against him in each of the said Cases.

(Here enter F. C. No. 124 of 1849).

End. H.

F. C.

Tuesday 23d. January 1849. At a Court of the Foujdaree Adalut.

Present.

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

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

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

Read calendar of Case No. 490 of 1848 of the Sessions Court of Combaconum.

(Here Enter F. C. No. 55 of 1849)

The Prisoner in this case was charged

1. with "Murder" in having on the 4th. August 1841 in company with the Prisoners in cases Nos. 35 of the 2d. Sessions for 1841 and 150 of the 1st. Sessions for 1842 Sessions cases Nos. 54 of 1844 and 4 of 1846, assaulted and wounded with sticks Mootooda-doorun and others and thereby caused the death of the said Mootoodadooran 4 days thereafter.

2. The Sessions Judge in concurrence with the verdict of the assessors convicts the Prisoner of the crime charged, and has sentenced him to eighteen months imprisonment with hard labor in irons.

3. The Court of Foujdaree Adalut being

being of opinion that the ends of justice may be attained by a less severe sentence than that recorded against the Prisoner by the Sessions Judge, resolve under the provisions of Section XXXV Act VII of 1843, to direct that the term of his imprisonment be reduced to six months with hard labor in irons.

4. The Sessions Judge will be pleased to amend his warrant in accordance with the foregoing resolution.-

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Combaconum for his information and guidance by Precept returnable within 14 days from and after its receipt.-

(Sent following Precept No 75

Read Calendar of Case No 9 of 1848.
of the Sessions Court of Chicacole.-

(Here Enter F.R. No 84 of 1849)

1. In this case the 1st and 2d Prisoners were charged with "Theft" and the 3d Prisoner with having received part of the stolen property knowing it to be such.-

2. The Sessions Judge, concurring in the Futwa of the Law Officer which connects the

the 1st and 2d Prisoners of the crimes respectively charged against them, sentenced the former to seven years, and the latter to three years imprisonment with hard labor in irons.-

3. The 2d Prisoner, being deemed liable to suspicion, was required to find security in the sum of Rupees 100 for his good behaviour for one year, or in default to be imprisoned for that period.-

4. In the case of the 1st Prisoner the Sessions Judge recommends a mitigation of his sentence to five years imprisonment with hard labor in irons.-

5. The Court of Foujdaree Adawlut resolve to sanction the mitigation recommended by the Sessions Judge, and under the provisions of Section IX Regulation I of 1825 authorize him to issue his warrant accordingly.-

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

(Sent in No 76

Read statement dated the 18th Instant submitted by the Superintendent of Government Roads

23d January 1849.

Read at Guindy shewing the sums paid to Convicts on expiration of their sentences at the Guindy Jail from 28th July to 31st December 1848.-

(Here Enter F.C. No 1420 of 1849)

Read return dated the 15th Instant from the Sessions Judge of Tellicherry to the precept of the Foujdaree Adalut under date the 9th January 1849. calling for explanations with reference to cases Nos 89 and 98 of 1848 of Report B for November 1848 of Principal Sudder Ameen of Tellicherry.-

(Here Enter F.C. No 1435 of 1849)

Read Statement dated the 15th Instant submitted by the Sessions Judge of Tellicherry of Batta paid to Prosecutors and Witnesses attending before him during the 2d half year of 1848.-

(Here Enter F.C. No 1470 of 1849)

Read Calendar of Case No 2 of 1849 submitted by the Sessions Judge of Chittoor under date the 11th Instant.-

(Here Enter F.C. No 1540 of 1849)

Read Calendar of Case No 30 of 1848 submitted by the Sessions Judge of Honore under date the 13th Instant.-

(Here Enter F.C. No 1720 of 1849)

Read Calendar of Case No 56 of 1848 submitted by the Sessions Judge of Mangalore under date the 16th Instant.-

(Here Enter F.C. No 1760 of 1849)

W.H.

Encl. F.C.

F.C.

Wednesday, 24th January, 1849. } At a Court of the Foujdaree Adalut

Present

W. G. S. Hooper Esqr ..... 1st Puisne Judge

E. P. Thompson Esqr ..... 2d Puisne Judge

W. H. A. Morehead Esqr ..... 3d Puisne Judge

Read the following letter under date the 9th Instant from the Agent for the Govern. of Fort St. George in the District of Kurnool.

(Here Enter No. 94 of 1849)

In the foregoing letter the Agent submits a Summary of the evidence taken before him against two Prisoners named.

1st Tahseeldar

and

2d Moodee Chenagandoo

who were charged with uttering counterfeit coin well knowing the same to be false and counterfeit.

2. The Agent convicts both the Prisoners and recommends that a sentence of (3d) seven and (4) four years be passed upon

upon the 1st and 2d prisoners respectively.

3. The Court of Foujdaree Adalut concur in the Conviction of the prisoners, but they consider that under all the circumstances of the case, a mitigation of the sentence proposed by the Agent will meet the ends of justice, and they accordingly resolve, under the provisions of Clause first Section VI Regulation II of 1822 to sentence the 1st Prisoner to (5) five Jues, and the second to (2) two years imprisonment with hard labor in irons.

4. The Court observe that Clause second of the Regulation above cited which has been quoted in addition to Clause first of the same, is not applicable to this case.

Ordered, that Extract of these Proceedings be forwarded to the Agent for the Governor of Fort St. George at Kumool for his information and guidance.

(Sent in No 79)

Read the following letter under date the 15th December 1848 from the Agent for the Governor in the District of Vizagapatam.

/ Here Enter No 2737 of 1848 /

In the foregoing letter the Agent submits a summary of the evidence taken before him against a prisoner named Talagum Sethy Ramasamy, alias Ramoodoo, who was charged with Culpable Homicide in having at Caratum Village of Vizyanagaram Tanah at 9 o'clock A. M. of the 25th November 1848, assaulted a Washerman named Rajahmahendravarapoo Pydegandoo with a pointed Bamboo stick, and inflicted one or more wounds on his body and head, from the effects of which violence the said Pydegandoo died on the evening of the same day, at 9 P. M.

2. The Agent convicts the Prisoner and proposes that a sentence of (18) eighteen months' Imprisonment be passed upon him.

3. The Court of Foujdaree Adalut concur in the conviction and resolve, under the provisions of Clause second Section XV Regulation VII of 1802, to confirm the proposed sentence of (18) eighteen months imprisonment with hard labor in irons on the prisoner aforesaid.

Ordered

24th January 1849.

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

(Sent in No 80)

Read Calendar of Case No 18 of 1848 on the file of the Session Court of Tellicherry

/Here Enter G.H. No 1932 of 1848/

1. Five prisoners in this Case were charged with "Highway Robbery."

2. Concurring in the verdict of the Assessors which convicts the prisoners of the Offence laid to their charge, the Session Judge has sentenced them respectively to the prescribed punishment of 14 years imprisonment with hard labor in irons; recommending on the grounds that the robbery of which they have been convicted was unattended with aggravating circumstances that the period of Imprisonment to which the prisoners have been adjudged be reduced to Seven years.

3. Of this recommendation the Court of Fouzdaree Adalut approve and they authorize the Session Judge to issue his warrant accordingly.

Ordered

24th January 1849.

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

/Sent in No 84/

Read Calendar of Case No 42 of 1848 on the file of the Session Court of Cuddapah.

/Here Enter G.H. No 1938 of 1848/

1. Six prisoners were charged in this Case with oppression and abuse of authority in having endeavoured to procure the conviction of certain innocent persons of the Offence for which the prisoners in Case No 34 of 1848 on the file of the Session Court have been tried.

2. The Session Judge in concurrence with the Law Officer has convicted the Prisoners from 2 to 6 acquitting the Prisoners on the ground that the evidence is insufficient to establish the charge preferred against him.

3. The prisoners 2 to 6 have been sentenced to Imprisonment with hard labor in irons under the provisions of Clause seventh Section II Regulation XV of 1808 the 3 prisoners

for

for the periods of five years the 4th and 5th
for four and the 2nd and 5th for one year respectively.

4. Having perused the foregoing sentences the Sessions Judge submits a recommendation that the punishment awarded to the 2nd prisoner be remitted on the grounds that there is reason to suppose that in the part taken by this prisoner in the commission of the Offence of which he has been convicted, he acted under compulsion or from a fear of the consequences to himself if he failed to give the Police Officers some information in regard to the persons towards whom they have been convicted of the oppression and abuse of authority stated in the charge.

5. The Court of Foujdaree Udalut have no authority to sanction the entire remission of a sentence which has been legally awarded, nor do they consider that they would be justified in recommending that the clemency of Government should be extended to the 2d prisoner in this case, being of opinion from an attentive perusal of the abstract of the evidence that that individual fully merits the sentence to which he has been adjudged.

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

(Sent in No 82)

Read letter dated 11th Instant from the Sessions Judge of Calicut submitting the Criminal Reports for the month of December 1848.

/Here Enter G.H. No 112 of 1849/

Read Criminal and Jail Reports submitted by the Acting Sessions Judge of Cuddalore for the month of December 1848 under date the 15th Instant.

/Here Enter G.H. No 113 of 1849/

Read Criminal Reports dated 13th Instant submitted by the Subordinate Judge of Madura for the Month of December 1848.

/Here Enter G.H. No 115 of 1849/

Read Criminal Reports dated 15th Instant submitted by the Sessions Judge

24th January 1849.

Judge of Trichinopoly for the Month of December 1848.

/Here Enter F.H. No. 117 of 1849/

Read letter dated 18th Instant from the Sepoy Judge of Cuddalore transmitting the Warrant issued for the execution of the Sentence of death passed on the Prisoner in Case No. LVII of 1848 on the Calendar of the Sepoy Court with the Endorsement of the Subordinate Judge and copy of his report.

/Here Enter F.H. No. 125 of 1849/

Read Report dated 15th Instant submitted by the Sepoy Judge of Masulipatam of Casualties and Prisoners released in the month of December 1848.

/Here enter F.H. No. 134 of 1849/

Read Criminal Report dated 1st Instant submitted by the Sepoy Judge of Coimbatore for the month of November, 1848.

/Here Enter F.H. No. 136 of 1849/

End H.

F.H.

Tuesday, 25th January, 1849.

At a Court of the Foujdaree Udalut.

Present.

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

Read Extract from the Minutes of Consultation in the Judicial Department under date the 2nd November 1848, No. 725, forwarding copy of an Extract from a Despatch from the Honorable the Court of Directors dated 12th July, 1848, No. 14.—

/Here enter F.H. No. 2400 of 1848/

The Court of Foujdaree Udalut direct that a copy of para. 23 of the despatch from the Honorable Court, above alluded to, be forwarded for the information of Messrs. Lovell and Cotton respectively.—

Ordered, that Extract from

from these Proceedings be forwarded to Mr. Lovell the late Acting Magistrate of North Arcot.—

/Sent in No. 84/-

Ordered also, that Extract from these Proceedings be forwarded to Mr. Cotton, late Acting Joint Magistrate of North Arcot.—

/Sent in No. 85/-

Read Calendar in Case No. 78 of 1848 submitted by the Sessions Judge of Cuddalore under date the 18th Instant.—

/Here Enter F. 116. No. 156 of 1849/-

Read return dated the 20th Instant from the Sessions Judge of Chingleput to the precept of the Fouzdaree Udalut under date the 19th idem, directing that the sentence of 3 years imprisonment awarded against the Prisoner in Session No. 27 of 1848 for Culpable Homicide be reduced to 6 months, and that he be kept in confinement without labor and without irons.—

/Here Enter F. 116. No. 158 of 1849/-

Read

Read return dated the 17th Instant from the Sessions Judge of Malabar to the precept of the Fouzdaree Udalut under date the 9th idem calling for explanation of the delay which occurred in forwarding the Calendars in Cases No. 41 and 49 of 1848.—

/Here Enter F. 116. No. 159 of 1849/-

Read Statement dated the 16th Instant submitted by the Sessions Judge of Masulipatam of amount realized by the labor of the Prisoners in the 4th Quarter of 1848.—

/Here Enter F. 116. No. 162 of 1849/-

Read Calendar in Case No. 2 of 1849 submitted by the Sessions Judge of Bellary under date the 18th Instant.—

/Here Enter F. 116. No. 169 of 1849/-

Read Calendar in Case No. 1 of 1849 submitted by the Sessions Judge of Calicut under date the 15th Instant.—

/Here Enter F. 116. No. 170 of 1849/-

Read

25th January, 1849.

Read Calendar in Case
No. 29 of 1848 submitted by the Sessions
Judge of Honore under date the 13th
Instant. —

/Here Enter F.C. No. 171 of 1849/-

Read Calendars in Cases
Nos. 61 and 60 of 1848 submitted by the
Sessions Judge of Mangalore under
date the 16th Instant. —

/Here Enter F.C. Nos. 173 and 174 of 1849/-

End. F.C.

Read return dated the 5th Instant
from the Sessions Judge of Combaconum to the
precept of the Foujdaree Adalut under date the 3d
idem, conveying their observations and orders on
the Criminal Report B for the month of October 1848.

/Here enter F.C. No. 177 of 1849/-

Read Communication dated the 15th
instant from the Session Judge of Combaconum sub-
mitting for the consideration of the Judges, copy of
the return made by the Subordinate Judge to the
Precept of the Session Court of the 6th idem, di-
recting the unconditional Release of certain Pri-
soners in Cases Nos. 139, 140, 141, & 145 of 1848 with reference
to the Proceedings of the Foujdaree Adalut dated the 3d
idem upon the Criminal Reports for the month of
October 1848.

/Here enter F.C. No. 126 of 1849/-

F.C.

Monday
29th January 1849

At a Court of the Foujdaree Adalut

Present

The Hon'ble G. A. Hooper Esqr. 1st Puisne Judge
C. P. Thompson Esqr. 2d Puisne Judge
H. M. Morehead Esqr. 3d Puisne Judge

Read Miscellaneous Petition
return presented on the 26th January 1849
by Sowbaroyen Proshottam Vakeel
on behalf of Payanmaal of Tellaar
Combaconum.

(Here Enter F.C. P. No. 16 of 1849)

The Petitioner prays the
Court to reverse the sentence awarded
to her Husband, the 1st Prisoner in
Case No. 43 of 1848 on the file of the
Sessions Court of Combaconum, who
has been sentenced to four years'
Imprisonment with hard labor in
irons upon a Charge of Forgery.

2 The Court of Foujdaree Adalut

See

see no grounds to question the correctness of the sentence of which the Petitioner complains; and they accordingly resolve to dismiss the Petition.—

Ordered that extract from these Proceedings be given to the Petitioner's Vakeel on his application

Read Miscellaneous Petition presented on the 23rd December 1848 by James Auckberry Esqre Vakeel on behalf of Setaramapa late Jahoildar and Head of Police of the Poderawdala Talook in the Zillah of Enddapah.

(Here Entered J.R.D. No 330 of 1848)

The Petitioner adverting to his recent dismissal from the office of Head of Police under the orders of the Court of Sudder Adalut prays the Court to issue orders for his being furnished with copies of such documents as contain the charges of Misconduct preferred against

29th January 1849

against him by the Magistrate of Enddapah."

2 The Court of Sudder Adalut observe that the Petitioner was dismissed from his situation of Head of Police, having proved himself in the opinion of this Court utterly unfit to be any longer entrusted with the responsible duties of that office.—

3 This conclusion was arrived at from a consideration of the remarks recorded regarding his conduct on the trial of Case No 44 of 1848 on the file of the Sessions Court of Enddapah, and recorded by the Sessions Judge under date the 23rd August last a copy of which it would appear has already been furnished to the Petitioner.

4 The Court of Sudder Adalut declare to authorize the Petitioner being furnished with any

any other documents than those he has already received.-

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

Read again Miscellaneous Petition presented on the 16th October 1848 by Parvomal Roopjee of Zillah Salem

/Here Enter Th P No 279 of 1848/

Read also Return under date the 18th January 1849 from the Sessions Judge of Salem to the precept of the Foujdaree Adalut dated the 28th December 1848 requiring the submission of a report upon the allegations contained in the foregoing Petition.-

/Here Enter Foc No 10 of 1849/

From the Report submitted with the foregoing Return it appears that the allegations set forth by the Petitioner are altogether unfounded in every point adverted to in that

indisputably

undisputed Petition having been already legally disposed of upon full investigation.-

2 The Court of Foujdaree Adalut 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 15th January 1849 by Sobara manayen of Zillah Combaconum.-

/Here Enter Foc No P No 12 of 1849/

1 The Petitioner avers the innocence, and prays the release, of his Father, Prisoner in Case No 42 of 1848, who was convicted of "Forgery" and sentenced to three years' imprisonment with hard labor in irons.

2 The Court of Foujdaree Adalut are satisfied from a perusal of the evidence set forth in the Calendar, of the particulars of the Prisoner's conviction, and see no reason to doubt

the

the prosecuts of the sentences passed upon
them. The Court accordingly declines to
interfere on this behalf.-

Ordered, therefore, that
the prayer of this Petition be rejected
and that Extract from these Proceed-
ings be given to the Petitioners on
his application.-

Read Miscellaneous Petition
presented on the 27th November 1848 by
Nagappa Naicken of Zillah Chingleput

(Here take Fm. P. No 396 of 1848)

Read also Miscellaneous
Petitions presented on the 4th December
1848 by Killiaswamy and Cheenaswamy
of Zillah Chingleput.-

(Here take Fm P. Nos 313 & 314 of 1848)

These Petitions have reference
to case No 28 of 1848 on the file of the
Sessions Court of Chingleput in which
five prisoners have been sentenced
by the Court of Sessions Cudalore
to Imprisonment with hard labor in

irons for various periods, for having beaten
and tortured, and thereby caused the
death of one Kristnen brother of the
Petitioners in No 396 above recorded.-

The Court of Sessions
2
Cudalore see nothing in the Petitions
Nos 313 and 314 which would induce
them to question the propriety of
the sentences awarded to the prisoners
to whom they respectively refer, and
which have been passed upon most
clear and satisfactory evidence of
their guilt.-

3 The Court of Sessions
Cudalore observe that no orders are
necessary upon the Petitions of
Nagappa Naiken, the case having been
disposed of as above mentioned by the
punishment of five of the Prisoners
charged.-

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

Read

29th January 1849

Read Miscellaneous Petition presented on the 25th December 1848 by Koromphah of Gilleah Nellore

(Here Enter Fn. P. No 328 of 1848)

This is an application for the reversal of the sentence awarded to the 3rd Prisoner in Case No 61 of 1848 on the file of the Sessions Court of Nellore who has been sentenced to six Months Imprisonment for having permitted the escape of a prisoner entrusted to his charge as one of the Rakkatals of the Village in which he resides.

2 The Court of Foujdaree Adalut see nothing in this Petition which would induce them to question the propriety of the sentence to which the Petitioner refers; and they accordingly reject this application.—

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

Read

No

29 January 1849

Read Miscellaneous Petition presented on the 11th December 1848 by Soorapah on behalf of Poojeah & others Ryots of Gilleah Mangalore

(Here Enter Fn. P. No 329 of 1848)

Read also Miscellaneous Petition presented by R Soorapah, dated on the 15th December 1848 on behalf of Mahomed Beary and others of Gilleah Mangalore

(Here Enter Fn. P. No 330 of 1848)

The object of these Petitions is to induce the Court of Foujdaree to set aside an order of the Court of Sessions of Nellore dated the 9th September 1848, confirming certain proceedings of the Magistrate of the District under date 5th July 1848 taking security from five of the Petitioners to prevent their reading Kootbah and offering prayers in the Kondal Spelly Mosque.—

2 The Court of Foujdaree Adalut perceive no reason to reject these Petitions being of opinion that no grounds exist for their interference with the order of the Sessions passed confirming the

the proceedings of the Magistrate dated the 4th July 1868.

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

Read again Calendar of Case No 30 of 1868 on the file of the Supreme Court of Chittoor.

(Here Enter No 2431 of 1868)

Read also Miscellaneous Petitions presented on the 27th November 1868 by Sri Chenguleredd Reddy of Lillah Chittoor.

(Here Enter Dft Pet Nos 309 & 310 of 1868)

These Petitions contain applications for the reversal of the sentences awarded to the 1st and 3d prisoners in the foregoing case.

2

The Petitioners assert that the prisoners in question are entirely innocent of the offence laid to their charge, that the charge was preferred against them at the instigation of the Polygar

of Rungasamy pollam, whose enmity they had incurred, that it was in the first instance dismissed by the Head of Police, but that the Prisoners were subsequently at the prosecution of the Polygar apprehended, and committed to the Criminal Court.

The Court of Sessions deemed it proper to direct that an English translation of the record of this case be submitted for their consideration, and that the execution of the sentence awarded be suspended until further orders; and they desire that the English translation of these Petitions be forwarded to the Magistrate of Chittoor, who will be required to report upon the character of the Polygar to whom the Petitioners refer and upon the circumstances in life of the Prosecutor by whom the charge was preferred.

Ordered that Extract from these Proceedings be sent to the Superintendent of Chittoor for his information and de guidance

and

29th January 1859

and for communication of para: 3 to the acting Magistrate of North — to act by Precept returnable within XV days from and after its receipt.

Sent following Precept No 91 /

Read Calendar of case No 24 of 1858 on the file of the Sessions Court of Tellicherry.—

/ Here Enter the No 103 of 1846. /

Under all the circumstances of this case, in which the prisoner has been sentenced to four years' Imprisonment with hards labor in irons on a charge "Forgery" the Court of Sudder Adalut consider that a sentence of two years imprisonment with hards labor in irons will be sufficient to meet the demands of justice.—

2 And they direct that the Sessions Judge will amend his warrant accordingly.—

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

/ Sent following Precept No 92 /—

Read

Tellicherry

29th January 1859

Read Calendars of Cases Nos 89, 90, 91 & 92 on the file of the Sessions Court of Cannanore.—

(Here enter Tellicherry Nos 95, 99, 100 & 101 of 1858)

Observing to the remarks recorded by the Sessions Judge with reference to the conduct of the Head of Police of Cutchapolly, by whom these cases were committed, which the Sessions Judge considers "to have proved him altogether unfit to have charge of Police duties," the Court of Sudder Adalut desire that the attention of the Magistrate of Cannanore in regards to the strength of the Heads of Police in question for the offices filled by them may be submitted for their consideration.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Cannanore for communication to the Magistrate for the information and guidance of that officer

2

by Precept returnable within five days
from after its receipt.

(Sent following precept No 93)

Read Calendar of case
No 64 of 1848 on the file of the Sessions
Court of Madura.

(Here enter File No 22 of 1849)

The Court of Foujdaree
Adalut approve of the recommendation
made by the Sessions Judge in this case,
that the period of Imprisonment
awarded to the prisoner, who has been
sentenced to four years' Imprisonment
with hard labour in irons on a charge
of Perjury, should be reduced to two years
2 and do the Court 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.

(Sent in No 94)

Read Calendar of Case
No

No 1 of 1849 on the file of the Sessions Court
of Chingleput.

(Here enter File No 120 of 1848)

The prisoner in this case
a Sailor has been convicted of causing
at the escape of a prisoner entrusted
to his charge, and has been sentenced
to two years Imprisonment with hard
labor in irons under the provisions of
Clause Second Section XI Regulation XVII
of 1832, the Sessions Judge recommending
2 that the period of Imprisonment
awarded should be reduced to
six Months.

The Court of Foujdaree
Adalut observe that the provisions
of the Law under which the sentence
in this case has been passed are
applicable only to Peons, and that the
prisoner being a Sailor should have
been sentenced under Clause first
Section III Regulation I of 1811 and
Clause seventh Section II Regulation

vide C.O. No 156.

29th January 1869.

of 1803 under which enactments it is competent to the Sessions Judge to pass such sentence as he may deem fit.-

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

/Sent in No. 95/

Read Calendar of Case No 60 of 1868 on the file of the Sessions Court of Calicut.

/True Extract Fm. Proc. No 102 of 1868/

1 The Court of Foujdaree Adalut approve of the recommendation made by the Sessions Judge in this case, that the period of Imprisonment awarded to the prisoner, who has been sentenced to seven years Imprisonment with Hard labor in irons on a charge of housebreaking and theft, should be reduced to two years.

2 And the Court authorize the Sessions Judge to issue his warrant accordingly.

Ordered

F20

29th January 1869.

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

/Sent in No 96/-

Read Miscellaneous Petition presented on the 18th December 1868 by Palayoorum of Yekkah Coddalore.-

/True Extr. Fm. Proc. No 326 of 1868/

The Petitioner who was a Jail Peon at Cuddy and was discharged by the Superintendant of the Coverammy Roads complains of his non employment by the acting Sessions Judge of Coddalore to whom he was referred by the Court of Foujdaree Adalut in their proceedings of the 25th September 1868.

2 The Court of Foujdaree Adalut resolve to direct that the English Translation of this Petition be forwarded to the Acting Sessions Judge of Coddalore with instructions to that officer to explain with reference

6

to the orders of this Court above referred to upon what grounds the Petitioners application has been rejected over.

Ordered that Extract from these Proceedings be sent to the acting Sessions Judge of Cuddalore by Precept returnable within Five days from and after its receipt.

(Sent following Precept No 97)

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

Sreenivachelloo Odiyan of South Arcot moves the Court to return the Enclosures in his Miscellaneous Petition No 362 of 1848.

Ordered accordingly.

Read Petition dated 18th January 1849 from the Sessions Judge of Salem & the Precept of the Zillah Court dated the 23d December 1848 calling for a full report in the matter of the petitions presented by one Ramasamy

Pursuant to Precept of the Sabah.

(Here Enter Exhibit No 100 of 1849)

Read Statement & Extracts by the Sessions Judge of Ganjam under date the 20th January 1849 of Bottu & Pai & Prosecutors and Witnesses attending before the Sessions Judge of Ganjam during the 2d Half of 1848.

(Here Enter Exhibit No 170 of 1849)

Read Report B dated 15 January 1849 addressed 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 December 48

(Here Enter Exhibit No 105 of 1849)

Read Calendars of Cases No 40-46 and 66-69 of 1848 submitted by the Sessions Judge of Rajahmundry under date the 17th January 1849

(Here Enter Exhibits No 185, 187 and 194 of 1849)

Read

29th January 1849.

Read Letter dated 20th January 1849 from the Sessions Judge of Bellary, forwarding the original death warrant issued by his Court in Case No 24 on the Sessions File for 1848, together with copy of the Subordinate Judge's letter which accompanied it.—

/Here Enter Rec No 195 of 1849./

Read Criminal Report submitted by the Sessions Judge of Kaira. dated under date the 18 January 1849.—

/Here Enter Rec No 198 of 1849/

End 4th.

Tuesday
30th January 1849.

P. P.

At a Court of the Foujdaree Adalut.

Present:

G.H.H. G. L. Hoosfon Esqre. ——— 1st Puisne Judge,
C.P.T. C. P. Thompson Esqre. ——— 2nd Puisne Judge,
W.M. W. A. Morehead Esqre. ——— 3rd Puisne Judge,

Read again Calendar of Case No 41 of 1848 on the file of the Sessions Court of Cuddalore.

/Reverter P. P. No 2467 of 1848/

Read also return under date the 15th January 1849 from the Acting Sessions Judge of Cuddalore to the precept of the Foujdaree Adalut dated the 9th January 1849 conveying their order upon the foregoing Case.—

/Reverter P. P. No 109 of 1849/

1. The Court of Foujdaree Adalut approve of the recommendation made by the Sessions Judge in the foregoing Case, that the period of imprisonment awarded to the prisoner who has been sentenced to seven years imprisonment with hard labor in irons be reduced to three years.

2. And they authorize the Acting Sessions

30th January 1849.

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 100)

Read Criminal Reports submitted by the Sessions Judge of Chintoor for the months of December 1848.

(Vide enter P.R. No 119 of 1849)

The Court of Foujdaree Adalut observe that the official designation of the Officer of the Magistracy or Police by whom each case is committed should invariably be specified in the Criminal Reports.

End

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

(Sent in No 101)

Read Calendar of Cases No 1 of this year on the file of the Sessions Court of Cuddalore.

(Vide enter P.R. No 122 of 1849)

1.

One prisoner in this case charged with "Highway Robbery" has on conviction been sentenced to 14 years imprisonment with hard labor in irons.

2.

Under all the circumstances of the case as stated in the Calendar the Court of Foujdaree Adalut are of opinion that the sentences awarded may with propriety be reduced; and they accordingly resolve under the authority vested in them by Act XIX of 1843 to direct that a mitigated sentence of seven years imprisonment with hard labor in irons may be passed upon the prisoners.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Cuddalore for his information and guidance by Precept returnable within 10 days from and after its receipt.

(Sent following Precept No 102)

Read Criminal Reports submitted by the Sessions Judge of Combaconum for the month of December 1848.

(Vide enter P.R. No 132 of 1849)

Case No 172

Adverting to the orders contained in the proceedings of this Court under date the 3rd Instant, the Court of Foujdaree Adalut resolve to direct that the 3rd and 4th prisoners in this case be unconditionally released.

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

30th January 1849.

Combacconum for his informations and guidance by Precept returnable within III days from and after its receipt.-

(Sent following Precept No 103/

Read Criminal Reports submitted by the Sessions Judges of Pellichery for the month of December 1848.-

(Vide enter F.D. No 133 of 1849.)

Cadet No 103 106.

The Court of Foujdaree Adaulut direct that the period of imprisonment awarded to the Prisoners in these cases, who have been respectively sentenced to 10 months' imprisonment with hard labor in irons, be reduced to seven months.-

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

(Sent following Precept No 104/

Read Calendar of Cases No 7 of 1849 of the Sessions Court of Tinnevelly

(Vide enter F.D. No 177 of 1849)

1. The Prisoner in this case was charged with Attempt at Robbery attended with violence.

2 The Sessions Judge, concurring in the

F.D.

30th January 1849.

Tenor of the Law Officer, which convicts the Prisoner of the crime charged, recommends that the punishment to which the Prisoner has rendered himself liable under clause third Section IV. Regulation XV of 1843 be mitigated to seven years imprisonment with hard labor in irons.

3. The Court of Foujdaree Adaulut do not consider that the case now under consideration can be viewed as a Case of Robbery by open violence as defined by Clause first Section III. Regulation XV of 1843 and the Court are of opinion that the Sessions Judge was legally competent to dispose of the case under the provisions of clause fourth Section III Regulation VI of 1822.-

4. The Court accordingly now resolve to direct the Sessions Judge to pass such sentence upon the Prisoner, as he may deem fit, with reference to the foregoing resolution.

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

(Sent in No 105/

Read Calendar of Case No 2 of 1849 submitted by the Sessions Judge of Tinnevelly under date

30th January 1849.

date the 19th Instant.

/Herewith P.No 201 of 1849./

Read Statement dated the 1st Instant

from the Sessions Judge of Coimbatore, of Batta paid

to Prosecutors and Witnesses attending before that

Court during the 2nd half of 1848.

/Herewith P.No. 205 of 1849./

Read Statement dated the 1st Instant

from the Sessions Judge of Tinnevelly of Batta paid to

Prosecutors and Witnesses before that Court from 1st

July to 31st December 1848.

/Herewith P.No 206 of 1849./

Read Statement dated the 31st

December 1848 from the Sessions Judge of Chicacole,

of Batta paid to Prosecutors and Witnesses attending

before that Court from 1st July to 31st December 1848.

/Herewith P.No 210 of 1849./

Read Statement dated the 22nd Instant

from the Sessions Judge of Guntoor, required by Circular

Order of Foujdaree Adalut No 44 of the trials referred by that

Court during the 2nd half of 1848.

/Herewith P.No 212 of 1849./

Read Calendars of Cases No 1 and 2

of 1849 submitted by the Sessions Judge of Cuddapah under

date

30th January 1849.

date the 20th Instant.

/Herewith P.No 218 and 219 of 1849./

Read Statement dated the 31st December

1848 from the Sessions Judge of Chingleput of Batta paid

to Prosecutors and Witnesses attending before that Court

for the half year ending 31st December 1848.

/Herewith P.No 224 of 1849./

Read Statement dated the 31st December

1848 from the Sessions Judge of Chingleput, shewing the

amount realized by the Labor of Prisoners at that Station

for the 4th Quarter 1848.

/Herewith P.No 225 of 1849./

Read Calendar of Cases No 45 of 1848

submitted by the Sessions Judge of Nellore under date

the 25th Instant.

/Herewith P.No 230 of 1849./

Read return dated the 26th Instant

from the Sessions Judge of Cuddapah to the precept of

the Foujdaree Adalut under date the 22nd Instant directing

a mitigation of the sentence awarded upon the Prisoner in

Calendar Case No 44 of 1848 counter ordering the exposure,

and reducing the term of his imprisonment to 6 months

with hard labor in irons.

/Herewith P.No 232 of 1849./

Read

30th January 1849.

Read Statement dated the 10th Instant from the Sessions Judge of Honore, of Batta paid to Prosecutors and Evidences attending before that Court for the half year ending the 31st December 1848.

(Here enter F. Pc. No 237 of 1849.)

Read Letter dated the 26th Instant from the Acting Sessions Judge of Salem forwarding with reference to the Proceedings of the Foujdaree Adalut dated the 18th idem, an explanation submitted by the Acting Subordinate Judge in regard to Case No 52 of 1848 on the Calendar of the Sessions Court.

(Here enter F. Pc. No 239 of 1849.)

Read Statement dated the 1st Instant from the Subordinate Judge of Combaconum, showing the amount realized by the labor of Prisoners in the 4th Quarter of 1848.

(Here enter F. Pc. No 240 of 1849.)

Read Calendar of Cases No 1 of 1849 submitted by the Sessions Judge of Nanjulore under date the 23d Instant

(Here enter F. Pc. No 246 of 1849.)

Read Calendar of Cases No 1 of 1849 submitted by the Sessions Judge of Madura under date the 25th Instant.

(Here enter F. Pc. No 247 of 1849.)

Ed. W.

F. C.

Wednesday 31st January 1849.

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 Return dated the 4th Ultimo from the Sessions Judge of Rajahmundry, to the Precept of the Foujdaree Adalut under date the 23d December 1848, directing the re-apprehension of the Prisoners in Case No 41 of the Calendar of the Sessions Court of 1848 and the reference of the Trial for the final Judgment of the Foujdaree Adalut.—

(Here enter F. Pc. No 47 of 1849.)

Mr. G. S. Hooper and Mr. E. P. Thompson

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

1st Doraisa Suttee

2d Dorasa Guddawa.

3d Sooree Ramana

and

4th Goondarapoo Paupa

is sufficient to convict them of the crime of administering Medicine to procure abortion and thereby causing death, for which according to the Mahommedan Law as declared in

in futwas of their Law officers, discretionary punishment is awardable, do convict them thereof, and under the provisions of Clause third Section VII Regulation XV of 1803, sentence them to be imprisoned and kept to labor suitable to their sex for, and during the period of (1) one year.—

The Court of Foujdaree Udalut observe that the Sessions Judge should have examined some of the members of the Inquest: Strictly speaking, there is no evidence on the Record of the Trial before the Sessions Court, to show that Pokala Venkamah was dead.—

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

(Sent following letter No. 106).

Read letter dated the 20th January 1849 from the Sessions Judge of Chicacole assigning reasons for the non-transmission of the statements required by the Circular orders of the Foujdaree Udalut dated 24th August 1835 and 9th June 1837 for the 4th quarter of 1848.—

(Here enter F. C. No. 209 of 1849).

Read return dated the 27th January 1849 from the Sessions Judge of Combaconum to the precept of the Foujdaree Udalut under date the 23rd idem directing that the term of imprisonment awarded to the Prisoner in Case No. 49 of 1848 be reduced to 6 Months with hard labor in irons.—

(Here enter F. C. No. 250 of 1849)

Read statement dated the 1st January 1849 submitted by the Sessions Judge of Combaconum of Batta paid to Prosecutors and Witnesses attending before him during the half year ending the 31st December 1848.—

(Here enter F. C. No. 251 of 1849).

Read return dated the 25th January 1849 from the Sessions Judge of Rajahmundry to the precept of the Foujdaree Udalut under date the 19th idem requiring him to reduce the term of imprisonment awarded to the Prisoner in Case No. 47 of 1848 to (2) two years and to issue his warrant accordingly.—

(Here enter F. C. No. 252 of 1849).

Read statement dated the 24th January 1849 submitted by the Sessions Judge of Calicut of Batta paid to Prosecutors and Witnesses during the 2nd half of 1848.—

(Here enter F. C. No. 253 of 1849).

Read statement dated the 24th January 1849 submitted by the Sessions Judge of Calicut required by Circular Order No. 4, for the 2nd half of 1848.—

(Here enter F. C. No. 254 of 1849).

Read Calendars in Cases Nos. 1 and 2 of 1849 submitted by the Acting Sessions Judge of Cuddalore under date the 27th January 1849.—

(Here enter F. C. Nos. 258 and 259 of 1849).

Read Calendar in Case No. IV of 1849 submitted

submitted by the Sessions Judge of Calicut under date the 24th. January 1849.-

(Here enter F: 86: No. 260 of 1849).

Read return dated the 26th. January 1849 from the Sessions Judge of Mangalore to the precept of the Foujdaree Adalut under date the 19th. idem calling for explanation of the delay which occurred in the transmission of the Calendar in Case No. 59 of 1848.-

(Here enter F: 86: No. 263 of 1849).

Read return dated the 26th. January 1849 from the Sessions Judge of Mangalore to the precept of the Foujdaree Adalut under date the 19th. Idem calling for an explanation of the delay in putting the prisoners in trial, and also in transmitting the Calendars of those cases Nos. 51, 52, and 53 on the Calendar for 1848, upon the

(Here enter F: 86: No. 264 of 1849).

Read return dated the 26th. January 1849 from the Sessions Judge of Mangalore to the precept of the Foujdaree Adalut under date the 18th. Idem requiring explanation of the delay that took place in the transmission of the Calendar in Case No. 48 of 1848.-

(Here enter F: 86: No. 265 of 1849).

F. A.

Saturday, 3d. February 1849.

At a Court of the Foujdaree Adalut

Present

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

Read Calendar of Case No. 44 of 1848 on the file of the Sessions Court of Mangalore.

(Here enter F. A. No. 121 of 1849).

1. The Court of Foujdaree Adalut require an explanation of the great delay which has occurred in the disposal of this case, and in the transmission of the Calendar to the Foujdaree Adalut.-

2. The Court observe that the case was committed to the Sessions Court for trial on the 9th. September 1848, and that the trial was not commenced until 25th. November, the sentence not being passed until the 19th. December of the same year, although the prisoners were apprehended in the months of July and August, and

were pa

31st January 1849.

submitted by the Sessions Judge of Calicut under date the 24th January 1849.-

(Here enter F: 86: No: 260 of 1849).

Read return dated the 26th January 1849 from the Sessions Judge of Mangalore to the precept of the Foujdaree Adalut under date the 19th idem calling for explanation of the delay which occurred in the transmission of the Calendar in Case No: 59 of 1848.-

(Here enter F: 86: No: 263 of 1849).

Read return dated the 26th January 1849 from the Sessions Judge of Mangalore to the precept of the Foujdaree Adalut under date the 19th Idem calling for an explanation of the delay in putting on the prisoners in Cases Nos: 51, 52, and 53 on the Calendar for 1848, upon their trial, and also in transmitting the Calendars of those cases.

(Here enter F: 86: No: 264 of 1849).

Read return dated the 26th January 1849 from the Sessions Judge of Mangalore to the precept of the Foujdaree Adalut under date the 16th Idem requiring explanation of the delay that took place in the transmission of the Calendar in Case No: 48 of 1848.-

(Here enter F: 86: No: 265 of 1849).

Ent'd W.

F 86.

Saturday, 3d February 1849.

At a Court of the Foujdaree Adalut Present

C. S. Hooper Esqr 1st Puisne Judge.
E. P. Thompson Esqr 2d Puisne Judge.
W. A. D. Morehead Esqr 3d Puisne Judge.

Read Calendar of Case No 49 of 1848 on the file of the Sessions Court of Mangalore.-

(Here enter F 2: No 121 of 1849)

1 The Court of Foujdaree Adalut require an explanation of the great delay which has occurred in the disposal of this case, and in the transmission of the Calendar to the Foujdaree Adalut.-

2 The Court observe that the case was committed to the Sessions Court for trial on the 9th September 1848, and that the trial was not commenced until 25th November; the sentence not being passed until the 19th December of the same year, although the prisoners were apprehended in the months of July and August, and

unnecessary delay also appears to have occurred in the transmission of the Calendar which was not dispatched to this Court until the 12th January 1849.-

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

Sent following precept No. 107

Encl.

F. U.

Monday,
5th February 1849. At a Court of the Tondaree Udalut

Present

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

Read again Miscellaneous Petition presented on the 4th September 1848 by Lutchmanamah of Pillah Chittoor.

(Here enter F. M. P. A. 238 of 1848)

Read plea Return dated 24th November 1848 and Supplemental Return dated 15th January 1849 made by the Sessions Judge of Chittoor to the Precept of the Tondaree Udalut dated 30th October 1848 directing the submission of an English translation of the Record of Case No. 23 of 1848 on the file of the Sessions Court of Chittoor together with the proceedings originally held in the matter by the Assistant Magistrate.

(Here enter F. M. Nos 2572 of 1848 and 129 of 1849, both

In this Case three Prisoners

were convicted of Fraud: the 1st and 2d Prisoners being sentenced to five years imprisonment with hard labor in irons; and the 3d Prisoner to two years imprisonment with labor suited to her sex.

2. The Record of the Case was called up on perusal of a Petition presented by one Lutchmiammah appealing from the sentences recorded against the Prisoners, and after a careful consideration of the entire record, the Court of Foujdaree Udalut are of opinion, that the evidence adduced in support of the prosecution is not sufficient to warrant the conviction of any one of the Prisoners of the crime charged.-

3. The whole case as stated by the Prosecutor appears to the Court to be open to much doubt, and to abound in improbabilities. No proof has been adduced to the fact of Prosecutor having 9,000 rupees worth of jewels in his possession, nor has any sufficient reason been assigned for the delivery to the first Prisoner - the only pretext put forward is, that they were delivered to the Prisoner to ensure their safe custody, but the

the Prisoner had any mode of keeping them in greater security than the Prosecutor is no where shewn.-

4. The alleged finding of a few of the jewels buried in the first Prisoner's house on the morning, the Prosecutor asserts the Robbery was reported to him, is, in the opinion of the Court, deserving of no credit, as the only Witnesses who speak to it are the Prosecutor's connexions: and in regard to the discovery of some more jewels in the upper room of the Prisoner's house many days after the complaint, it seems to the Court more than probable that those jewels were placed there either by the Prosecutor or some of his people.-

5 The Court can also discover no reason for the Prosecutor having accepted any reward, as he asserts he did, from the first Prisoner for not immediately returning to him the purse, when at first asked for. The property was far too valuable to have allowed the Prosecutor to accept any reward, the more so, as no cause whatever could exist for the jewels

not

5th February 1849.

not being at once restored.

6. Against the third Prisoner the Record establishes nothing - She is stated to have given the purse to the 2d Prisoner to deliver to the first, but of this there is no proof. -

7. On the foregoing grounds the Court of Foujdaree Udalut resolve to direct the immediate and unconditional release of all the Prisoners. -

8. The Court are of opinion that the individual named Lanlameah should have been examined either as a witness or as a party concerned in the Fraud -

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. 110

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

Read Miscellaneous Petition presented on the 23d December 1848 by Veeranamy Tyrnoor &c

F. U.

5th February 1849.

Veerasawmy of Zillah Masulipatam. -

(Recorder F. M. P. No 329 of 1848)

1. Petitioner asserts the innocence and prays the release of his nephew Prisoner in Criminal Case No 39 of 1848 on the file of the Principal Sudder Ameen of Masulipatam, who was convicted of "Attempt to commit Theft by night" and sentenced to two years imprisonment with hard labor in irons. -

2. The Court of Foujdaree Udalut resolve to reject this Petition, being unable to discover any grounds for questioning the justness of the Prisoners conviction or the propriety of the sentence awarded to him. -

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

Read Miscellaneous Petition presented on the 1st January 1849 by Soobbe Reddy of Zillah Cuddapah. -

(Recorder F. M. P. No 4 of 1849)

1. The Petitioner complains of certain grievances which he alleges the

that he has sustained at the hands of his neighbours in the village in which he resides, and for which he has been unable to obtain redress from the local authorities.-

The Court of Foujdaree Udalut cannot interfere in the matter of this Petition until that individual shall produce an order from the Court of Sessions showing that he has applied to the Magistrate and Sessions Judge for redress from the grievances of which he complains.-

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

Read Miscellaneous Petition presented on the 4th January 1849 by Vanaata naiken of Zillah Coimbatore -

[Hereunto F. M. P. No. 3 of 1849.]

1. This is an application for the restoration of the Petitioner to the situation of Jemadar in the Jail of Coimbatore from which he has been removed by the Sessions Judge in consequence of certain irregularities committed by him in the Jail.-

2. On reference to the order of

which the Petitioner complains the Court of Foujdaree Udalut are satisfied of the propriety of the course adopted by the Sessions Judge, and they 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 8th January 1849 by Mrs Mary Cramer Widow of the late Private Frank Cramer of Madras.-

[Here enter F. M. P. No. 4 of 1849.]

1. The object of this Petition is to induce the Court of Foujdaree Udalut to mitigate the sentence passed upon the Petitioner's son, 2d Prisoner in Case No 16 of 1848 of the Sessions Court of Chingleput, who was convicted of having aided and abetted the 1st Prisoner in the crime of "Housebreaking and Theft", also of having received the stolen property; and adjudged to four years imprisonment with hard labor in irons.-

2. The Court of Foujdaree Udalut have

5th February 1849.

have again carefully perused the evidence as set forth in the Calendar of the above case, but have been unable to discover any grounds for questioning the justness of the Prisoners conviction, or the propriety of the sentence awarded to him.-

3. The Court are accordingly constrained to reject this Petition -

Ordered that Extract from these proceedings be given to the Petitioner on her application.-

Read Miscellaneous Petition presented on the 15th January 1849 by C. Venkatadry of Pillah Nellore.-

(How enter J. M. P. No 15 of 1849)

1. Petitioner prays a re-consideration of the Court's Orders dated 30th December 1848, confirming the proceedings of the Acting Joint Magistrate of Nellore directing the dismission of Petitioner from his situation of Police Peschar of Goorlipully division in that District.-

2. Petitioner is informed that the Orders already passed in the matter of

J. M.
5th February 1849.

of his complaint are final.

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

Read Miscellaneous Petition presented on the 18th December 1848 by Paroor Iyana Aynar of Pillah Cuddalore

(How enter J. M. P. No 327 of 1848)

1. Petitioner complains of the improper dismission of a charge of Robbery preferred by him before the Head of Police of the Tindivanum Taluk against Cuddalore Iyana Aynar and others. He states that he brought the circumstances to the notice of the Magisterial and Judicial authorities, but being unable to obtain redress, he now seeks the interference of the Court of Foujdaree Adalut.

2. The Court of Foujdaree Adalut resolve to forward the English translation of this Petition to the Acting Session Judge of Cuddalore, who will be pleased to submit, for the consideration of this Court, a report upon the statements which

which it contains.

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

(Sent following Precept No III)

Venkata Naiken late Jail Jamadar of the Zillah Court of Coimbatore, moves the Court to return the enclosures in his Miscellaneous Petition No 5 of 1849.

Ordered accordingly. S

J: U:

Tuesday 6th: February 1849. At a Court of the Foujdaree Udalut.

Present.

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

Read letter under date the 20th: December 1848. from the Session Judge of Rajahmundry.—
(Here enter J: U: No: 2734 of 1848).

1. With the foregoing communication the Session Judge submits for the consideration of the Court of Foujdaree Udalut Copies of a correspondence which has passed between himself and the Magistrate of Rajahmundry in regard to two cases one of "Perjury" and the other of "abortion", in which the parties charged have been released by the Session Court.—

2. In the latter case the parties having been re-apprehended by order of the Court of Foujdaree Udalut, and the record having been forwarded for the consideration of the Court, no orders are now required.—

3. In the former case the prisoner was committed for trial by the Assistant Magistrate upon a charge of perjury, in having upon oath accused a certain individual of having dangerously wounded him, whereas it was considered to be proved by the

evidence

evidence of all but two of the witnesses present on the occasion referred to, that he had stabbed himself.—

4 The prisoner has been released by order of the Sessions Judge without trial.—

5. To this proceeding the Magistrate takes exception considering the evidence to be conclusive as to the prisoner's guilt of the offence charged against him; and he has accordingly requested that the matter should be reported for the orders of the Foujdaree Adalut.

6. On an attentive consideration of the papers before them, the Court of Foujdaree Adalut are of opinion that there are sufficient grounds for placing the prisoner upon his trial, and they accordingly direct that orders may be issued forthwith for his re-apprehension, and that the case may be thoroughly investigated by the Sessions Judge.—

7. The Court of Foujdaree Adalut observe that the Sessions Judge should have forwarded to this Court his proceedings of the 9th. December which have been now submitted, as soon as the order was passed for the release of the prisoner in the case under notice; the retransmission of the case to the Subordinate Judge for further investigation having been previously reported in the Calendar to the Court of Foujdaree Adalut.

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

(Sent following Receipt No. 116).

Read letter dated the 27th January 1849 from the Sessions Judge of Calicut, submitting the record of the trial in Case No. 6 on the Calendar of the Sessions Court for 1849.—

(Here enter F. C. No. 285 of 1849).

Mr. G. S. Hooper. 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,

"Etevoalias Bardo."

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. 117)

Read Criminal Reports of the Sessions Court of Chingleput for December 1848.

(Here enter F. C. No. 114 of 1849)

Case No. 107 of 1848. 1. The Court of Foujdaree Adalut resolve to

to direct that the sentence recorded against the Prisoner in this Case be reduced to six months imprisonment with hard labor in irons, as from the Statement of the Charge, his offence does not appear to have been one of "Housebreaking" but rather one of simple "Theft", which might have been disposed of under clause fourth Section III Regulation VII of 1822.

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. 118)

Read Criminal Reports submitted by the Sessions Judge of Bellary for the Month of December 1848.

(Here enter F. G. No. 131 of 1849).

Case No. 220 — 1. The Court of Foujdaree Udalut observe that this Case, in which the prisoner was charged with "possessing counterfeit coins", should have been disposed of by the Assistant Magistrate by whom it was committed to the Criminal Court, the Regulation under which the sentence has been passed being applicable only to the officers of the Magistracy.

Magistrate's Calendar Cases No. 9810

2. The provisions of the Law under which the sentences awarded in these cases were passed, should have been quoted.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Bellary for communication to the Acting Magistrate for the information and

future guidance of that officer.

(Sent in No. 119)

Read Criminal Reports of the Session Court of Salem for December 1848.

(Here enter F. G. No. 135 of 1849).

Cases No. 220 and 221. 1. The Court of Foujdaree Udalut observe that the remarks, recorded by the Acting Session Judge in his Proceedings, held on these Cases, should have been embodied in Report A.

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

(Sent No. 120)

Read Calendar of Cases No. 1 of 1849 on the file of the Session Court of Chittoor.

(Here enter F. G. No. 153 of 1849).

1. The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this Case, that the Sentence awarded to the prisoner, who has been sentenced to 14 Years imprisonment with hard labor in irons, should be reduced to seven years, and they authorize the Session Judge to issue his warrant accordingly.

2. It is observed that in the heading affixed to the Statement of charge the offence charged should have been designated as "Highway Robbery".

Ordered

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

(Sent in No. 121)

Read Calendar of Case No. 58 of 1848 on the file of the Sessions Court of Mangalore.—

(Here enter F. C. No. 175 of 1849).

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this case that a mitigated sentence of four years Imprisonment with hard labor in irons be passed upon the 3rd prisoner who has been convicted of "Housebreaking and Theft; 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. 122).

Read the following letter under date the 17th Ultimo from the Agent to the Governor at Ganjam.—

(Here enter No. 245 of 1849).

Case No. 1 of 1849. Agent's file.

1. In this letter the Agent submits a summary of the evidence taken before him against a prisoner named Plahaladah Naiko, and was charged with "Highway Robbery by a single unarmed person", and convicting him, he recommends the infliction of a sentence.

6th February 1849.

sentence of (5) five years imprisonment with hard labor in irons.—

2. The Court of Foujdaree Udalut concur in the conviction of the Prisoner, and they resolve with reference to the provisions of Section XXI Regulation VII of 1802. and Section IV Regulation I of 1825, to sentence him to (3) three years imprisonment with hard labor in irons.—

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

(Sent in No. 123).

Read Calendar of Case No. 2 of 1849 on the file of the Sessions Court of Chingleput.—

(Here enter F. C. No. 194 of 1849).

The Court of Foujdaree Udalut desire to be informed for what reason the indictment preferred against the prisoner in this case, which consisted originally of two Counts, was altered in the Court of Session.—

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. 124)

Read

6th February 1849.

Read return dated the 26th Ultimo from the Sessions Judge of Mangalore, to the Precept of the Foujdaree Adalut under date the 16th idem, calling for explanation of the delay that occurred in transmitting the Calendar of the Case No. 45 of 1848.—

(Here enter F. A. No. 266 of 1849).

Read letter dated the 23d Ultimo from the Session Judge of Honore, stating that he has not Statement to furnish of the amount realized by the labor of the Prisoners for the 4th Quarter of 1848, under Foujdaree Adalut Circular Order No. 88 dated the 9th June

(Here enter F. A. No. 267 of 1849).

Read Report dated the 26th Ultimo, submitted by the Sessions Judge of Masulipatam, of Criminal Case No. 57 of 1848 late Principal Sudr Ameen's Court file, disposed of by the Sessions Judge—

(Here enter F. A. No. 271 of 1849).

Read Calendars in Cases Nos. 2 and 5 of 1849. submitted by the Session Judge of Cuddapah. under date the 27th Ultimo.—

(Here enter F. A. Nos. 273 and 276 of 1849).

Read Calendars in Cases Nos. 1 and 2 of 1849. submitted by the Session Judge of Honore under dates the 22d and 23d Ultimo.—

(Here enter F. A. Nos. 277 and 278 of 1849).

Ed. 8th.

F. A.

Wednesday. 7th February 1849

At a Court of the Foujdaree Adalut

Present

G. S. Hooper Esqre — 1st Puisne Judge

C. P. C. D. Thompson Esqre — 2d Puisne Judge

W. A. Morehead Esqre — 3d Puisne Judge

Read Calendar of Case No. 31 of 1848 on the file of the Session Court of Honore.—

The Court of Foujdaree Adalut approve of the recommendation made by the Sessions Judge in this case, that the sentence awarded to the Prisoners, who have been sentenced to seven years Imprisonment with hard labor in irons on a charge of "House breaking" and "Theft" be increased to five years, and the Court authorize the Sessions Judge to issue his warrant accordingly.—

Ordered

7th February 1849.

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

(Sent pr. No 125)

Read Calendar of Case No 18 of 1849 on the file of the Sessions Court of Rajahmundry.—

(Here Enter Fee No 188 of 1849)

The Prisoner in this case was charged with Highway Robbery and on Conviction has been sentenced to three years Imprisonment, with hard labor in irons under the provisions of Clause Seventh Section II Regulation XV of 1809. the Law Officer having declared him to be liable to such Punishment.—

2 The Court of Foujdaree Adalut observe that a Second question should have been propounded to the Law Officer requiring him to state upon what grounds Mah.

way

for C.C. No 86.

T. 1850.)

7th February 1849

was barred and upon his objections being removed sentence should have been passed under the provisions of Section XXI Regulation VII of 1802, it being open to the Sessions Judge to recommend a Mitigation of the prescribed punishment to such an extent as he might think fit.—

3 This comes the Sessions Judge will now be pleased to adopt

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

(Sent following precept No 126)

Read Criminal Reports submitted by the Sessions Judge of Masulipatam for the Month of December 1848.

(Here Enter Fee No 166 of 1849)

Case No 163. The Court of Foujdaree Adalut

7th February 1849.

Adalut direct that the period of Imprisonment awarded to the prisoner in this case be reduced to three Months which they consider, under all the circumstances of the case, and especially adverting to the small value of the stolen property which the prisoner has been convicted of having received, will be sufficient to meet the demands of justice.—

Case No 164.

2 In this case the conviction of the prisoner of the offence charged against him should be specifically stated.—

Magistrate's Report. Cases Nos 28 & 32.

3 The Court of Zillah Adalut require to be furnished with an explanation with reference to the sentences awarded in these cases, which as described in the statement of charge would appear to be beyond the jurisdiction of the Magistracy.—

Ordered that Extract from

No

7th February 1849.

from these Proceedings be sent to the Superintendent of Tinnevelly for his information and guidance by precept returnable within Ten days from and after its receipt—

(Sent following precept No 127)

Read Letter dated the 19th received on the 27th ultimo from the Superintendent of Caleicut submitting for the consideration and orders of the Zillah Adalut, a copy of a correspondence with the Subordinate Judge, and the Magistrate of Malabar, relative to the Institution of Head or Police of Caleicut and others, as regards a Murder case committed to and disposed of by the Subordinate Judge.

(Vide Order No No 231 of 1849)

Read also Letter dated the 22d ultimo from the same Officer forwarding a copy of a further correspondence with the Magistrate of

of Malabar, on the subject reported in his letter of the 19th Ultimo.-

(Here Enter Proc. No 235 of 1849.)

Read also Letter dated the 23d Ultimo, from the Magistrate of Malabar requesting that he may be furnished with a copy of the correspondence (above recorded) submitted by the Sessions Judge regarding the discovery of a boys head without the body- the Sessions Judge having declined to furnish the same.-

(Here Enter Proc. No 246 of 1849.)

The Court of Foujdaree Adawlut observe that it was clearly the duty of the Subordinate Judge, if he deemed the Sahoocar and Coomaskah guilty of Perjury, to commit them for trial on his own responsibility.-

2 If, however, as from his Letter of the 31st October, appeared to be the case, he considered that the conduct of the Head of Police

required only to be brought to the notice of the Sessions Judge, and if the Sessions Judge was of opinion that it amounted to such gross misconduct as to require dismissal, the latter officer should have pursued the course indicated in Section XXXIX of Act VII of 1843. On the other hand the conduct of the Head of Police Vaun amounted only, in the view of the Sessions Judge, to a minor neglect, he should have brought such neglect to the special notice of the Magistrate, as directed in Section XLI of the same Act.

3 But the Court of Foujdaree Adawlut must record their disapprobation of their disapproval of the Sessions Judge's having sent the Magistrate's Report to the Subordinate Judge. That step would appear to have been the cause of all the confusion that has since occurred.

4 The Court, having carefully examined

7th February 1849.

considered the voluminous papers above recorded, are of opinion that the estimate taken by the Magistrate of Malabar, of the conduct of the Police, is correct: and they deem it proper to direct that all further proceedings in the matter be stayed.

The Court have viewed with regret, the unprofitable discussions on unimportant matters which not infrequently take place between the authorities in Malabar, by which much valuable time is unnecessarily consumed without any commensurate advantage. In the present instance, the whole question might have been immediately and conclusively settled by the Sessions Judge's exercising that authority with which the Law has vested him. And the Court must observe that the Sessions Judge appears to be too much inclined in matters involving a collision of opinion, to cast upon others the responsibility of deciding, which he ought to exercise himself.—

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

Sent in No 1/-

Ordered also that Extract from these Proceedings be sent to the Magistrate of Malabar for his information.—

Sent in No 1/-

Read again Petition of Cheyakoya No 53 of 1848 on the file of the Sessions Court of Combatore.—

Also letter No 288 dated 16th Instant

Read also Return under date the 22nd January 1849 from the Sessions Judge of Combatore to the precept of the foregoing Circuit Court dated the 16th January 1849 directing that officer to submit a statement of his reasons for Enhancing the

7th February 1849.

the offence charged against the Prisoner in the foregoing case to have been proved

(Here state Sec No 203 of 1849.)

The Court of Sanjadaree Adalut

consider the evidence in this case as stated in the foregoing return to be insufficient for the conviction of the prisoner of the offence charged against him; and do accordingly resolve under the provision of Act XII of 1848. to reverse the sentence awarded to the prisoner by the Court of Session.

2

The Court of Sanjadaree Adalut direct that the prisoner be placed upon his trial upon the charge of having escaped from confinement in 1846.

Ordered that extract from these Proceedings be forwarded to the Sessions Judge of Combatore for his information and guidance by precept returnable within five days from and after its receipt

(Sent following precepts)

Enc 7/2.

Thursday,
8th February 1849

P. D.

At a Court of the Pongdaree 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 2nd Instant from the Sessions Judge of Chingleput submitting for the final Judgment of the Pongdaree Adalut the Record of Cadroll No 6 of 1848 of the Calendar of the Sessions Court.

(Here enter No 31 of 1849)

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

The Court of Pongdaree 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

"Cascacooty"

is sufficient to convict her of the crime charged to convict her thereof; and sentence her to be imprisoned and kept to labor suitable to her sex for and during the period of (8) eight years.

The Court of Pongdaree Adalut

direct

February 1849

direct that the Principal Soldier Among be informed that whenever a Prisoner may confess before him, his statement should be taken at length.

Ordered that Extract from these Proceedings be sent to the Superior Judges of Chingleput for his information.

(Send following Letter No. 134)

Friday,
9th February 1849

P/16.

At a Court of the Supreme Adalut

Present.

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

Read Letter dated the 25th Ultimo from the Superior Judge of Chinglepat referring for the final Judgment of the Supreme Adalut the record of Case No 25 of 1848 on the Calendar of the Superior Court.

/ Vide order Dlo No 238 of 1849 /

Mr. E. P. Thompson

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

1st Ramasawmy (absent)

is sufficient to commit him of the crime of Wounding for which, according to the Mahummedan Law as stated in Tutawi of the Law Officers Dictionary punishment is available & committed him of; and under the provisions of Clause third Section VIII Regulation XI of 1803 and Section

9th February 1849

Section XXXIV. Act VII of 1843, Sentence him to be imprisoned without irons for and during the period of (6) Six months.

Cont'd following Letter No 357

Read Letter dated the 28th Ultimo from the Sessions Judge of Calicut stating that the Subordinate Judge of Calicut and Principal Sudder Ameen of Tanur have reported that no payment was made for bringing the children of Convicts and nothing realized by the labor of the Prisoners during the 4th Quarter of 1848

/ Entered Dkt No 284 of 1849 /

Read Calendar of Cases No 3 of 1849 submitted by the Sessions Judge of Palghaut under date the 29th Ultimo

/ Entered Dkt No 287 of 1849 /

Read Calendar of Cases No 3 of 1849 submitted by the Sessions Judge of Tellicherry under the 25th Ultimo

/ Entered Dkt No 288 of 1849 /

Read Calendar of Cases No 28 of 1848 submitted by the Sessions Judge of Combatoor under date the 30th Ultimo

/ Entered Dkt No 289 of 1849 /

Read Calendar of Cases No 21 of 1848 submitted by the Sessions Judge of Tinnevelly under

9th February 1849

date the 29th Ultimo

/ Entered Dkt No 290 of 1849 /

Read Report dated the 29th Ultimo from the Sessions Judge of Trichinopoly forwarding for trial before that Court on expiry of 25 days from the date of commitment

/ Entered Dkt No 291 of 1849 /

Read Statement dated the 29th Ultimo from the Sessions Judge of Chittoor shewing the amount paid to Prosecutors and Witnesses for the 2nd half of 1848.

/ Entered Dkt No 292 of 1849 /

Read Letter dated the 1st Instant from the Sessions Judge of Chingleput reporting that no cases were pending before that Court during last month

/ Entered Dkt No 293 of 1849 /

Read Calendar of Cases No 11 of 1849 submitted by the Sessions Judge of Cuddapah under date the 29th Ultimo

/ Entered Dkt No 315 of 1849 /

Read Calendar of Cases No 9 of 1849 submitted by the Sessions Judge of Chittoor under date the 28 Ultimo

/ Entered Dkt No 317 of 1849 /

Read

9th February 1849

Read Letter dated the 5th Instant from the Acting Sessions Judge of Combatoor stating that on the requisition of the Assistant Surgeon he has directed the issue of two ounces of mutton to every Prisoner three times a week until the scurvy which has broken out on the jail decreases, and that this allowance is in extent of the state and other expences of about 8 Rupees per week.

/ Inwards Pltl. No. 310 of 1849 /

Read Calendars of Cases No. 11 and 12 of 1849 submitted by the Sessions Judge of Trichinopoly under date the 2nd Instant.

/ Inwards Pltl. No. 347 and D. 351 of 1849 /

Saturday
10th February 1849

P. P.

At a Court of the Forfeitures Act

Present

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

Read Calendar of Case No. 15 of 1849 on the file of the Sessions Court of Madura

/ Inwards Pltl. No. 270 of 1849 /

The Court of Forfeiture Act

approves of the recommendation made by the Sessions Judge in this case, that the period of imprisonment awarded to the prisoner, who has been sentenced to seven years imprisonment with hard labour in irons upon his conviction on a charge of Housebreaking and Theft be reduced to two years, and the Court authorizes the Sessions Judge to issue the warrant accordingly.

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

/ Sent out No. 187 /

Read

Read Calendar of Cases N° 3 of 1849
on the file of the Sessions Court of Cuddalore

(Warrants N°s 274 of 1849)

The Court of Sessions Hold that after
of the recommendation made by the Sessions Judge in
this case that the period of imprisonment awarded to
the 2nd Prisoner who has been sentenced to seven years
imprisonment with hard labor in irons on a charge
of 2nd House breaking and theft, be reduced to five years;
and the Court authorizes the Sessions Judge to issue
his warrant accordingly.

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

(Extract N° 38)

Read Letter dated the 29th Ultimo from
the Sessions Judge of Cuddalore transmitting the warrant
issued for the execution of the sentence of death passed on the
1st Prisoner in case N° LVII of 1848 on the Calendar of the
Sessions Court with the indictment of the Subordinate
Judge and copy of his report.

(Warrants N°s 299 of 1849)

Read Letter dated the 1st Instant from
the Acting Sessions Judge of Cuddalore reporting that

no case was pending trial before that Court for a period
exceeding 25 days calculated from the date of commitment
during the last month.

(Warrants N°s 300 of 1849)

Read Report dated the 1st Instant
from the Acting Sessions Judge of Salem reporting
on the 31st January 1849 before that Court for a period
in excess of 25 days calculated from the date of commit-
ment

(Warrants N°s 302 of 1849)

Read Report dated the 1st Instant
from the Sessions Judge of Cuddapah of Cases
pending on the 31st December 1848 and committed for
trial during the month of January 1849

(Warrants N°s 303 of 1849)

Read Report dated the 1st Instant
from the Sessions Judge of Masulipatam of Cases
pending on the 31st December 1848 and committed for
trial during the month of January 1849

(Warrants N°s 304 of 1849)

Read Report dated the 1st Instant
from the Sessions Judge of Tellicherry of Cases pending on the
31st December 1848 and committed for trial during the
month of January 1849.

(Warrants N°s 305 of 1849)

Read

13th February 1849

Read Report dated the 1st Instant from the Sessions Judges of Madura of cases pending on the 31st December 1848 and committed for trial during the month of January 1849.

/ Hereunto File No 29 of 1849 /

Read Report dated the 1st Instant from the Acting Sessions Judge of Tinnevelly of Cases pending on the 31st December 1848 and committed for trial during the month of January 1849.

/ Hereunto File No 30 of 1849 /

Read Report dated the 1st Instant from the Sessions Judge of Combatoor of Cases pending on the 30th November and committed for trial during the month of December 1848.

/ Hereunto File No 31 of 1849 /

Read a Letter dated the 2nd Instant from the Sessions Judge of Madura forwarding the Petition of Tongalamoo Vedalee under date the 2nd Instant praying that the sentence of 14 years imprisonment with hard labor in irons passed upon the Petitioner in Case No 17 of the Calendar for 1848 be reduced to 7 years

/ Hereunto File No 32 of 1849 /

End 14th

Monday 13th February 1849

J. M.

A Court of Foujdaree Udalut

Present

W. S. Hoppe Esqr —— 1st Puisne Judge

E. N. Thompson Esqr —— 2nd Puisne Judge

W. A. Morehead Esqr —— 3rd Puisne Judge

Read Miscellaneous Petition presented on the 13th January 1849 by Appoogoo of Zillah Tinnevelly

(Hereunto File No. 11 of 1849)

The Agent of the Petitioner is to endorse the Order of the Court of Foujdaree Udalut of the 30th December 1848 regarding a former application presented by the Petitioner for the reversal of the sentence passed by the Sessions Judge of Madura in Case No 17 of 1848 on the file of the Sessions Court of Tinnevelly

The Court of Foujdaree Udalut see no reason to alter the Order which would induce them to entertain the present application of which the Petitioner appears to be fully aware and they accordingly resolve to dismiss the same

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

Read

Read letter dated the 27th January 1849
from the Sessions Judge of Cuddapah submitting the
record of the trial in Case No. 71 on the Calendar of the
Sessions Court for 1848.—

(Here enter F. H. No. 270 of 1849).

Mr. C. P. Thompson
and
Mr. W. A. Morehead

The Court of Foujdaree Adawlut, on a
deliberate consideration of all the circumstances of the case
as evidenced before them being of opinion that the proof
against the Prisoner,

"P. Narasiah"

is sufficient to convict him of the crime of culpable
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. 142.)

Read Calendar of Case No. 2 of 1849
on the file of the Sessions Court of Nellore.—

(Here enter F. H. No. 279 of 1849).

1.
Two prisoners were charged in this
Case with being "Habitual receivers of Stolen property"
four sentences being recited in the indictment in
which they were alleged to have committed the offence
charged against them.—

2.
The 3d prisoner having claimed
subsequent to the commencement of the trial, that he was

upon conviction has been sentenced to fourteen years imprisonment with hard labor in irons, and to receive
100 lashes with a cats nine tails under the provisions
of Chapter third Section IV Regulation VI of 1832.—
This sentence the Court of Foujdaree Adawlut
consider to be too severe, and they accordingly
resolve to direct that the period of Imprisonment
to be awarded to the 1st prisoner be reduced to seven years.—
Extract from these proceedings
to be sent to the Sessions Judge of Madura for his information and guidance by first opportunity.—
(Sent following Receipt No. 143).

Read Calendar of Case No. 3 of 1849 on the file of the Sessions Court of Chittoor.—

(Here enter F. H. No. 348 of 1849).

Two Prisoners in this Case have been convicted of Robbery by open violence and sentenced to 14 years imprisonment with hard labor in irons, the Sessions Judge recommending that the period of Imprisonment awarded be in each case reduced to seven years.—
Of this recommendation in the case of the 2d prisoner the Court of Foujdaree Adawlut approve, but in regard to the 1st prisoner who has already undergone a sentence of seven years imprisonment, the Court are of opinion that any punishment short of

of two years Imprisonment would be insufficient to meet the demands of justice.—

3. The Court of Foujdaree Adalut accordingly direct that in the case of the 1st prisoner the prescribed period of Imprisonment be reduced to two and in that of the 2nd to seven years.—

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

(Sent following Precept No. 1144).

Moonesamy Reddy of Chittoor, moves the Court to return the Enclosure in his Petition No. 293 of 1848.—

Ordered accordingly.—

Read Calendar in Case No. 4 of 1849 submitted by the Sessions Judge of Combaconum under date the 31st Ultimo.—

(Here enter F. R. No. 320 of 1849).

Read Calendar in Case No. 3 of 1849 submitted by the Sessions Judge of Tinnevelly under date the 30th Ultimo.—

(Here enter F. R. No. 324 of 1849)

Read letter dated the 1st instant from the Sessions Judge of Cuddapah stating that there is no Case during the past month to be entered in the

the Report required by the Foujdaree Courts Circular letter of the 16th October 1844.—

(Here enter F. R. No. 327 of 1849).

Read report A dated the 1st instant submitted by the Sessions Judge of Masulipatam of Criminal Case No. 69 of 1848 late Principal Sudr Ameen's Court file, disposed of by the Sessions Judge.—

(Here enter F. R. No. 328 of 1849).

Read return dated the 1st instant from the Sessions Judge of Tinnevelly to the precept of the Foujdaree Adalut under date the 22nd January 1849 directing that the prisoners in Cases No. 36 of 1848 be severally unconditionally released.—

(Here enter F. R. No. 330 of 1849).

Read Calendar in Case No. 1 of 1849 submitted by the Acting Sessions Judge of Combatore under date the 10th Ultimo.—

(Here enter F. R. No. 336 of 1849).

Read Calendar in Case No. 8 of 1849 submitted by the Acting Sessions Judge of Combatore under date the 30th Ultimo.—

(Here enter F. R. No. 337 of 1849).

Read report dated the 1st instant submitted by the Sessions Judge of Tellicherry of Cases pending on the 31st January 1849 and committed for trial during

during the Month of December 1848.

(Here enter F: G: N°: 339 of 1849).

Read statement dated the 1st Ultimo, submitted by the Sessions Judge of Trichinopoly of the amount realized by the labor of Prisoners in the 4th Quarter of 1848.—

(Here enter F: G: N°: 341 of 1849).

Read return dated the 3rd instant from the Sessions Judge of Combaconum to the precept of the Fourdaree Adalut under date the 30th Ultimo directing that the 3rd and 4th Prisoners in Criminal file N°: 172 of 1848 be unconditionally released.—

(Here enter F: G: N°: 342 of 1849).

Read Calendar in Case N°: 36 of 1848 submitted by the Sessions Judge of Honore under date the 29th instant.—

(Here enter F: G: N°: 344 of 1849).

Read return dated the 2nd instant from the Assistant Agent to the Governor of Fort St. George at Kurnool in charge to the precept of the Foujdaree Adalut under date the 22nd Ultimo directing that the Prisoner in Case N°: 76 of 1848 be released from irons.—

(Here enter F: G: N°: 349 of 1849)

Read letter dated the 5th instant from the Acting Sessions Judge of Coimbatore forwarding a

a Duplicate Copy of a List of a convict sent to the Head Assistant Magistrate of Malabar in lieu of the one who has returned to the Invalid at this Station for a change of climate.—

(Here enter F: G: N°: 350 of 1849).

Ent'd

F. H.

Tuesday 13th. February 1849.

At a Court of the Territorial Circuit.

Present

Hon. G. S. Hooper Esqr. ——— 1st. Puisne Judge

Hon. E. P. Thompson Esqr. ——— 2d. Puisne Judge

Hon. W. A. Morehead Esqr. ——— 3d. Puisne Judge

Read letter dated the 9th. February 1849 from the Sessions Judges of Cuddapah submitting the record of the trial in Case No. 75 on the Calendar of the Sessions Court for 1848.

(Here enter F. H. No. 57 of 1849).

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

"Ogeeru Dasseryadoo"

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.

(Send following letter No. 159)

Read

Hon. G. S. Hooper
and
Hon. E. P. Thompson

Read Calendar in Case No. 46 of 1848.
submitted by the Sessions Judge of Vellore under
date the 30th Ultimo.—

(Here enter F. R. No. 280 of 1849).

Read Calendar in Case No. 1 of 1849.
submitted by the Sessions Judge of Pallicherry under
date the 9th Ultimo.—

(Here enter F. R. No. 281 of 1849).

Read letter dated the 30th Ultimo,
from the Acting Sessions Judge of Salem submitting
return to the death warrant in Case No. 52 on the
Calendar of the Sessions Court of Salem for 1848 and
letter required by the Circular Order of the Foujdaree
Adawlut of the 20th
September 1830.—

(Here enter F. R. No. 282 of 1849).

Read letter dated the 30th January 1849
from the Sessions Judge of Chittoor submitting for the
information of the Judges of the Court of Foujdaree Adawlut
copy of a letter from the Subordinate Criminal Judge
forwarding a copy of one from the Military Superintendent
of Police at Vellore reporting the escape of 6 Convicts
while employed at the foot of Vellore Hills and stating
that when a final report has been received it will be
duly submitted.—

(Here enter F. R. No. 293 of 1849).

Read Communication dated the 3rd
instant from the Sessions Judge of Chittoor forwarding
for
with

with reference to the Sessions Judge's letter of 30th
Ultimo, copies of the letter of Acting Sub Criminal
Judge of Chittoor and of the report from Brigadier
D. Montgomerie C. B. Commanding Vellore regarding
the escape of 6 Convicts from a working party near
Vellore, and stating that the Assistant Magistrate
in charge of Police at that station has been directed
to institute an enquiry in order to ascertain the
real fact of the escape.—

(Here enter F. R. No. 343 of 1849).

Friday
16th February 1849.

P 96

At a Court of the Peripatetic Adalat

Present

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

E. P. Thompson Esqr. ——— 2nd Puisne Judge

W. A. Morehead Esqr. ——— 3rd Puisne Judge

Read Calendar of Cases No 7 of 1849

on the file of the Sessions Court of Chittoor

(Harrington's Plts No 297 of 1849)

The Court of Peripatetic Adalat

are of opinion that the remarks recorded by the Sessions Judge

in regard to the frequent discoveries by the Police in

the houses of prisoners of property alleged to have been

stolen, when some days have intervened after the

apprehension of the parties charged, have been communi-

cated to the Acting Magistrate of North Arcot

Ordered that Extract from the

Proceedings be forwarded to the Sessions Judge of

Chittoor for his information and guidance

(Sentence No 854)

Read return dated the 3rd instant

from the Sessions Judge of Tellicherry to the precept of the

Peripatetic

16th February 1849.

Fayidaree Udantot under date the 29th Ultimo mitigating the sentence passed on the Prisoner in Case N° 24 of 1848 on the Calendar of Sessions Court to two years imprisonment with hard labor in irons.

(Hewenter P. Re. N° 357 of 1849)

Read Letter dated the 3d Instant from the Sessions Judge of Tellicherry intimating that proceedings relative to the charges against the Moopily Sudder Ameen of Tellicherry cannot be submitted till the 15th Instant.

(Hewenter P. Re. N° 358 of 1849)

Read Report dated the 1st Instant from the Sessions Judge of Honore of cases pending before that Court for a period exceeding 28 days during the month of January 1849.

(Hewenter P. Re. N° 359 of 1849)

Read Letter dated the 3d Instant from the Sessions Judge of Chingleput reporting that there Moopily Sudder Ameen decided no Criminal Cases during the 2d half of 1848.

(Hewenter P. Re. N° 360 of 1849)

Read returned dated the 7th Instant from the Sessions Judge of Chingleput to the precept of the Foujdaree Udalut under date the 6th Instant stating that the Sentence recorded against the Prisoners in Criminal Case

1st

16th February 1849.

N° 107 of 1848 in the Criminal Reports for December 1848 be reduced to six months imprisonment with hard labor in irons.

(Hewenter P. Re. N° 362 of 1849)

Read Calendar of Cases N° 57 of 1848 submitted by the Acting Sessions Judge of Coimbatore under date the 2d December 1848.

(Hewenter P. Re. N° 363 of 1849)

Read Calendar of Cases N° 3 of 1849 submitted by the Sessions Judge of Chingleput under date the 7th Instant.

(Hewenter P. Re. N° 365 of 1849)

Read letter dated the 5th Instant from the Sessions Judge of Chicacole to the precept of the Foujdaree Udalut under date the 16th Ultimo stating him to pass such orders on Case N° 35 of 1848 disposed of by the Principal Sudder Ameen of Vizagapatam as may be deem proper reporting thereon for the information of the Foujdaree Udalut.

(Hewenter P. Re. N° 367 of 1849)

Read Calendar of Cases N° 54 of 1848 submitted by the Acting Sessions Judge of Coimbatore under date the 28th December 1848.

(Hewenter P. Re. N° 372 of 1849)

R. 8

16th February 1849.

Read Calendars of Cases Nos 1 and 2 of 1849 submitted by the Sessions Judge of Guntoor under date the 8th Instant.

(Here enter F. Rs Nos 373 and 374 of 1849)

Read Calendars of Cases Nos VI and VII of 1849 submitted by the Sessions Judge of Madura under date the 7th and 8th Instant.

(Here enter F. Rs Nos 375 and 376 of 1849)

Read Calendar of Case No 7 of 1849 submitted by the Sessions Judge of Nellore under date the 9th Instant.

(Here enter F. Rs No 377 of 1849)

Read Calendar of Case No 1 of 1849 submitted by the Sessions Judge of Rajahmundry under date the 5th Instant.

(Here enter F. Rs No 378 of 1849)

Read Calendar of Case No 4 of 1849 submitted by the Sessions Judge of Tinnevelly under date the 7th Instant.

(Here enter F. Rs No 379 of 1849)

End F.H.

GSK

F. H.

Monday 19th February 1849.

At a Court of the Foujdaree Adalut.

Present

GSK — G. S. Hooper Esqr — 1st Puisne Judge.

CPT — E. P. Thompson Esqr — 2d Puisne Judge.

WH — W. A. Morehead Esqr — 3d Puisne Judge.

Read again Miscellaneous Petition presented on the 18th December 1848 by Talagoodum of Zillah Cuddalore.

(Here enter F. Rs P. No 325 of 1848).

Read also return under date the 7th February 1849 from the Acting Sessions Judge of Cuddalore, to the precept of the Foujdaree Adalut dated the 29th January 1849 directing that officer to report upon what grounds the Petitioner's Application for employment has not been complied with.

(Here enter F. Rs. No 366 of 1849).

1. It appears from the foregoing return that the Petitioner has failed to present himself before the Acting Sessions Judge when the vacancies occurred to which he refers in his Petition.

2. The Court observe that the Petitioner should proceed to Cuddalore and present himself before the Acting Sessions Judge by whom his Application will be duly considered whenever an opportunity

opportunity for his employment may occur.—

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

(Sent in No. 155).

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

Read Miscellaneous Petition presented on the 8th January 1849. by Appajee Moodely of Zillah Chingleput.—

(Here enter F. Mi. P. No. 8 of 1849).

1. The Petitioner reiterates the prayer of the former Petition presented by him on the 10th July 1848; for the remission of a fine imposed upon him by the Magistrate of Chingleput, stating that he has been unable to procure a Copy of the order passed by the Sessions Judge upon the appeal preferred by him to that office, in consequence of his inability to furnish Stamped paper for its engrossment.—

2. The Court of Foujdaree Adalut direct that the Petitioner be referred to their orders of the 31st July last.—

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

Read Miscellaneous Petition forwarded by

19th February 1849.

by the Sessions Judge of Tinnevelly from Vithanamutta Pucker rajengar and another of that Zillah.—

(Here enter F. Mi. P. No. 10 of 1849).

1. This is an application for the interference of the Court of Foujdaree Adalut to order the remission of certain fines imposed upon the Petitioners by the Magistrate of Tinnevelly under the provisions of Section XXXII. Regulation IX. of 1816.—

2. The Court of Foujdaree Adalut see no reason to question the propriety of the Sentence of which the Petitioners complain, and they accordingly resolve to dismiss this Petition.—

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

(Sent in No. 156)

Read Calendar of Case No. 6 of 1849 on the file of the Sessions Court of Chittoor.—

(Here enter F. C. No. 335 of 1849).

1. The Court of Foujdaree Adalut approve of the recommendation made by the Sessions Judge in this Case, that the period of Imprisonment awarded to the 1st prisoner, who has been Sentenced to Seven years imprisonment with hard labor in irons be reduced to five years, and they authorize the Sessions Judge to issue his warrant accordingly.—

2. The Court also direct that the period

of

of Imprisonment awarded to the 2nd. prisoner be reduced to two years, which in his case they consider will be sufficient to meet the demands of justice.—

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

(Sent following Precept No. 157).

The Vakeel R. Teeroomalee now on behalf of Woosain Beary and 4 others of Mangalore, moves the Court to return the enclosures in Miscellaneous Petition No. 317 of 1848.—

Ordered accordingly.

Vencatasamy Naidoo of Salem, moves the Court to return the enclosures in his Miscellaneous Petition No. 174 of 1848.—

Ordered accordingly.—

Varanasee Vencatadry late Police Peshcar of Gogoola Pulla in the Zillah of Nellore, moves the Court to return the enclosures in his Miscellaneous Petition No. 285 of 1848.—

Ordered accordingly.—

Read return dated the 8th. Instant from the Sessions Judge of Guntoor, to the precept of the Foujdaree Adalut under date the 29th. Ultimo—calling for the opinion of the Magistrate of Guntoor, in regard to

to the fitness of the Head of Police of Cuchapully for the office filled up by him.—

(Here enter F. H. No. 368 of 1849).

Read Criminal Reports dated the 31st. Ultimo, submitted by the Acting Sessions Judge of Coimbatore for the month of January 1849.—

(Here enter F. H. No. 381 of 1849).

Read return dated the 12th. Instant from the Acting Sessions Judge of Coimbatore, to the precept of the Foujdaree Adalut under date the 7th. Idem reversing the sentence awarded by him on the Prisoner in Calendar Case No. 43 of 1848, and directing that the said Prisoner be placed upon his trial on a charge of having escaped from Custody in 1846.—

(Here enter F. H. No. 395 of 1849).

Read Calendar in Case No. 3 of 1849. submitted by the Sessions Judge of Mangalore under date the 12th. Instant.—

(Here enter F. H. No. 406 of 1849).

Read Calendar of Case No. 6 of 1849. submitted by the Acting Sessions Judge of Coimbatore under date the 23rd. Ultimo.—

(Here enter F. H. No. 407 of 1849).

Read Statement dated the 1st. Ultimo, submitted by the Sessions Judge of Nellore of Batta paid to witnesses &c. during the 2nd. Half year of 1848.—

(Here enter F. H. No. 408 of 1849).—

Read

19th February 1849.

Read return dated the 14th Instant, from the Sessions Judge of Chittoor, to the precept of the Foujdaree Adalut under date the 5th Idem, directing the immediate and unconditional release of all the prisoners in Case No. 23 of the Calendar for 1848.

(Here enter F. C. No. 409 of 1849.)

F. W.

Tuesday
20th February 1849 } At a Court of the Peace for the Division of Udalric

Present

J. Thompson Esqre ——— 1st Puisne Judge
W. D. Morehead Esqre ——— 2nd Puisne Judge

Read Indictment of Warrant &c
8 of 1849 on the file of this Session Court
of Christian
J. Wood Esqr P.M. & 318 of 1849

The Court of Peace for the Division of Udalric
aforesaid on their examination made by the
Sessions Judge of the Prisoner who
have been sentenced to 14 years Imprisonment
with hard labour and upon his conviction
on a charge of Highway Robbery be sentenced
to seven years

Ordered that the Provost Marshal do
Sessions Judge to place the prisoner accordingly

Ordered that he be detained from the
proceedings for his information

Read

20th February 1849

Read Calendar of Cases No 7 of 1849 on the file of the Sessions Court of Cuddalapahr

(Here enter G. O. No 322 of 1849)

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this case that the period of Imprisonment awarded to the prisoner who has been sentenced to four years' Imprisonment upon his conviction on a charge of "perjury" be reduced to one year, and the Court authorize the Sessions Judge to issue his warrant accordingly.

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

(Sent in do)

Read Calendar of Cases No 8 of 1849 on the file of the Sessions Court of Cuddalapahr

(Here enter G. O. No 323 of 1849)

The Court of Foujdaree Udalut approve of the recommendations made by the

the Sessions Judge in this case that the period of Imprisonment awarded to the prisoner who has been sentenced to 14 years' imprisonment with hard labor in irons upon his conviction on a charge of "Highway Robbery" be reduced to seven years, and they authorize the Sessions Judge to issue his warrant accordingly.

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

(Sent in do)

Read the following letter under date the 20th Ultimo from the Agent for the Governor of Fort Saint George at Ganjam.

(Here enter No 257 of 1849)

In this letter the Agent submits a Summary of the evidence taken before him against (6) Six prisoners, named in the Margin, who were charged with the crime of "Arson and daylight robbery with open violence," and commits them, he recommends that sentence

1st Pauso Nanny Naiko
2nd Cano Sundara Naiko
3rd Cano Nayaga Naiko
4th Khond Ganga Naiko
5th Khond Rama Naiko
6th Mungala Naiko

th February 1849

of (14) fourteen years imprisonment with lashes to be passed upon the five first Prisoners, and that the 6th Prisoner be held to security.

2 The Court of Pongolanee Vellalut concurs in the conviction of the prisoners, and they resolve under the provisions of Clauses third and fifth, Section IV Regulation XV of 1803 Clause fourth Section II and Clauses seconds and third Section III of Regulation I of 1825, to sentence the Prisoners from 1st to 5th to (14) fourteen years imprisonment with hard labor in irons, with 50 lashes, to each Prisoner, and the 6th Prisoner to furnish two good and sufficient sureties, in (100) One hundred Rupees each surety, for his good behaviour and appearance when required within two (2) years, in default whereof, that he be imprisoned for that period.

Ordered that Extract from these Proceedings, be forwarded to the Agent to the Governor of Fort St George at Pongaree for his information.

(Sent in No)

Read the letter under date the 30th

F. 70.

20th February 1849 30th January 1849 from the Sessions Judge of Tellicherry.

(Recd. entered F. 70. at 332 of 1849)

1 The Sessions Judge desires to be informed from what date the sentences should be calculated to commence which he has awarded by the Court of Pongolanee Vellalut to the 2d 3d and 5th Prisoners in Case No 10 of 1848 on the file of the Sessions Court.

2 The Sessions Judge states that the prisoners in question have been at liberty out of gaol ever since they appeared before the Sessions Court.

3 Under these circumstances the Court of Pongolanee Vellalut observe that the sentences awarded to the prisoners should be calculated to commence from the date upon which they may be called on to receive them.

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

(Sent in No)

Read

20th February 1849

Read again Calendar of Case
No. 42 of 1849, on the file of the Sessions
Court of Chittoor -

(Here enter F. No. No. 71 of 1849)

Read also returns under date
the 6th February 1849 from the Sessions Judge
of Chittoor to the precept of the Foujdaree
Adalut dated the 19th January 1849 directing
the submission of an English Translation
of the record of the foregoing Case -

(Here enter F. No. No. 356 of 1849)

1. The prisoner in this case
has been sentenced by the Sessions Court
to seven years imprisonment with hard
labor in irons and to receive fifty lashes
upon his conviction on a charge of Forgery -

2. The Court of Foujdaree Adalut
on a perusal of the entire record are
of opinion that the period of Imprisonment
awarded to the prisoner may with propriety
be reduced to one year, and do they direct
that the Sessions Judge will amend his
warrant accordingly -

Ordered, that Extract from
the Se

20th February 1849 these Proceedings, be forwarded to the
Sessions Judge of Chittoor, for his information
and guidance; by Precept returnable within
III days, from and after the receipt -

(Sent following precept No. 5)

Ent 4th

gth

F. C.

Thursday 22nd. February 1849.

At a Court of the Foujdaree Adalut

Present.

G.A. G. J. Cooper Esqre. ——— 1st. Puisne Judge

C.P.S. C. P. Thompson Esqre. ——— 2nd. Puisne Judge

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

Read the following Letter dated the 27th. Ultimo from the Sessions Judge of Nellore.

(Hereunder F. C. No. 234 of 1849).

1. The Sessions Judge submits, for the consideration and orders of the Foujdaree Adalut, a Copy of a correspondence between the Magistrate and Joint-Magistrate of the District, regarding the propriety of the sentence passed by the latter Officer in Criminal Case No. 38 of 1848. of his File, in which the Head of District Police of the Ongole Talook, was charged with abuse of Authority and fined Rupees twenty five.—

2. The Questions involved in this reference are two: First - whether a fine may be imposed by a Joint Magistrate, under Clause second Section III Regulation III of 1819 without also awarding imprisonment to be undergone, if the fine be not paid. Secondly - whether the fine can be imposed without the attendance of the accused at the Trial.—

3. The Court of Foujdaree Adalut, after considering

considering the views recorded by the Sessions Judge the Magistrate and the Joint Magistrate respectively are of opinion that a Magistrate can if he sees fit under the Regulation in question impose a fine without — also awarding imprisonment.—

4 There is no doubt that, strictly speaking the case ought to have been dealt with as required by Section XV Regulation IX of 1816. and the Sessions Judge will be pleased to cause it to be intimated to the Joint Magistrate that in all future similar cases, he must act in conformity with that Provision of the Law.—

5. The Court observe that it rests with the Magistrate, in this particular instance, to act as he may think proper in respect of the sentence of the Joint Magistrate.—

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

(Sent in No. 165).

Read Calendars in Cases Nos. III and VI of 1849. submitted by the Sessions Judge of Madura — under date the 1st. Instant.—

(Here enter F. G: No. 316 of 1849).

Read letter dated the 5th. Instant from the Sessions Judge of Honore reporting that he visited the

the Jail at Sircy on the 31st. December 1848.—

(Here enter F. G: No. 385 of 1849).

Read return dated the 7th. instant, from the Sessions Judge of Tellicherry to the Precept of the Foujdaree Adawlut under date the 30th. Ultimo, mitigating sentence passed on Prisoners in Cases Nos. 103 and 106 of Criminal Report for December 1848. to 7 Months.—

(Here enter F. G: No. 386 of 1849).

Read Calendars in Cases Nos. IV and V of 1849. submitted by the Sessions Judge of Madura under date the 9th. instant.—

(Here enter F. G: No. 388 of 1849).

Read Calendar in Case No. 12 of 1849. submitted by the Sessions Judge of Trichinopoly under date the 10th. instant.—

(Here enter F. G: No. 389 of 1849).

Read Calendar in Case No. 3 of 1849. submitted by the Sessions Judge of Bellary under date the 10th. instant.—

(Here enter F. G: No. 390 of 1849).

Read Criminal Report dated the 7th. instant submitted by the Sessions Judge of Tellicherry for the Months of January 1849.

(Here enter F. G: No. 391 of 1849).

Read Criminal Report dated the 10th. instant,

instant submitted by the Sessions Judge of Guntoor
in the Month of February 1849.

(Here enter F. Cs. No. 392 of 1849).

Read Statement dated the 10th instant
submitted by the Assistant Agent to the Governor of
Fort St. George at Kurnool in charge of Extra Peons employed
at the Jail of Kurnool for the Month of January 1849.

(Here enter F. Cs. No. 394 of 1849)

Read report dated the 13th instant,
submitted by the Session Judge of Guntoor of the
convict labor for the Month of January 1849.

(Here enter F. Cs. No. 396 of 1849).

Read Criminal Return dated the 10th
instant submitted by the Assistant Agent to the Governor
of Fort St. George at Kurnool in charge for the month of
January 1849.

(Here enter F. Cs. No. 397 of 1849).

Read Calendars in Cases Nos. 9 and 10
of 1849 submitted by the Sessions Judge of Cuddapah
under date the 12th Instant.

(Here enter F. Cs. Nos. 399 and 400 of 1849).

Read Calendar in Case No. 5 of 1849.
submitted by the Sessions Judge of Tinnevelly under
date the 10th Instant.

(Here enter F. Cs. No. 402 of 1849).

Friday
23rd February 1849.

F. Cs.

At a Court of the Foujdaree Adalut.

Present

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

Read Letter dated the 17th Instant
from the Sessions Judge of Guntoor referring for the
final Judgment of the Foujdaree Adalut the
record of Case No. 38 of 1848 on the Calendar of
the Sessions Court

(Here enter F. Cs. No. 459 of 1849)

Mr. G. L. 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

Jalagam Kistoyah

is sufficient to convict him of the crime of wounding
with intent to kill, for which, according to Futwa
of their Law Officers discretionary Punishment is
awardable under the Mahummadan Law, do convict
him thereof; and in conformity with the Provisions of

Clause

2nd 23rd February 1849.

clause third, Section VII and Clause third Section VIII Regulation XV of 1803, and Section XXXIV Act VII of 1843, sentence him to be banished to the District of Cuddapah, 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 (7) seven years.

Sent following Letter No. 166

Read Calendar of Case No. 11 of 1849 submitted by the Sessions Judge of Chittoor under date the 15th Instant.

/Here enter P. Co. No. 454 of 1849/

Read Calendars of Cases No. 6. and 7 submitted by the Sessions Judge of Mangalore under dates the 14th and 15th Instant.

/Here enter P. Co. Nos. 455. 456 and 457 of 1849/

Ent'd H.

20th February 1849

Read again Calendar of Case
No. 42 of 1849, on the file of the Sessions
Court of Chittoor -

(Here enter F. No. No. 71 of 1849)

Read also returns under date
the 6th February 1849 from the Sessions Judge
of Chittoor to the precept of the Foujdaree
Adalut dated the 19th January 1849 directing
the submission of an English Translation
of the record of the foregoing Case -

(Here enter F. No. No. 356 of 1849)

1. The prisoner in this case
has been sentenced by the Sessions Court
to seven years imprisonment with hard
labor in irons and to receive fifty lashes
upon his conviction on a charge of Forgery -

2. The Court of Foujdaree Adalut
on a perusal of the entire record are
of opinion that the period of Imprisonment
awarded to the prisoner may with propriety
be reduced to one year, and do they direct
that the Sessions Judge will amend his
warrant accordingly -

Ordered, that Extract from
the Se

20th February 1849 these Proceedings, be forwarded to the
Sessions Judge of Chittoor, for his information
and guidance; by Precept returnable within
III days, from and after the receipt -

(Sent following precept No. 5)

Ent 4th

gth

6th February, 1849.

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

Read Miscellaneous Petition presented on the 29th January 1849 by Sylvesm of Zillah Cuddalore.—

(Here enter T. M. P. No 27 of 1849)—

1 The object of this Petition is to induce the Court of Foujdaree Udalut to direct the restoration of Petitioner to the situation of Peon in the Jail at Cuddalore, from which he has been recently dismissed under Orders from the Session Judge.—

2. The Court of Foujdaree Udalut see no reason to question the propriety of the Session Judge's Order, and accordingly decline to interfere in the manner solicited.—

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

Read Miscellaneous Petition presented

26th February, 1849.

presented on the 20th November 1848 by Shiek Pacha of Zillah Cuddalore.—

(Here enter T. M. P. No 28 of 1849)—

1 The object of this Petition is to induce the Court of Foujdaree Udalut to direct the restoration of Petitioner to the situation of Peon in the Jail at Cuddalore, from which he has been recently dismissed under the orders of the Session Judge.—

2. The Court of Foujdaree Udalut see no grounds for their interference on behalf of this Petitioner, and accordingly resolve to reject his Petition.—

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

Read Miscellaneous Petition presented on the 29th January 1849 by Rayer Unnmal of Zillah Chittoor.—

(Here enter T. M. P. No 30 of 1849)—

1. Their is an application for the interference of the Court of Foujdaree Udalut to order an Enquiry into certain charges

charges which the Petitioner prefers against the Head of Police of the Cangoondy Zemindary.—

2. The Court of Foujdaree Udalut direct that the English Translation of this Petition be forwarded to the Session Judge of Chittoor with instructions to that Officer to institute such an Enquiry as may appear to be necessary with reference to the allegations it contains and report the result for the information of the Foujdaree Udalut.—

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

/Sent following precept. No. 168/

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

Read Miscellaneous Petition presented on the 5th Instant, by J Ouchterlony Esquire, Vakeel on behalf of Woburlow late

late Serishtadar of the Civil and Sessions Court of Cuddapah.—

/Here Enter F. Mo. P. No. 34 of 1849/—

1. This is an application praying for copies of all the Reports and proceedings submitted by the Civil and Sessions Judge in the matter wherein the Petitioner was accused of conniving at the surreptitious abstraction of certain documents from the records of the Sessions Court and which led to the dismissal of the Petitioner from Office under the Orders of the Dussera and Foujdaree Udalut dated 10th November 1848.—

2. The Court of Foujdaree Udalut direct that the Petitioner be informed that his Petition should have been presented on stamp paper and that they therefore decline to bring it under consideration.—

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

Read

26th February, 1849.

Read Letter dated the 14th Instant from the Sessions Judge of Madura, referring for the final Judgment of the Foujdaree Adalut, the Record of Case No. LXV of 1848 of the Calendar of the Sessions Court.—

/Have Enter F.C. No. 439 of 1849/-

Mr. G. S. Hooper
Mr. E. P. Thompson

The Court of Foujdaree Adalut, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the Prisoner, "Ramasawmy Reddy alias Moottoo Reddy" is sufficient to convict him of the crime of wilful Murder, to convict him thereof; and under the provisions of Section X Regulation VIII of 1802, sentence him to suffer death by being hanged at the usual time and place of execution.—

/Sent following letter No. 169/- 51

Ent'd

F: C:

Tuesday
27th February 1849.

At a Court of the Fouzdaree Adalut.

Present.

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

Read letter dated the 22d Instant, from the Acting Session Judge of Coimbatore submitting the record of the trial in Case No. 2 on the Calendar of the Session Court for 1849.

(Here enter F: C: No. 472 of 1849).

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 Aroosa,
2d Nadoo Caulon
3d Galayeewa
4th Caroppa
and
5th Chinna Caulon.

is sufficient to convict them of the crimes charged, 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,

Prisoners,

1st. Arasoo,

2nd. Nadoo Caulow

3rd. Galayavoo.

and

4th. Caroopoo.

to be imprisoned and kept to hard labour in Irons on the public roads or other public works for and during the period of (14) fourteen years, and the Prisoner

5th. Chinna Caulow.

to be imprisoned without labour or Irons for and during the period of (6) six months.—

(Sent following letter No. 171).

Read again Calendar of Case No. 2 of 1849. on the file of the Sessions Court of Chingleput.

(Here enter F. C. No. 194 of 1849).

Read also return under date the 7th. February 1849. from the Sessions Judge of Chingleput to the precept of the Foujdaree Adalut dated the 6th. February 1849. directing that officer to report for what reason the indictment preferred against the prisoner in the foregoing case which consisted originally of two counts was altered in the Court of Session.—

(Here enter F. C. No. 361 of 1849).

It is observed that the 2nd. Count to which the Sessions Judge refers in the foregoing return as having been prepared in the Sessions Court was not entered

entered in the indictment as transmitted to the Foujdaree Adalut.—

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

(Sent in No. 172).

Read Letter dated the 27th. Ultimo from the Sessions Judge of Rajahmundry.—

(Here enter F. C. No. 283 of 1849).

1. The Sessions Judge applies for the orders of the Foujdaree Adalut, on a question raised by the Abkaree Renter of Rajahmundry, connected with the Sale of Liquors at auction under instructions from the Registrar of Her Majesty's Supreme Court at Madras, as part of the estate of a deceased British subject who died intestate.

2. The Court of Foujdaree Adalut deem it proper to decline passing any orders on this reference. If the Abkaree Renter be dissatisfied with the orders which may be given on the subject by the Court below, he can, and doubtless will appeal therefrom either to the Board of Revenue or the Court of Sudder Adalut.

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

(Sent in No. 173)

Read Calendar of Case No. 3 of 1849.

on

7th February 1849.

on the file of the Sessions Court of Combaconum—

(Here enter F: Cl: No. 319 of 1849).

1. The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this case that the period of Imprisonment awarded to the prisoner, who has been convicted of "Theft" and sentenced to seven years Imprisonment with hard labor in irons, be reduced to three years, 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.—

(Sent in No. 174)

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

(Here enter F: Cl: No. 325 of 1849).

The Court of Foujdaree Udalut approve of the recommendation made by the Acting Sessions Judge in this case that the period of Imprisonment awarded to the prisoners who have been convicted of "attempt at robbery by open violence" and sentenced to 14 years imprisonment with hard labor in irons be reduced to seven years, and they authorize the Acting Sessions Judge to issue his warrant accordingly.—

Ordered that Extract from these Proceedings be sent to the Acting Sessions Judge of Coimbatore.

F: Cl:
27th February 1849.

Coimbatore for his information and guidance.—

(Sent in No. 175).

Read Calendar of Case No. 10 of 1849.

on the file of the Sessions Court of Trichinopoly.—

(Here enter F: Cl: No. 355 of 1849).

The Court of Foujdaree Udalut do not approve of the recommendation made by the Sessions Judge in this Case, that the sentence awarded to the prisoner who has been convicted of "Perjury" and sentenced to four years Imprisonment with hard labor in irons, be reduced to a requisition of security in two sureties in Rupees 25 each for the period of two years.—

2 The prisoner having been convicted of the crime charged against him the Court of Foujdaree Udalut consider the requisition of security to be an inappropriate and inadequate punishment for the offence which he has committed, but for the reasons assigned by the Sessions Judge the Court of Foujdaree Udalut are pleased to sanction the reduction of the period of Imprisonment awarded to six months from date of Futwah and they authorize the Sessions Judge to issue his warrant accordingly.—

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

(Sent in No. 176).

Read

Read Calendar of Case No. 3 of 1849.
on the file of the Sessions Court of Nellore.—
(Here enter F. G. No. 393 of 1849).

1. The Court of Foujdaree Adalut —
approve of the recommendation made by the Sessions —
Judge in this case, that the period of Imprisonment
awarded to the 1st and 2d prisoners, who have been convicted
of "Highway Robbery" and sentenced to 14 years Imprison-
=ment with hard labor in irons, should be reduced in
the case of the 1st prisoner to five, and in that of the
2d prisoner to eight years.—

2. And the Court authorize the Sessions
Judge to issue his warrant accordingly.—

Ordered that Extract from these Proceed-
=ings be sent to the Sessions Judge of Nellore for his
information and guidance.—

(Sent in No. 1707).

Read Calendar of Case No. 10 of 1849.
on the file of the Sessions Court of Coimbatore.—
(Here enter F. G. No. 398 of 1849).

The Court of Foujdaree Adalut infer
that the remark recorded by the Principal Sudr Ameen
in this Case regarding the attestation of the prisoner's —
confession by a Police Peon in contravention of the rule
laid down in the Circular Order of the Foujdaree Adalut
under date the 29th April 1822, has been communicated

to

to the Joint Magistrate in charge of Coimbatore.—

Ordered that Extract from these Proceed
=ings be sent to the Acting Sessions Judge of Coimbatore
for his information and guidance.—

(Sent in No. 178)

Read Calendar of Case No. 11 of 1849.
on the file of the Sessions Court of Cuddapah.—
(Here enter F. G. No. 401 of 1849).

The Court of Foujdaree Adalut approve
of the recommendation made by the Sessions Judge in
this Case that the period of Imprisonment awarded to
the prisoner who has been convicted of "Highway —
Robbery" and sentenced to 14 years Imprisonment with
hard labor in irons be reduced to seven years, 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 in No. 1709)

Read Calendar of Case No. 10 of 1849.
on the file of the Sessions Court of Chittoor.—
(Here enter F. G. No. 403 of 1849).

The Court of Foujdaree Adalut infer
that the remarks recorded by the Sessions Judge in this
Case regarding the conduct of the Ironigar and Tamuk

Peon

Peon by whom the prisoner was taken into custody — have been communicated to the Magistrate of North Arcot —

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

(Sent in No. 180).

Read Calendars of Cases Nos. 7, 8 and 9. of 1849 on the file of the Sessions Court of Trichinopoly —

(Here enter F. C. Nos. 352-3-4 of 1849).

1. The Court of Foujdaree Adawlut direct that the Magistrate of Trichinopoly will report for their information what course he may have adopted with reference to the instructions issued by the Sessions Judge regarding the disposal of the prisoners in each of the foregoing cases —

2. It is observed that the Courts of Session are not legally competent to issue instructions to the Magistracy for the requisition of Security under — Regulation VII of 1827, it being incumbent upon — those officers in all cases in which they may deem it proper to require Security under Clause First Section VI of the above enactment to act entirely upon their own responsibility, and upon a due consideration of the facts brought to their notice —

Ordered that Extract from these — Proceedings

Proceedings be sent to the Sessions Judge of — Trichinopoly for his information and guidance and for communication to the Magistrate by — precept returnable within X days from and after its receipt —

(Sent following Precept No. 181)

Read Statement dated the 1st January 1849. submitted by the Sessions Judge of Chittoor of Batta paid to Prosecutors and witnesses attended before the Sessions Court from 1st July to 31st December 1848.

(Here enter F. C. No. 412 of 1849).

Read return dated the 16th February 1849. from the Sessions Judge of Chittoor to the precept of the Foujdaree Adawlut under date the 12th Instant stating that in the Case of the 1st prisoner in No. 3 of the Calendar for 1849. the prescribed period of Imprisonment should be reduced from 14 to ten years and in that of the 2nd to seven years, —

(Here enter F. C. No. 413 of 1849).

Read Communication dated the 15th Instant from the Sessions Judge of Cuddapah reporting the escape of a Security Prisoner Tencategaudoo from outside the Jail —

(Here enter F. C. No. 416 of 1849).

Read Criminal Reports dated the 31st Ultimo submitted by the Acting Subordinate Judge of

of Salem for the Month of January 1849.—

(Here enter F: C: No: 423 of 1849).

Read Calendar in Case No: 1 of 1849.
submitted by the Acting Sessions Judge of Salem
under date the 9th Instant.—

(Here enter F: C: No: 433 of 1849).

Read Calendar in Case No: 4 of 1849.
submitted by the Sessions Judge of Nellore under date
the 16th Instant.—

(Here enter F: C: No: 434 of 1849).

Read return dated the 16th February 1849.
from the Sessions Judge of Rajahmundry to the precept
of the Foujdaree Adalut under date the 6th Instant directing
that immediate orders may be issued for the reapprehension
of the Prisoner in the Perjury Case No: 42 of 1848 on
the Calendar and that the case may be thoroughly
investigated by the Sessions Court.—

(Here enter F: C: No: 445 of 1849).—

F. U.

Wednesday 28th. February 1849.

At a Court of the Foujdaree Adalut.

Present

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

Read letter dated the 15th. Ultimo from the Agent to the Governor of Fort St. George at Vizagapatam submitting for the final Judgment of the Foujdaree Adalut the Record of Case No. 2 of 1849. on his Calendar

(Here enter F. U. No. 463 of 1849).

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

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

"Coutamulla Appadoo"

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. 182).

Read Report dated the 15th. Ultimo,

from

28th February 1849.

from the Agent to the Governor of Fort St. George at Vizagapatam of Persons apprehended in the Separate Tracts of Vizagapatam and delivered to the Agency in the month of January 1849.—

(Here enter F. D.: No. 462 of 1849).

Read Calendar in Case No. IX of 1849. submitted by the Sessions Judge of Madura under date the 21st Instant.—

(Here enter F. D.: No. 478 of 1849).

Read Calendar in Case No. 4 of 1849. submitted by the Sessions Judge of Honore under date the 17th Instant.—

(Here enter F. D.: No. 480 of 1849).

Read Calendar in Case No. X of 1849. submitted by the Sessions Judge of Calicut under date the 19th Instant.—

(Here enter F. D.: No. 481 of 1849).

Ex. 7th.

Friday. F.W.

2nd March 1849. At a Court of the Fouzdarree Adalut.

Present:

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

C.P.T. C.P. Thompson Esqre. —— 2d Puisne Judge.

F.M. Dr. A. Morehead Esqre. —— 3d Puisne Judge.

Read letter under date the 6th December 1848 from the Sessions Judge of Salem submitting the Original Calendars for the 4th Quarter of 1848, of persons required by the Magistracy to furnish security.

(Here Enter F.C. No 2635 of 1848)

Calendars of persons released Case No 16-

The Court of Fouzdarree Adalut observe that the requisition of security in this case by the Acting Head Assistant Magistrate was illegal, the offence charged being beyond the jurisdiction of the Magistracy, as appears from the commitment to the Criminal Court of certain of the prisoners charged.

No 27. 28. 2. The same remark is applicable to the requisition of security in the cases noted in the Margin, the Magistracy not being competent to found a requisition of security upon suspicion

suspicion which may be considered to attach to a party charged, of having committed a specific offence, unless the offence charged be within the jurisdiction of the Magistracy, and the period for which the security is demanded not in excess of the period of Imprisonment which under the extended powers vested in them by Section LIV Act VII of 1843, the officers of the Magistracy are competent to award.-

3. The Court of Foujdaree Adawlut direct that in the cases above referred to the security bonds executed be cancelled forthwith.-

Commit Calendar.
Cases Nos 19
23
25
Cases
35

4. The observations contained in the preceding paras being applicable to the cases noted in the margin the Court of Foujdaree Adawlut resolve to direct that such of the prisoners therein concerned as may be still in confinement, be immediately released.-

5. The Court of Foujdaree Adawlut observe that the value of the property supposed to have been stolen by parties as entered in Calendars of the nature of those under review should be invariably be specified.-

6. The Court of Foujdaree Adawlut also

also direct that the Regulations under which parties are held to security be invariably entered in the Calendars sent up by the Sessions Courts.-

Ordered that Extract from these proceedings be forwarded to the acting Sessions Judge of Salem for his information and guidance and for communication to the Magistrate for the information and future guidance of the several officers of the Magistracy in the District of Salem by precept returnable within V days from and after its receipt.-

Sent following Precept No. 186

Mr G. Stoker

From the Sessions Judge of Combaconum, submitting for the final Judgment of this Foujdaree Adawlut, the Record of Case No 6 of 1849 of the Calendar of the Sessions Court.-

(Here Enter No. 486 of 1849)

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, "Ponnumma"

is not convicted on presumptive proof or on

the

2d March 1849.

the evidence of credible witnesses or on her own confession, of the crime charged, do acquit her thereof and under the provisions of Section XXXIV Act VII of 1843, direct that she be set at liberty.-

The Court of Foujdaree Adaulut resolve to direct the Sessions Judge to bring to the notice of the Magistrate, the misconduct of the Police Ameen in persuading the Prisoner to confess, under a promise that if she did so, she should be released.-

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

(Sent in No. 187

Read again Criminal Reports submitted by the Sessions Judge of Tinnevelly for the months of December 1848.-

(Were Enter F.R. No. 1880 of 1849)

Read also return under date the 16th February 1849 from the Sessions Judge of Tinnevelly to the precept of the Foujdaree Adaulut dated the 7th February 1849 conveying their orders upon the foregoing Criminal Reports.-

(Were Enter F.R. No. 442 of 1849)

F. & G.

2d March 1849.

1. The Court of Foujdaree Adaulut observe with reference to the explanation submitted by the Assistant Magistrate regarding the sentences passed by him in the cases noted in the margin, which accompanies the return of the Sessions Judge, that the requisition of security for good behaviour from parties convicted of the specific offence charged against them is illegal, as also the award of irons in a case which is considered only to amount to a misdemeanor.-

2 In cases in which Magisterial Officers may consider necessary the adoption of future breaches of the peace in addition to the Sentences awarded by them, they are competent to bind the parties over in their personal recognizances to keep the peace under the provisions of Clause first Section V Regulation VI of 1827 but in such cases as above observed the requisition of security of any other nature is illegal.-

3 In all cases disposed of by the Magistracy under the reclaimed powers vested in it by Act VII of 1843, the provisions of the Regulation

Regulation under which sentence is passed should be entered in the report.-

4 With reference to the foregoing observations the Court of Sonjdaree Adawlut resolve to cancel the registration of security under which the 9th and 10th prisoners in Case No 28 have been placed; and they also direct that the prisoners sentenced in that and in case No 32 be relieved from irons forthwith.-

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

(Sent following Precept No 188

Read Calendar of Cases Nos 9 of 1849 on the file of the Sessions Court of Calicut.-

(Here Enter F R Nos 1580 of 1849)

The Court of Sonjdaree Adawlut approve of the recommendation made by the Sessions Judge in this case, that the period of Imprisonment awarded to the prisoner, who has been convicted of "Housebreaking and theft" and sentenced to seven years Imprisonment, with

with hard labor in irons, be reduced to three years; and they authorize the Sessions Judge to issue his warrant accordingly.-

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

(Sent in No 189

Read Criminal Reports submitted by the Sessions Judge of Chittoor for the month of January 1849.-

(Here Enter F R Nos 305 of 1849)

Report B
Case No 24

The Court of Sonjdaree Adawlut desire to be informed whether the prisoners sentenced in this case were "peons" in the Service of Government at the time that they were guilty of the "culpable neglect of duty" for which the sentence awarded to them has been passed.-

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

(Sent following Precept No 190

Read Calendars of Cases Nos 7 and 8 of

of 1849 on the file of the Sessions Court of Calicut.

(Here Enter F.R. No 371 of 1849)

The Court of Foujdaree Adawlut approve of the recommendation made by the Sessions Judge in these cases that the period of Imprisonment awarded to the prisoners who have been convicted respectively of "Perjury" and "Subornation of Perjury" and sentenced respectively to four years Imprisonment with hard labor in irons should be reduced to one year, and they authorize the Sessions Judge to issue his warrants accordingly.—

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

(Sent in No. 191

Read Criminal Reports submitted by the Sessions Judge of Rajahmundry for the month of January 1849.

(Here Enter F.R. No 151 of 1849)

Report B
Case No 2

The Court of Foujdaree Adawlut direct that it may be stated for their information whether the prisoner sentenced in this case was a "peon" in the Service of Government when he was guilty of the "neglect of duty" for which the sentence awarded

F.R.

2d March 1849.

awarded to him has been passed.—

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

(Sent following Precept No. 192

Read Criminal Reports submitted by the Sessions Judge of Cuddapah for the month of January 1849.—

(Here Enter F.R. No 104 of 1849)

Report B
Case No 20

1 The prisoner in this case was committed by the Acting Head Assistant Magistrate on a charge of Assault, and has been sentenced to pay a fine of 5 Rupees, or in default to be confined in Jail for one month under Section VII Regulation X of 1816.—

2 The Court of Foujdaree Adawlut observe that this case might with propriety have been disposed of by the Acting Head Assistant Magistrate under the extended powers vested in him by Section IV Act VII of 1843.—

3 It is obvious that the commitment of cases of this nature by the Officers of the Magistracy, who are fully competent to dispose of them themselves

themselves, must occasion much unnecessary delay and inconvenience to prosecutors and witnesses, and tend to defeat the intentions of the Legislature in passing the enactment above referred to.-

Ordered that Extract from these proceedings be sent to the Sessions Judge of Cuddapah for his information and for communication to the Joint Magistrate in charge of the District for the information and future guidance of the Acting Head Assistant Magistrate.-

(Sent in No. 193

Read Criminal Reports forwarded by the Sessions Judge of Madura for the month of January 1849.-

(Here Enter F.R. No 4385 of 1849)

Report B
Case No 5.

1. Three Prisoners in this case were charged "with possessing Counterfeit Coin", and the 1st prisoner has been sentenced to pay a fine of Rupees 7 commutable to four months Imprisonment with labor, the authority quoted for such sentence being Section VII Regulation X of 1816.-

2. The Court of Tanjore observe that the provisions of the Law quoted are inapplicable to the offence of which the prisoner

prisoner in this case has been convicted and that the sentence is illegal and must be reversed.-

3. The Court of Tanjore accordingly resolve to cancel the sentence in this case and direct that the prisoner be forwarded to the Magistrate, by whom the offence charged against him is cognizable, for disposal under the provisions of Section VII Regulation III of 1822.-

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

(Sent following Precept No 194

Read Criminal Reports of the Sessions Court of Trichinopoly for January 1849.-

(Here Enter F.R. No 4421 of 1849)

Case No 125.

1. From the Statement of Charge in this case, the Court of Tanjore Zillah are disposed to consider that the offence committed by the Prisoner was one of "Cheating", and, as such, punishable by the Sessions Court.-

Case No 126.-

2. The Court of Tanjore Zillah observe that if the Prisoner was convicted of the offence charged

2d March 1849.

charges against him in this number, a separate sentence should have been recorded against him: the punishment awarded for the "Escape" being wholly independent of that recorded for the offence in the previous number. This course the Sessions Judge will now direct to be adopted.

A
Criminal Cases Nos 2, 3, 4 5 and 6.

3. Adverting to the remarks recorded in the Proceedings of the Sessions Court held on the cases noted in the margin, the Court of Foujdaree Adaulut deem it proper to observe that the order issued by the Sessions Judge, directing the return of those cases for disposal by the Principal Sudder Ameen on the ground that they had been improperly committed, was erroneous, and must be immediately recalled. The Prisoner, it appears, was convicted on 5 distinct charges of Cattle stealing, and was clearly therefore liable to be committed under Clause Second Section III Regulation VI of 1822, and agreeably to the provisions of Foujdaree Adaulut Circular Order No 137 dated 5th March 1841.

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

Sent in Pa. 193

Read

Pb.

2d March 1849.

Read Criminal Reports submitted by the Sessions Judge of Combaconum for the month of January 1849.

(Here Enter S.R. No 420 of 1849.)

Magistrates Report 1.
B
Case No 2.

The Prisoner in this case has been convicted of stealing flowers from the garden of the Prosecutor valued at Annas 4 and has been sentenced to Six months Imprisonment with hard labor in irons under Section VII Regulation X of 1816.

2. The Court of Foujdaree Adaulut direct that the Sessions Judge will review the proceedings in this case in which with reference to the nature of the offence proved the sentence passed appears to the Court to be unnecessarily severe.

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

Sent for Covering Precept No. 196

End Pb.

F. Ub.

Monday,
5th. March, 1849.

At a Court of the Fooydaree Udalut.

Present,-

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

Read again Miscellaneous Petition forwarded by the late Acting Session Judge of Trichinopoly from the Proceedings of the Fooydaree Udalut dated the 20th. November 1848 conveying their orders on the foregoing Petitions.-

/Here Enter F. Mc. P. No. 90 of 1849/.

The

5th March, 1849.

The Court of Foujdaree Udalut observe from the proceedings submitted by the Sessions Judge with the foregoing return that the complaint preferred by the Petitioner was entirely unfounded, and that the order passed by the late Acting Sessions Judge referring the Petitioner to the institution of a Civil Suit for the recovery of the property which he alleged to have been stolen from him was correct, the charge of theft having been unsupported by the evidence adduced.

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

/Sent in No. 199/

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

Read Miscellaneous Petition presented on the 4th January 1849 by T. Ramachendrah Vakeel on behalf of Chatoo.

5th March, 1849.

Chatoo alias Pucky Ambee of Zillah Mangalore.

/Here Enter F. M. P. No. 2 of 1849/.

1. This is an appeal from the sentence of acquittal passed upon the Prisoner in Case No. 41 of 1848 on the file of the Sessions Court of Mangalore, charged by this Petitioner, the Prosecutor in the said Case, with having murdered his Elder Brother.

2. The Court of Foujdaree Udalut observe that the Prisoner in question was acquitted both by the Sessions Judge and the Law Officer of after a full investigation of the merits of the case, and the Court see no reason to doubt the propriety of their judgments.

3. The Court accordingly resolve to reject this Petition.

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

Read Miscellaneous Petition presented on the 4th January 1849 by Soondrummah

5th March, 1849.

Soondrummah of Zillah Nellore.

(Here Enter F. M. P. No 3 of 1849)

1. This is an application for the reversal of the sentence awarded to the Petitioner's brother prisoner in Case No 42 of 1848 on the file of the Sessions Court of Nellore.

2. The Court of Foujdaree Udalut observe that the case to which the Petitioner refers has been disposed of in the proceedings of this Court under date the 20th February 1849 reducing the sentence awarded to the prisoner to Imprisonment for the period of one year.

3. The Petition is dismissed.

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

Read Miscellaneous Petition presented on the 15th January 1849 by G. Ramaswamy of Zillah Cuddapah.

(Here Enter F. M. P. No 14 of 1849)

1. This is an application for the

F. 66

5th March, 1849.

the interference of the Court to order the recal of a warrant issued for the apprehension of the Petitioner's brother one Govinduppah by the Head of Police of Goorrumcondah Talook upon a false charge which the Petitioner represents to have been preferred through the instrumentality of the Magistrate's Jemadar.

2. The Court of Foujdaree Udalut observe that the Petitioner should have appealed to the Sessions Judge against the proceedings of the Head of Police in the matter to which he refers if he considered them to be illegal and unjust.

3. The Court of Foujdaree Udalut decline to interfere in the matter in its present stage and this Petition is accordingly dismissed.

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

Read Miscellaneous Petition presented on the 27th January 1849.

by

4th March, 1849.

by Lutchmee Ummal of Tillah Chittoor.

(Here Enter F. M. P. No 29 of 1849.)

1. This is an application for the reversal of the sentence awarded to the Petitioner's Son the first prisoner in case No 40 of 1848 on the file of the Sessions Court of Chittoor.

2. The Court of Foujdaree Udalut see nothing in this Petition which would induce them to question the propriety of the sentence of which the Petitioner complains, and with which the Court declines to interfere.

3. It is observed that the prisoner referred to confessed his guilt both before the Subordinate and Sessions Courts.

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

Read Letter dated the 16th. ultimo from the Acting Sessions Judge of Salem, submitting a copy of a correspondence with the Magistracy of the District

5th March, 1849.

District of Salem regarding the attachment of certain Lands under Section XVII. Regulation IX of 1816.

(Here Enter F. Mo. No 417 of 1849.)

1. This correspondence has been submitted pursuant to the instructions conveyed in this Courts Letter of the 12th February 1849 - in which they informed the Magistrate that the question referred in his Letter of the 19th January should be submitted through the Sessions Judge.

2. The Acting Sessions Judge states that he entirely agrees with the Joint Magistrate, not only because he thinks the view taken of the subject in the Acting Registrar's Letter of the 25th April 1832, so erroneous; but for the sake of expediency and the absolute necessity there is, for aiding, in every legal way the efforts of the Magistracy for the suppression of crime.

3. The Court of Foujdaree Udalut concur in the view taken of the

5th March, 1849.

the question now at issue, by the Foujdaree Udalut in their Register's Letter of the 25th April 1832.

4. The Court are satisfied that the course laid down in Section XVII Regulation IX of 1816, could not have been meant to apply to Warrants issued for heinous offences.

5. Adverting to the latter part of the Acting Sessions Judge's Letter - the Court observe that the construction of the Regulations has nothing to do with questions of "Evidence."

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

/Sent in No. 200/.

Read again Calendar of Case No. 48 of 1848 on the file of the Sessions Court of Rajahmundry.

/Here Enter F.C. No. 188 of 1849/.

Read also return under date the 19th February 1849 from the Sessions

F.C.

5th March, 1849.

Sessions Judge of Rajahmundry to the precept of the Foujdaree Udalut dated the 7th February 1849 conveying their orders on the foregoing case.

/Here Enter F.C. No. 170 of 1849/.

1. The Court of Foujdaree Udalut observe that the offence charged should have been designated as snatching and that therefore the sentence passed in the foregoing case is correct.

2. The Sessions Judge will be pleased to amend the heading affixed to the Statement of charge.

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

/Sent in No. 201/.

Read Criminal Reports submitted by the Sessions Judge of Cuttack for the month of January 1849.

/Here Enter F.C. No. 238 of 1849/.

Magistrate's Calendar. Report No. Case No. 2 -

4. The Court of Foujdaree Udalut observe that with reference to the nature

nature of the offence with which the prisoners in this case were charged the requisition of security was illegal, the Magistracy not being competent to found a requisition of security upon suspicion which may be considered to attach to a party charged with a specific offence, if the offence charged exceed the jurisdiction vested in the Magistracy under Act VII of 1843.—

2. Under Circular Order No. 173 the power vested in the Magistracy of demanding security from a party against whom an offence may not be clearly established, is restricted to the limit prescribed by Section LIV Act VIII of 1843.

Report B. Case No. 1.

3. With reference to the foregoing remark the Court of Foujdaree Adalut direct that the period for which the security demanded in this case has been required, be reduced to six months.

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

information and for communication to the Magistrate of Malabar by precept returnable within X days from and after its receipt.—

(Sent following precept. No. 202.)

Read Miscellaneous Petition presented on the 15th January 1849 by Ro Iroomala Row Vakeel on behalf of Yasuntarow Annaje row of Zillah Rajahmundry.

(Vide Letter to Mo. P. No. 9 of 1849.)

Petitioner appeals from an Order of the Sessions Judge of Rajahmundry dated 15th December 1848, reversing one of the Magistrate, and preventing the Petitioner to the institution of a Civil action, of he desired to obtain possession of his son, claimed by one Venkaje Row as Petitioners Elder Brother by right of adoption.

2. The Court of Foujdaree Adalut resolve to annul the Order of the Sessions Judge appealed from, and affirm that of the Magistrate, which, in their opinion

opinion is correct, and proper.—

3. It does not appear to the Court to be "clear" (as stated by the Sessions Judge) that Venkajee Row "has possession of the boy" - legally speaking, because, as remarked by the Magistrate, and asserted by the Petitioner, he, Petitioner, the father of the child was, up to the date of the complaint, living with the child in his Brother's house; and, therefore, altho' he might have been absent occasionally, must be considered to have been in possession of his son.—

4. In respect to the Sessions Judge's remarks that, "It appears more likely that the father would place the infant with his brother Vera Vs. the Court would observe that such is mere conjecture on the part of the Sessions Judge, and has moreover but little to do with the main point at issue.—

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Rajahmundry for his

F. Dc.

5th March, 1849.

his information and guidance.—

/Sent in No. 203/

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

Read Miscellaneous Petition of G. Janakieram Puntulu of Zillah Guntoor, forwarded by the Sessions Judge, and filed by the Foujdaree Adalut on 29th January 1849.—

/Here Enter F. Dc. No. 23 of 1849/—

1. The Petitioner appeals from an Order of the Assistant Magistrate of Guntoor, and confirmed by the Sessions Judge, refusing to interfere with a lock alleged by Petitioner to have been placed by his son on a Godown containing certain property belonging to Petitioner and referring the Petitioner to the Civil Courts for redress.—

2. The Court of Foujdaree Adalut observe that before they can take this Petition into their consideration, it will be necessary for the Petitioner

5th March, 1849.

Petitioner to file an attested copy of the Assistant Magistrate's Order, from which he appeals, as well as copy of the Order of the Sessions Judge confirming the same.

3. The Court deem it proper to observe that it was not contemplated by Fouzdaree Udalut Circular Order dated 6th July 1847, No. 188 that Petitions of this nature should be transmitted through the Sessions Judge.

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

/Sent in No. 204/-

Read Return dated the 20th January from the Sessions Judge of Madura, to the Precept of the Court of Fouzdaree Udalut under date the 16th January 1849, directing a mitigation of the sentence in Calendar No. 62 of 1848 under the Provisions of Section XXXV. of Act VII of 1843.

/Here Enter F.C. No. 190 of 1849/-

Read,

5th March, 1849.

Read also Return dated the 16th ultimo from the Sessions Judge of Madura to the Precept of the Fouzdaree Udalut under date the 12th February 1849 ordering the mitigation of the sentence passed in Case No. 2 of 1849 of the Calendar of the Sessions Court.

/Here Enter F.C. No. 436 of 1849/-

Read also Letter of the same date from the same officer, submitting, what he conceives, may facilitate the correction of an inadvertency which appears to have occurred in respect of the mitigations ordered by the Fouzdaree Udalut in Cases No. 61 and 62 of the Madura Calendar of 1848 and in No. 2 of that of 1849.

/Here Enter F.C. No. 440 of 1849/-

4. The Sessions Judge reports in his Letter of the 16th ultimo that the Prisoners in Case No. 61 have already furnished the security required by the Sessions Court, and been released. Nothing further, therefore is required

to

5th March, 1849.

to be done in this case.

2. The Sessions Judge recommends that the sentence passed on the Prisoner in Case No. 62 be reduced to seven years' Imprisonment - in accordance with the suggestion of the Foujdaree Udalut.

3. The Court sanction this proceeding, and authorize the Sessions Judge to issue a fresh Warrant to that effect.

4. The Sessions Judge - in regard to Case No. 2. observes that he cannot recommend any mitigation of the sentence, as the Crime can be shown to be so atrocious and so far transcending the ordinary measure of guilt in a mere gang Robber: and he therefore requests the Court to allow him to submit to them an attested copy of his notes of the Trial and an explanation of the consideration which moved him in passing sentence.

5. This suggestion, the Sessions Judge makes, with reference to his Return of the 20th January last, above recorded, in which he urges that Section

No. 66.

5th March, 1849.

Section XXXV of Act VII of 1843, under which the order of Mitigation in the cases in question, was passed - has been repealed by Act XIX of 1848 - which latter Act, he is of opinion, precludes the Foujdaree Udalut from mitigating any sentence, without first calling for the Record of the evidence affecting the Prisoner or Prisoners respecting whom the sentence is proposed to be modified.

6. The Court of Foujdaree Udalut do not deem the notes of the Sessions Judge sufficient for the purpose in view: and they resolve to direct him to send up for their consideration, the Original Record of the case in question accompanied by such explanatory remarks as he may think fit to offer.

7. The Court have seen fit to adopt this course, pending a reference they have made to Bengal on the subject of the Act in question.

Ordered, that Extract

from

5th March, 1849.

from these Proceedings be forwarded to the Sessions Judge of Madura for his information and guidance by Precept returnable within four days from and after its receipt.—

/Sent following precept. No. 205/-

End. ###

Tuesday, 6th March, 1849.

F.No.

At a Court of the Foujdaree Adalut

Present.

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

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

W.A. Morehead, Esquire - 3d Puisne Judge.

Read Letter dated the 27th Ultimo from the Acting Sessions Judge of Coimbatore, referring for the final Judgment of the Foujdaree Adalut, the Record of Case No. 3 of 1849 of the Calendar of the Sessions Court.

/Here Enter F.No. No. 507 of 1849/-

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,

"Maroodachellum"

is sufficient to convict him of the crime of Wilful Murder, do convict him

Mr. E.P. Thompson

Mr. W.A. Morehead

6th March, 1849.

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. 206/=

Ex 7th

F: C:

Thursday 8th March 1849.

At a Court of the Foujdaree Adalut

Present

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

Read Calendars of Cases Nos. 3 and 4 on the file of the Sessions Court of Cuddalore.—

(Here enter F: C: No. 493 of 1849).

Case No. 3.

The Court of Foujdaree Adalut approve of the recommendation made by the Acting Sessions Judge in this case, that the period of Imprisonment awarded to the prisoners, who have been convicted of "Theft" and have been sentenced to seven years —— Imprisonment with hard labor in irons be reduced to four years, and the Court authorize the Sessions Judge to issue his warrant accordingly.—

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

(Sent in No. 208)

Read letter dated the 15th Ultimo from the Acting Subordinate Judge of Salem, reporting the transmission of 97 Convicts to the Joint Magistrate at Saint Thomas's Mount.—

(Here enter F: C: No. 411 of 1849)

Read

8th March 1849.-

Read Criminal Reports dated the 15th Ultimo, submitted by the Principal Sudr Ameen in charge of the Sessions Court of Chingleput, for the month of January 1849.-

(Here enter F: C: No. 422 of 1849).

Read Criminal Report B dated the 15th Ultimo, submitted by the Sessions Judge of Nellore for the Month of January 1849.-

(Here enter F: C: No. 424 of 1849).

Read Criminal Reports dated the 14th Ultimo, submitted by the Sessions Judge of Masulipatam for the month of January 1849.-

(Here enter F: C: No. 425 of 1849).

Read Report B dated the 13th Ultimo, submitted by the Sessions Judge of Mangalore, of Persons apprehended in the Zillah of Mangalore and delivered to the Subordinate Judge and tried in the month of January 1849.-

(Here enter F: C: No. 427 of 1849).

Read Calendar in Case No. 9 of 1849, submitted by the Acting Sessions Judge of Coimbatore under date the 7th Ultimo.-

(Here enter F: C: No. 431 of 1849).

Read Criminal Reports dated the 1st Ultimo, submitted by the Sessions Judge of Tinnevelly for the month of January 1849.-

(Here enter F: C: No. 437 of 1849)

Read

8th March 1849.

Read letter dated the 19th Ultimo from the Sessions Judge of Cuddapah, reporting the execution of the Prisoner B: Nauraspah in Case No. 71 of the Calendar for 1848.-

(Here enter F: C: No. 444 of 1849).

Read Communication dated the 15th Ultimo, from the Sessions Judge of Bellary, requesting the Acting Magistrate to supply an omission as regards the imprisonment which the 1st Prisoner in Case No. 1 of the Magisterial file for 1849 should undergo, in default of payment of the fine imposed upon her.-

(Here enter F: C: No. 448 of 1849).

Read Criminal Reports dated the 13th Ultimo, submitted by the Sessions Judge of Honore for the Month of January 1849.-

(Here enter F: C: No. 452 of 1849).

Read Criminal Reports dated the 15th Ultimo, submitted by the Sessions Judge of Bellary for the Month of January 1849.-

(Here enter F: C: No. 453 of 1849).

Read Calendars in Cases No. 2 and 4 of 1849, submitted by the Acting Sessions Judge of Coimbatore under dates the 18th and 23rd January 1849.-

(Here enter F: C: No. 460 and 461 of 1849).

Read Calendars in Cases No. 32 and 53 of 1848 submitted by the Acting Sessions Judge of Coimbatore

under

8th March 1849.

under dates the 21st December 1848.-

(Here enter F. C: Nos 464 and 465 of 1849).

Read Calendar in Case No 4 of 1849

submitted by the Sessions Judge of Bellary under date the 20th Ultimo.-

(Here enter F. C: No 467 of 1849).

Read letter dated the 20th Ultimo from the Sessions Judge of Bellary, forwarding copy of the Acting Magistrates return to the Proceedings of the Sessions Court of the 15th idem, held in Case No 1 of the Magisterial file for 1849.-

(Here enter F. C: No 468 of 1849).

Friday.
9th March 1849.

F. C.

At a Court of the Foujdaree Udalut -

Present.

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

Read letter dated the 28th Ultimo from the Sessions Judge of Calicut submitting for the final Judgment of the Foujdaree Udalut the record of the Trial in Case A. B on the Calendar of the Sessions Court for 1849.-

(Here enter F. C. A. 529 of 1849)

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 Kanakan Chemara is sufficient to convict of Murder, do convict him to be transported beyond sea, as the Ly

No G. S. Hooper
do W. A. Morhead

8th March 1849.

under dates the 21st December 1848.-

(Here enter F: G: Nos 464 and 465 of 1849).

Read Calendar in Case No 4 of 1849

submitted by the Sessions Judge of Bellary under date the 20th Ultimo.-

(Here enter F: G: No 467 of 1849).

Read letter dated the 20th Ultimo from the Sessions Judge of Bellary, forwarding copy of the Acting Magistrates return to the Proceedings of the Sessions Court of the 15th idem, held in Case No 1 of the Magisterial file for 1849.-

(Here enter F: G: No 468 of 1849).

Eyre 8/3/49.

F. G.

Friday.
9th March 1849.

At a Court of the Foujdaree Adalut -
Present.

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

Read letter dated the 28th Ultimo from the Sessions Judge of Calicut submitting for the final judgment of the Foujdaree Adalut the record of the Trial in Case No 12 on the Calendar of the Sessions Court for 1849.-

(Here enter F. G. No 529 of 1849)

The Court of Foujdaree

No G. S. Hooper
and
W. A. Morehead

Adalut, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against of the Prisoner - "Kanakan Chemarakaden Chellakel Chatan" 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

shall appoint, there to lie 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. 211

Read Calendar of Case No. 5 of 1849 on the file of the Sessions Court of Combaconum.-

(Here enter F.R. No. 429 of 1849)

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this case that the period of Imprisonment awarded to the prisoner who has been convicted of Cattle-stealing having been committed to the Sessions Court as an old offender, and has been sentenced to seven years' imprisonment with hard labor in irons and to receive 50 lashes, be reduced to three years; and the Court authorize the Sessions Judge to issue his warrant accordingly.-

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

(Sent in

Read Calendar of Case No. 10 of 1849 on the file of the Sessions Court of Madura.-

(Here enter F.R. No. 441 of 1849)

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this case that the period of Imprisonment awarded to the 1st, 2d, 3d and 4th prisoners who have been convicted of "Robbery by open violence" and have been sentenced to 14 years' Imprisonment with hard labor in irons be reduced to seven years, and the Court 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. 213

Read letter dated the 1st Instant from the Sessions Judge of Chingleput replying to the Court's letter dated 9th January 1849 requesting him to visit in person the Jail at Cuddy every six months and further

9th March 1849.

further to visit all other Gaols of Convicts located within his jurisdiction.-

(Here enter F.U. No. 301 of 1849)

Read letter dated the 1st Instant from the Sessions Judge of Chingleput reporting that no Cases to be reported as required by the Circular letters dated 10th October 1846 and 21st January 1845 were pending during last month before the Sessions Court

(Here enter F.U. No. 303 of 1849)

Read letter dated the 26th Ultimo from the Sessions Judge of Trichinopoly reporting that one of the 4 Convicts who were reported in this Courts letter to the Foujdaree Udalut dated 4th January 1849 to have effected their escape on the 26th December 1848 was apprehended in the Zillah of Calicut and forwarded to Trichinopoly and that he has sentenced him (Prisoner) to one years imprisonment with hard labor in irons in addition to his former sentence under Clause II Section V Regulation VI of 1822.-

(Here enter F.U. No. 304 of 1849)

5th 1849.

F. U.

Saturday 10th March 1849.

At a Court of the Foujdaree Udalut.

Present

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

Read Letter under date the 29th August 1848 from the Sessions Judge of Calicut.

(Here enter F. D. No. 1955 of 1848)

1. With the foregoing letter the Sessions Judge submits the Calendar of Case No. 35 of 1848. on the file of the Sessions Court wherein the Prisoner was forwarded to the Subordinate Judge for disposal as a Lunatic together with Copy of a letter from the latter Officer requesting instructions as to the disposal of Lunatics discharged by the Court of Session from future trial under Circular Order No. 133.-

2. The Subordinate Judge desires to be informed whether it is incumbent upon him to report to the Foujdaree Udalut all the circumstances of such cases with the opinion of the European Surgical officer attached to the Gaol Hospitals or whether he can deal with the Lunatic in the same manner as with those received from the Magistracy against whom no serious offence has been charged.-

The

3. The Court of Foujdaree Adalut observe that the promulgation of Act IV of 1849. published in the Official Gazette of the 6th Instant renders unnecessary the issue of orders upon the matter to which the Subordinate Judge refers.—

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

(Sent in No. 217)

Read Letter dated 6th November 1848.—
from the Sessions Judge of Rajahmundry.—
(Here enter F. C. No. 58=2463 of 1848).

1. In the above communication the Sessions Judge solicits the instructions of the Court of Foujdaree Adalut in respect to the disposal of a Case of Uttering counterfeit coins.—

2. The case is stated thus "a man asked a shopkeeper (a female) to sell him 4 annas worth of opium— she produced scales, and opium, and was weighing a Rupee against the opium when the man took up the Rupee, putting a plated copper Dub in its place, and ran off— The shopkeeper raised a hue and cry, and the man was pursued and caught with the good rupee in his mouth— In his defence the Prisoner admitted having the bad coin, and taking the good, and said he was drunk

10th March 1849.

drunk and unconscious of his acts— The case was proved and the Assistant Magistrate considering it a petty theft, and not a case of uttering counterfeit coin,— sentenced the Prisoner to one months imprisonment with labor".—

3. The Session Judge differs from the Assistant Magistrate, and considers the case to be clearly one of deliberate uttering of base coin, "but as the payment or offering of payment, which is the definition of the offence provided for in the Regulations" is not the act perpetrated by the man" the Session Judge doubts the propriety of directing the Prisoners committal to the Criminal Court under clause first Section VII Regulation VI of 1822, while the deliberate uttering which appears— clearly proved renders it in the opinion of the Session Judge, a case not merely of having in possession, which the Magistrate might dispose of under Section VIII of the same Regulation.—

4. Under these circumstances the Session Judge solicits the instructions of the Court of Foujdaree Adalut, and states that in the meantime he has directed the reapprehension of the man to await the decision of the Court.—

5. The Court of Foujdaree Adalut do not consider that the case referred to can be dealt with as proposed by the Sessions Judge. The case appears to the

Judges

10th March 1849.

Judges to be clearly one of theft, and for that crime the man has already undergone his sentence of imprisonment and is now entitled to his release.—

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

(Sent in No. 218).

Read return dated the 21st Ultimo from the Sessions Judge of Chittoor to the precept of the Foujdaree Udalut under date the 19th idem approving the recommendation made by him in Case No. 6 of the Calendar 1849. that the period of imprisonment awarded to the 1st prisoner who has been sentenced to 7 Years imprisonment with hard labor in irons be reduced to 5 Years and authorizing him to issue his warrant accordingly - and also directing that the period of imprisonment awarded to the 2d prisoner be reduced to two years.—

(Here enter F: D: No. 471 of 1849).

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 Agents Court together with the Reports B from his Assistants for last month.—

(Here enter F: D: No. 477 of 1849).

End 11th

Lyh

F D

Monday,
12th March, 1849. At a Court of the Foujdaree Udalut.

Present,

W.P. C. S. Hooper Esq. 1st Judge,
P.J. E. P. Thompson Esq. 2d Judge,
W.A. W. A. Morehead Esq. 3d Judge.

Read Miscellaneous Petitions presented on the 31st July 1848 and 22d January 1849. by S. Ramachendriah Vakeel on behalf of Vengal Chatoo Ramen Nambiar and Valery Koran and another of Tellicherry.

(Here enter F D. Mis. Pet. No. 216 of 1848 and 16. 17. and 18 of 1849.)

1 The object of these Petitions is to induce the Court of Foujdaree Udalut to order the release of the Petitioners prisoners in Case No. 10 of 1848 on the file of the Sessions Court of Tellicherry.

2 The Court of Foujdaree Udalut observe that the case referred to has been disposed of by the Court of Foujdaree Udalut on a consideration of the entire record and has resulted in the conviction of the Prisoners of the offence charged against them for which they have been respectively

12th March 1849

respectively sentenced to Imprisonment for various periods.

3. These Petitions are dismissed.

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

Read Miscellaneous Petition presented on the 19th February 1849 by Savoorymoottoo Ordeyan of Tillah Combaconum.

(Here enter F. Ct. M. P. No 12 of 1849)

1 This is an application for the reversal of the sentence awarded to the Petitioner's father the 2d Prisoner in Case No 43 of 1848 on the file of the Session Court of Combaconum.

2 The Court of Foujdaree Udalut see no reason to question the propriety of the sentence of which the 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 19th February 1849 by Lawoyprada Ordeyan of Tillah Combaconum.

(Here enter F. Ct. M. P. No 13 of 1849)

12th March 1849

1 The object of this Petition is to induce the Court of Foujdaree Udalut to reconsider their Orders of the 29th January last rejecting the Petitioners application for the reversal of the sentence awarded to his father the 1st Prisoner in Case No 43 of 1848 on the file of the Session Court of Combaconum.

2 The Court of Foujdaree Udalut see nothing in this Petition which would induce them to modify the Orders of which the Petitioner complains, and they accordingly resolve to reject this application.

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

Read again Miscellaneous Petition presented on the 18th December 1848 by Dasoo Iyana Nyinar of Tillah Cuddalore.

(Here enter F. Ct. M. P. No 327 of 1848)

Read also Return dated 25th January 1849 made by the Sessions Judge of Cuddalore to the Precept of the Foujdaree Udalut dated 5th February 1849, forwarding the English translation of the above Petition, and requiring the Session Judge

12th March 1849

Judge to submit a report upon the Statements which it contains.

(Here enter F. C. No 484 of 1849)

Under the explanation now afforded by the Acting Session Judge, the Court of Sunjdaree Adalut decline to interfere in the manner solicited, and accordingly now order to reject this Petition.

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

Ordered also that Extract from these Proceedings be forwarded to the Acting Session Judge of Cuddalore for his information.

(Sent in No. 222 S

End the Letter

F. C.

Tuesday
13th March 1849.—

At a Court of the Sunjdaree Adalut.—

—Present—

G. S. Cooper Esqre —— 1st Puisne Judge.—
E. P. Thompson Esqre —— 2d Puisne Judge.—
W. E. Morehead Esqre —— 3d Puisne Judge.—

Circular.

1. It has been brought to the notice of the Sunjdaree Adalut that appeals from the decisions of the Joint Magistrates and Assistant Magistrates are often made after a lapse of several months, and after the Fines imposed by them in certain cases, have been collected and carried to Count: and that in the event of any such decisions being cancelled by the Principal Magistrate, the Fines so imposed cannot be refunded without the special sanction of Government, which causes great inconvenience, and confusion in the accounts.—

2. The Court of Sunjdaree Adalut resolve, therefore, to direct that, in future, no appeals from the decisions of the Joint and Assistant Magistrates be received or entertained by the Principal Magistrates, unless such appeals be preferred within thirty days from the date of the decision appealed against.—

This

3. This Rule, it is to be understood is not to militate with the Provisions of Section XLI Regulation IX of 1816 which vests the Session Courts with full powers of Review in such cases without reference to the time that may have elapsed.—

4 But to avoid confusion in the Public Accounts - with reference to the Paragraph immediately preceding - the Court of Foujdaree Adalut are of opinion that the Magistrates should not carry fines of the nature above indicated, to the credit of Government, until the Petty Calendars shall have been reviewed by the Session Court - of which notice should always be given to the Magistrates by the Session Judge.—

Ordered that Extract from these proceedings be forwarded to the Session Judges for their information and for communication to the Magistracy.—

Sent following Sircular ~~No.~~ 225

Read letter under date the 8th ult. November 1848 from the Session Judge of Honore.—

(Here enter F.C. No. 2483 of 1848.)

1 The Session Judge submits with the foregoing letter copies of certain proceedings held by him under date the 30th October 1848 cancelling a

a requisition of security made by the late Additional Joint Magistrate of Canara from one Timmana Shet, and of a letter thereon addressed to him by that Officer in which the late acting Joint Magistrate takes exception to the proceedings of the Session Court in the matter referred to.—

2. The letter of the late Acting Joint Magistrate contains serious reflexions upon the proceedings of the Session Judge which the latter officer has clearly proved to be entirely unfounded, and to have originated from an erroneous impression on the part of the late acting Joint Magistrate.—

3. The Court of Foujdaree Adalut observe that the Session Judge should make his report of the acting Joint Magistrate in order to its transmission through that officer's official superior, the Magistrate of Canara; and the Court direct that the adoption of this course be enjoined upon the subordinate officers of the Magistracy in Canara in all cases in which they may deem it proper to address the Courts of Session.—

4. The Court of Foujdaree Adalut consider it to be regretted that the late acting Joint Magistrate should have permitted himself to adopt the extremely unbecoming style which characterizes

13th March 1849.-

characterizes the letter addressed by him to the Sessions Judge.-

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Bellary for his information and for communication to the Magistrate of Canara.-

(Sent in No. 226

Read letter under date the 16th November 1848 from the late Sessions Judge of Coimbatore

(Here enter F. 86. No. 2514 of 1848.)

1. The Sessions Judge in the foregoing letter submits for the decision of the Court of Foujdaree Adalut the question whether a master is liable for the payment of articles procured for him by his servant, who has misappropriated the sums entrusted to him for their purchase.-

2. The Sessions Judge states his opinion that under such circumstances the master cannot be held liable under Magisterial process.-

3. The Court of Foujdaree Adalut observe that in cases of the nature of that to which the Sessions Judge refers, it would be open to the parties by whom the articles may have been supplied to institute a Civil Suit against the master or servant, as they might think fit, which would be decided

2. F. 86.

13th March 1849.-

decided on its merits.-

4. The Sessions Judge is correct in the opinion recorded by him that in such cases the master could not be compelled to satisfy the demand preferred against him, under a Magisterial process.-

Ordered that Extract from these proceedings be forwarded to the Acting Sessions Judge of Coimbatore for communication to the Acting Magistrate of Coimbatore.-

(Sent in No. 227)

Read letter under date the 27th November 1847 from the Sessions Judge of Rajahmundry.-

(Here enter F. 86. - No. 3100 of 1847.)

1. The Sessions Judge in the foregoing letter requests the instructions of the Court of Foujdaree Adalut as to the practice to be adopted in regard to the transmission to the Sessions Court of the reports of cases disposed of by the Subordinate Officers of the Magistracy under the provisions of Sections LIV Act VII of 1843, viz.- whether these reports should be forwarded through the Magistrate or direct to the Court of Session by the Officer by whom the sentence may have been passed.-

The

2. The Court of Foujdaree Udalut are clearly of opinion that the reports of all cases disposed of by the Subordinate Officers of the Magistracy should in the first instance be transmitted to the Magistrate to be forwarded by him to the Court of Sessions in order that that Officer may be enabled to correct any errors, which may be apparent in the proceedings of his subordinates, and to acquire that knowledge which it is desirable that he should possess in regard to the manner in which their duties are performed.—

3. That this is the proper course seems the more obvious when it is considered that under the existing rules any application for further information which the Sessions Judge might deem it proper to make in regard to the reports of cases transmitted to him, would be addressed to the principal Magistrate of the District by whom, it has been ruled, that all correspondence with the Courts should be invariably conducted.—

It is observed that the letter under review having been inadvertently mislaid a considerable delay has occurred in the issue of the instructions now transmitted.—

Ordered that Extract from these proceedings

proceedings be forwarded to the Sessions Judge for his information and for communication to the Magistrate of Rajahmundry.—

Sent in No. 228

Read letter dated the 23d Ultimo from the Sessions Judge of Cuddapah, submitting with reference to the proceedings of the Foujdaree Udalut under date the 7th Instant, some explanation regarding the conduct of that Officer in the cases therein adverted to.—

(Here enter F. C. No. 491 of 1849.)

Read Calendar of Case No. 11 of 1849 submitted by the Acting Sessions Judge of Coimbatore under date the 10th Ultimo.—

(Here enter F. C. No. 492 of 1849.)

Read Calendar of Case No. 7 of 1849 submitted by the Sessions Judge of Combaconum under date the 27th Ultimo.—

(Here enter F. C. No. 500 of 1849.)

Read Calendar of Case No. 5 of 1849 submitted by the Sessions Judge of Canara under date the 23d Ultimo.—

(Here enter F. C. No. 506 of 1849.)

Read Report dated the 1st Instant submitted by the Acting Sessions Judge

13th March 1849.

of Coimbatore of Cases pending before him on the 31st January and committed for trial during the month of February 1849.—

(Here enter F. 16. No. 515 of 1849.)

Read Report dated the 1st Instant submitted by the Acting Sessions Judge of Salem of Cases pending on the 28th February 1849 before him for a period in excess of 25 days calculated from the date of commitment.—

(Here enter F. 16. No. 516 of 1849.)

Read Report dated the 3d Instant submitted by the Sessions Judge of Nellore of cases pending before him during the months of February 1849.—

(Here enter F. 16. No. 517 of 1849.)

Read Report dated the 1st Instant submitted by the Sessions Judge of Guntoor of cases pending on the 31st December 1848 and committed for trial before him during the months of January and February 1849.—

(Here enter F. 16. No. 518 of 1849.)

Read Letter dated the 1st Instant from the Sessions Judge of Cuddapah reporting that there are no cases at present to be entered in the monthly report for the last month.—

(Here enter F. 16. No. 519 of 1849.)

3/.

F. 16.

13th March 1849.—

Read Calendars of Cases No. 3 and 6 of 1849 submitted by the Session Judge of Bellary under date the 28th Ultimo.—

(Here enter F. 16. Nos. 521 and 522 of 1849.)

Read Calendar of Case No. 11 of 1849 submitted by the Session Judge of Calicut under date the 26th Ultimo.—

(Here enter F. 16. No. 523 of 1849.)

Read Calendar dated the 1st Instant submitted by the Session Judge of Chingleput of a Prisoner sentenced under Clause 2d Section V Regulation VII of 1822.—

(Here enter F. 16. No. 525 of 1849.)

End 3/.

P.M.

Wednesday
14th March 1849 At a Court of the Tongdarce Adalut

Present

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

Read the following Letter dated the 1st instant from the Acting Assistant Judge of Tallook Hossainton P.M. No. 513 of 1849

The Acting Assistant Judge submits

1.

for the consideration and orders of the Tongdarce Adalut a correspondence that has passed between himself and the Magistrate of the District regarding the Petty Punishment Calendars for the Third Quarter of 1848

2. That correspondence has arisen out of the Review of these Calendars by the Acting Assistant Judge, between whom and the Magistrate there appears to be a considerable diversity of opinion in regard to the construction of certain Provisions of the existing Code, and their applicability to the particular cases entered in these Calendars

3. The Court of Tongdarce Adalut direct

14th March 1849.

it unnecessary to enter into a detailed review of each of the cases which have originated this reference: but they will observe generally that Section III Regulation III of 1819 is not applicable to offences of omission committed by Police Officers. Cases of this nature, upon complaint being made by the parties who may deem themselves injured by the omission, are cognizable under Section VII Regulation X of 1816. They are likewise punishable by fine, dismission or suspension, under the general controlling authority vested in the Magistrates.

4. The Court further observe for the information and future guidance of the Magistrate of Salem that cases punished under the extended powers conferred on Magistrates by Act VII of 1843, ought not to be entered in the Petty Calendars submitted in accordance with Section XL Regulation IX of 1816 as all such cases are required to be entered in the Monthly Criminal Reports. With reference, however, to the circumstance of these cases having been entered in the Petty Calendars now forwarded, the Court deem it proper to enquire whether all of them, the Calendars required by the Circular Order No 185, have been duly submitted to the Sessions Court. This information the Sessions Judge will be pleased to furnish without delay

The

14th March 1849.

5. The Court further observe that they have already ruled that the power of Fining for Prevarication or other contempt of Court, is limited by Section VII Regulation XIII of 1832, to the Sessions and Subordinate Criminal Courts and that the Magistrates cannot legally exercise that power.

6. The Court of Tanjore doubt concur in the views recorded by the Magistrate in his Return to the Sessions Courts Precept, as to the proper course of dealing with the Village Police: and the Court are of opinion that the Acting Sessions Judge has formed an erroneous estimate of the working of that part of the Police in the Salem District.

7. The Court regret that they cannot bring these remarks to a close without recording their strong disapprobation of the tone and language of the Magistrates Return generally, but especially of the concluding paragraph. The Court cannot but consider the expressions therein contained as speedily improper, unbecoming and uncautious; and moreover, wholly uncalled for by any thing in the Acting Sessions Judges remarks. The Court must insist upon the Magistrate carefully abstaining in future, from similar remarks

Ordered, that Extract from these proceedings

th March 1849.

proceedings be forwarded to the Acting Sessions Judge of Salem for his information and guidance by Precept returnable within five days from and after its receipt.—

/Sent following Precept No. 235/

Read communication dated the 19th Ultimo from the Sessions Judge of Guntoor, transmitting with reference to the Poojdaree Udalut Proceedings of the 29th January last, the opinion of the Magistrate of the District regarding the Head of Police of Dachapully

/Here enter P.C. No. 459 of 1849/

Read Calendar of Case No. 4 of 1849 submitted by the Sessions Judge of Chingleput under date the 24th Ultimo.—

/Here enter P.C. No. 487 of 1849/

Read Calendar of Case No. 5 of 1849 submitted by the Sessions Judge of Mangalore under date the 22nd Ultimo.—

/Here enter P.C. No. 488 of 1849/

Read return dated the 27th Ultimo from the Sessions Judge of Nellore to the precept of the Poojdaree Udalut under date the 20th idem reducing the period of imprisonment awarded to the Prisoner in Case No. 42 of 1848 on the Calendar of the Sessions Court.

/Here enter P.C. No. 490 of 1849/

Ent. [illegible]

P.C.

Thursday, 15th March, 1849.

At a Court of the Poojdaree Udalut

Present.

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

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

W.A. Morehead, Esquire 3rd Puisne Judge.

Read Criminal Reports of the Sessions Court of Chicacole for January 1849.—

/Here Enter P.C. No. 483 of 1849/—

Report B.
Case No. 2.

1. The Court of Poojdaree Udalut observe that the mode in which the Prisoner in this case effected his entrance into the Prosecutor's house should have been set forth in the statement of the charge.—

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

/Sent in No. /5

Ent. [illegible]

F: 66:

Friday
16th March 1849.

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 February 1849.
from the Sessions Judge of Trichinopoly.—
(Here enter F: 66: No. 489 of 1849).

1. With the foregoing communication the Sessions Judge submits for the consideration, and orders of the Court of Foujdaree Adalut, copies of a correspondence, which has passed between himself, the Magistrate of Trichinopoly, and the Board of Revenue, relative to certain proceedings held by Mr. C. J. Bird, while employed on special duty at Trichinopoly, into the Conduct of Alagherry Rajoo a Jemadar in the Collector's Cutchery, and of Chinnasawmy Pillay, the Tahsildar of Turiore.—

2. The object of this reference is to obtain the opinion of the Court of Foujdaree Adalut, firstly, in respect to the competency, or otherwise of the Sessions Judge to entertain, and examine into the merits of an appeal, preferred by the said Alagherry Rajoo — from a decision of Mr. Bird, directing his suspension.—

3. And secondly, in respect to the competency or otherwise, of Mr. Onslow, the present Magistrate of Trichinopoly, to entertain a charge of Perjury, preferred by Chinnasawmy Pillay against one Vamaniah, in having falsely deposed upon oath before Mr. Bird, that he, Vamaniah, had paid a bribe of Rupees 500 to the said Chinnasawmy Pillay, which accusation was subsequently dismissed by Mr. Bird as false, and malicious.—

4 From the Proceedings of the Board of Revenue submitted with the Sessions Judge's Letter it appears, that the Board deny the competency of the Sessions Judge to take up the Appeal of Alagherry Rajoo, on the ground that Mr. Bird's enquiry into the conduct of that individual was conducted in his capacity of Sub Collector, and not in that of Joint Magistrate that the inquiry was, in fact, entered upon under the direct orders of the Board, and the suspension of Alagherry Rajoo took place under the general authority granted to Mr. Bird by the orders of Government dated 29th December 1847.—

5. And in further support of their view of the case the Board quote the decision of the Court of Foujdaree Udalut in their Proceedings under date 14th October 1847.—

6. With reference to the case of Vamaniah the Board observe "there seem to be two objections to any further

16th March 1849.

further proceedings on the part of the Magistrate in this case first, that Mr. Bird here again acted under the immediate orders of the Board, and consequently as Sub Collector, and that the complaint of Vamaniah having been proved to be groundless, he was punished by the same authority, and, Secondly, that by Regulation VIII of 1829. Section III Clause 3d, no prosecution can be had for perjury unless at the suggestion of the tribunal, before which the crime has been committed."—

7 The Sessions Judge, differing from the view taken of these Cases by the Board of Revenue, and being of opinion that he is competent to receive the appeal of Alagherry Rajoo, and the Magistrate to entertain the charge of Perjury preferred by Chinnasawmy Pillay, has referred the matter for the decision of the Court of Foujdaree Udalut.—

8. The Court of Foujdaree Udalut have carefully perused the correspondence submitted for their consideration, and they perfectly coincide with the opinion expressed by the Board as to the incompetency of the Sessions Judge and Magistrate to take any further steps in respect to these Cases.—

9. With reference to the case of Vamaniah the Court observe, that this individual was punished for his offence by the Revenue Board in the manner recommended, it is to be inferred, by the officer, who,

investigated

investigated the case, and it was not competent to the present Magistrate, after a lapse of six months, or more, to re-open the case, on the ground that the punishment then awarded was insufficient, and therefore the offender must be punished again.—

10. And with reference to the case of Alagherry Rajoo, the Court consider the opinion expressed in their Proceedings of the 11th October 1847, and from which they now see no reason to dissent is conclusive to the point. The Zemindars appeal against Mr. Bird's Order lay to the Magistrate as his immediate superior, or to the Revenue Board, and ultimately to Government, and with this subject the Sessions Judge had no right to interfere.—

11. Finally the Court would observe that they can discover nothing in the Proceedings of the Board of Revenue to call forth the remarks contained in the 24th para of the Sessions Judges Letter.—

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Trichinopoly for his information and for communication to the Magistrates.—

(Sent in No. 245).

Read Letter dated 27th February 1849 from the Acting Session Judge of Salem.—

(Here enter F. D. No. 499 of 1849).

With

F. D.
16th March 1849.

1. With the above communication the Acting Session Judge submits for the consideration and orders of the Court of Foujdaree Udalut copies of a correspondence which has passed between the Magistrate and himself, in respect to the disposal of certain cases entered in the petty release Calendar for the 3rd Quarter of 1848.—

2. The Acting Session Judge solicits the particular attention of the Court to the objectionable tone adopted by the Magistrate in making a Return to the Precept issued by the Session Court requiring an explanation of the great delay which was observable in the disposal of those cases, and he contends that the Magistrate was not justified in styling his (the Acting Session Judges) proceedings "unnecessary", nor in charging him with neglect of duty, and he begs, therefore, that, if on a perusal of the papers the Judges are satisfied that "he has" not exceeded or neglected his duty in the matter, and manner complained of by the Magistrate, that such notice will be taken of the Magistrate's language as will prevent similar remarks for the future".—

3. The Court of Foujdaree Udalut have carefully perused the correspondence submitted for their consideration, and are of opinion that the Magistrate's remarks reflecting on the Acting Session Judge's

Proceedings

proceedings were very objectionable, and wholly uncalled for.—

4 It was obviously the duty of the Magistrate to have observed that an explanation of the delay which had occurred was afforded in the column of remarks appended to the release Calendar previous to its transmission to the Sessions Court. this, however the Magistrate failed to do, and it; consequently, then became the duty of the Acting Sessions Judge to require that the omission should be supplied.—

5. The Judges feel however, assured that the remarks of the Magistrate were recorded without due consideration, and that it will be only necessary for them to caution Mr. Lockhart to be more guarded in the tone of his official correspondence for the future.—

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

(Sent in No. 246).

Read letter under date the 27th February 1849. from the Sessions Judge of Rajahmundry.—

(Here enter F. 86. No. 537 of 1849).

1. With the foregoing letter the Sessions Judge submits Copy of a sentence recorded by him in Case No. 5 of 1849 on the file of the Sessions Court, and requests permission to examine further evidence which the

the Prisoner when the sentence was declared to them, represented they were able to adduce in proof of their innocence of the offence charged against them.—

2. The Court of Foujdaree Adalut under the circumstances stated by the Sessions Judge are pleased to sanction the examination of the additional evidence which the Prisoner have requested permission to adduce.—

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

(Sent in No. 247).

The Records of the cases noted in the Margin under reference to the Court of Foujdaree Adalut having been yet received.—

No. 33, 34, 35, 36, 37, 38 and 39 of 1848.—

2. It is requested that the Sessions Judge of Rajahmundry will report what progress has been made in the Translation of the records in question, and when the Sessions Judge will be able to submit them for consideration.—

Ordered that Extract of these Proceedings be forwarded to the Sessions Judge of Rajahmundry by Precept returnable in III days from and after its receipt.—

(Sent following Precept No. 248).

No return having been received from the Sessions Judge of Chittoor to the Precept of the Foujdaree Adalut under date the 29th January 1849.

proceedings were very objectionable, and wholly uncalled for:-

4 It was obviously the duty of the Magistrate to have observed that an explanation of the delay which had occurred was afforded in the column of remarks appended to the release Calendar previous to its transmission to the Sessions Court. this, however the Magistrate failed to do, and it; consequently, then became the duty of the Acting Sessions Judge to require that the omission should be supplied.-

5. The Judges feel however, assured that the remarks of the Magistrate were recorded without due consideration, and that it will be only necessary for them to caution Mr. Lockhart to be more guarded in the tone of his official correspondence for the future.

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Salem for his information and for communication to the Magistrate.

(Sent in No. 246).

Read letter under date the 27th February 1849. from the Sessions Judge of Rajahmundry:-

(Here enter P. C. No. 537 of 1849).

1. With the foregoing letter the Sessions Judge submits Copy of a sentence recorded by him in Case No. 5 of 1849 on the file of the Sessions Court, and requests permission to examine further evidence which the

the Prisoner when the sentence was declared to them, represented they were able to adduce in proof of their innocence of the offence charged against them.-

2. The Court of Foujdaree Adalut under the circumstances stated by the Sessions Judge are pleased to sanction the examination of the additional evidence which the Prisoner have requested permission to adduce.-

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

(Sent in No. 247).

Nos. 33, 34, 35, 36, 37, 38 and 39 of 1848.- 1. The Records of the cases noted in the Margin under reference to the Court of Foujdaree Adalut not having been yet received.-

2. It is requested that the Sessions Judge of Rajahmundry will report what progress has been made in the Translation of the records in question, and when the Sessions Judge will be able to submit them for consideration.

Ordered that Extract of these Proceedings be forwarded to the Sessions Judge of Rajahmundry by a Precept returnable in III days from and after its receipt:-

(Sent following Precept No. 248).

No return having been received from the Sessions Judge of Chittoor to the Precept of the Foujdaree Adalut under date the 29th January 1849.

1849, directing him to submit an English Translation of the Record in Case No. 30 of 1848. on the Calendar of the Sessions Court; with other information relative to certain parties referred to in the Petitions of Chengalreddy and Callappa Reddy of zillah Chittoor.

It is hereby directed that the Sessions Judge of Chittoor do make return to the Precept aforesaid, by Precept returnable within three days from and after its receipt.—

(Sent following Precept No. 249).

Read Report of Cases pending on the 31st January, and committed for trial during the months of February 1849. before the Sessions Judge of Masulipatam.

(Here enter F. C. No. 520 of 1849).

Case No. 56 of 1848. 1. The Court of Foujdaree Adalut observe that this case, in which the Prisoners were charged with Gang Robbery attended with aggravating circumstances, was beyond the jurisdiction of the Moofty Sudder Ameen, and he was not competent therefore to take any steps towards its disposal. The Moofty was merely placed in temporary charge of the Sessions Court, and ought simply to have detained the Prisoners in Zeib to await their trial by the Sessions Judge; and this course he ought also to have observed in regard to all cases forwarded to the Court for trial: the Moofty being merely competent to dispose of Criminal cases referred to him by the Session Judge under Section II Regulation III of 1833.—

Ordered

F. C.
16th March 1849.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Masulipatam for communication to the Moofty Sudder Ameen.—

(Sent in No. 250).

Read report A dated the 5th Instant submitted by the Sessions Judge of Guntoor of Persons apprehended and delivered to him in the Month of December 1848.—

(Here enter F. C. No. 542 of 1849).

Read report dated the 1st Instant, submitted by the Sessions Judge of Mangalore of Cases pending on the 31st January and Committed for trial in the months of February 1849. before the Sessions Court of Mangalore.

(Here enter F. C. No. 543 of 1849).

Read report dated the 1st Instant submitted by the Sessions Judge of Tellicherry of Cases pending on the 28th February 1849. and Committed for trial during the months of December 1848 and January 1849. before the Sessions Judge.

(Here enter F. C. No. 544 of 1849).

Read letter dated the 1st Instant from the Sessions Judge of Tellicherry intimating with reference to proceedings of Foujdaree Adalut of 20th February 1849. the date on which their Sentence in

in Case No. 10 of 1848 on Calendar of Session Court has been calculated.-

(Here enter F: C: No. 545 of 1849).

Read Calendar in Case No. 8 of 1849 submitted by the Session Judge of Tinnevelly under date the 2nd Instant.-

(Here enter F: C: No. 547 of 1849).

Read Calendar in Case No. 2 of 1849 submitted by the Acting Session Judge of Salem under date the 2nd Instant.-

(Here enter F: C: No. 552 of 1849).

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 February 1849.-

(Here enter F: C: No. 554 of 1849).

Read Calendar in Case No. 3 of 1849 submitted by the Session Judge of Guntoor under date the 6th Instant.-

(Here enter F: C: No. 557 of 1849).

Read Calendar in Case No. 12 of 1849 submitted by the Session Judge of Cuddapah under date the 7th Instant.-

(Here enter F: C: No. 558 of 1849).

Read return dated the 7th Instant from the Session Judge of Chittoor to the Precept of

of the Foujdaree Adalut under date the 2nd Instm requiring to be informed whether the Prisoners in Criminal Case No. 24 of 1849 were Peons in the service of Government at the time they were guilty of the "Culpable neglect of duty" for which they were sentenced.-

(Here enter F: C: No. 563 of 1849).

Read Calendar of Case No. 9 of 1849 submitted by the Session Judge of Combaconum under date the 10th Instant.-

(Here enter F: C: No. 569 of 1849).

Read return dated the 10th Instant from the Session Judge of Rajahmundry to the Precept of the Foujdaree Adalut under date the 2nd Instm requiring to be informed whether the Prisoner in Case No. 2 of 1849 was a "Peon" in the service of Government when he was guilty of the "neglect of duty" for which he was sentenced.-

(Here enter F: C: No. 577 of 1849).

Read Calendar in Case No. 3 of 1849 submitted by the Session Judge of Tellicherry under date the 13th Ultimo.-

(Here enter F: C: No. 581 of 1849).

Read Calendar in Case No. 7 of 1849 submitted by the Session Judge of Vellore under date the 13th instant.-

(Here enter F: C: No. 583 of 1849)5

Saturday
17th March 1849

F. Pb.

At a Court of the Foujdaree Udalut.

Present.

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

Read Letter dated the 6th Instant from the Sessions Judge of Trichinopoly requiring for the final Judgment of the Foujdaree Udalut the record of Case No 73 of 1849 on the Calendar of the Sessions Court.

/ Herewith Pb. No 578 of 1849 /

Mr. G. L. 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

"Khoondery Pandy"

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 253)

Read

17th March 1849.

Read again Calendars of Cases Nos 8 and 9 on the file of the Sessions Court of Trichinopoly

(Here enter Plb. Nos 352-354 of 1849.)

Read also return under date the 5th March 1849 from the Sessions Judge of Trichinopoly to the precept of the Foujdaree Adalut under date the 27th February 1849 conveying their orders on the foregoing Calendars

(Here enter Plb. No 350 of 1849)

The Court of Foujdaree Adalut direct that translations of the records upon which the requisitions of security made by the Magistrate of Trichinopoly from the prisoners in the foregoing cases are founded may be submitted for their consideration.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Trichinopoly for communication to the Magistrate for his information and guidance by precept returnable within x days from and after its receipt

(Sent following Precept No 254.

Read the Calendar of Case No 8 of 1849 of the Sessions Court of Rajahmundry

(Here enter Plb. No 362 of 1849)

For this case the Prisoner was charged with the Theft of Property valued at 300 and odd Rupees and

17th March 1849.

and, being convicted, was sentenced by the Sessions Judge to seven years Imprisonment with hard Labour in Irons.

2. The Court of Foujdaree Adalut resolve to call upon the Sessions Judge to submit his opinion whether, with reference to all the circumstances of the case, as given in the abstract of evidence and the Sessions Judge's remarks, the ends of Justice will not be attained by the mitigated punishment of three years Imprisonment, and should he deem such sentence adequate he will have the goodness to make an application accordingly.

3. Should he, however, be unable to take this view of the case, he will be pleased with reference to the Provisions of Act XXX of 1848 to forward with as little delay as possible an English Translation of this Record.

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

Sent following Precept No 255.

Read return dated the 12th Instant from the Sessions Judge of Mangalore to the precept of the Foujdaree Adalut under date the 5th Instant on review of the Calendar of Cases No 24 of 1848, calling for explanation of the delay which occurred in the disposal

F. W.

Monday 19th March, 1849.

At a Court of the Foujdaree Adalut.

Present

Sir W. S. Hooper Esqr. —— 1st Puisne Judge
E. P. Thompson Esqr. —— 2d Puisne Judge
W. A. Morehead Esqr. —— 3d Puisne Judge.

Read Miscellaneous Petition of Teroomal Reddy and 4 others of Zillah Tinnevelly, transmitted by the Sessions Judge, and filed in this Court on the 4th January 1849.—

(Here enter F. W. P. No. 1 of 1849)

1. The object of this Petition is to induce the Court of Foujdaree Adalut to direct the remission of the fine of Rupees 200 imposed by the Provincial Sudder Ameen upon these Petitioners for cutting open the bund of a Tank, in Case No. 52 of 1847.—

2. The Petitioners aver their innocence of the crime charged, and state that the accusation was preferred against them at the instigation of the Zemindar of Ettiyapooram with whom they are at enmity.—

3. The Court of Foujdaree Adalut observe that the Sentence of the Sudder Ameen was confirmed by the Sessions Judge on a perusal of the evidence adduced in the case and there is therefore every reason to believe that the charge was proved.—

Moreover,

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the 19th March 1849.

disposal of this case and in transmission of the Calendar to the Foujdaree Adalut.—

(Here enter F. W. No. 418 of 1849)

Read Criminal Reports for the months of January 1849 submitted by the Acting Sessions Judge of Cuddalore under date the 15th Ultimo.—

(Here enter F. W. No. 426 of 1849)

Read Calendars of Cases No. 7 and 7 of 1849 submitted by the Sessions Judge of Tinnevelly under dates the 1st instant and 28th Ultimo.—

(Here enter F. W. No. 533 and 534 of 1849)

Read Letter dated the 1st instant from the Sessions Judge of Calicut stating that there is no case during the past month to be entered in the Report required by the Foujdaree Adalut Circular Letter of the 16th October 1844.—

(Here enter F. W. No. 536 of 1849)

Read Report dated the 1st instant from the Sessions Judge of Rajahmundry of Cases pending trial before that Court on the 28th February 1849.

(Here enter F. W. No. 538 of 1849)

Read Calendars of Cases No. 7 and 7 of 1849 submitted by the Sessions Judge of Rajahmundry under date the 28th Ultimo.—

(Here enter F. W. No. 539 and 540 of 1849)

End 7th

4 Moreover, it is observed that two years have now elapsed since the occurrence took place, and the Court are of opinion that nothing satisfactory or conclusive could be expected to result from the institution of an enquiry in the mode suggested by the Petitioner.

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

(Sent in No)

Read Miscellaneous Petition presented on the 22nd January 1849. by Dev: Samoosastry Vakeel on behalf of Pooder Eddaty Coorshapa Gunnabiar of Zillah Tellicherry.

(Here enter F: Gv: P: No 22 of 1849)

1. The Petitioner seeks the reversal of an order passed by the Sessions Judge of Tellicherry under date the 18th October 1848. referring the Petitioner to the institution of a Civil Suit to establish his claim to rent certain land for which he asserts that he holds a lease from the proprietor by whom another lease for the same land has been granted to another party.

2. The Court of Foujdaree Adalut consider the order of the Sessions Judge to be correct and proper and they accordingly resolve to dismiss this application.

Ordered

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

Read Miscellaneous Petition presented on the 5th February 1849. by Gr: Govindaspah of Zillah Cuddapah.

(Here enter F: Gv: P: No 32 of 1849).

The Petitioner is referred to the orders passed by the Court upon his Petition No 116 of 1849. which it is observed apply to the matter adverted to in this Petition.

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

Read Miscellaneous Petition presented on the 12th February 1849 by T: Ramashendriah Vakeel on behalf of Gr: Narasimhum of Zillah Guntoor.

(Here enter F: Gv: P: No 35 of 1849).

1. This is a counter Petition to that forwarded by the Sessions Judge of Guntoor from Gr: Jamakerama Puntoolo in which that individual complained of an order passed by the Assistant Magistrate refusing to order the removal of a lock placed by the present Petitioner, on a godown containing certain property belonging to the said Jamakerama puntoolo.

2. The Court of Foujdaree Adalut observe

19th March 1849.

observe that no orders are necessary upon this Petition in the present stage of the proceedings the Court having declined to interfere in the matter until furnished with copies of the orders of which the former Petitioner complained.—

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

Read Miscellaneous Petition presented on the 12th February 1849 by Caroopanna Pillay of Zillah Madura.—

(Here enter F. Mis. P. No. 37 of 1849).

1. This is an application for the reversal of the sentence awarded to the Petitioner's Uncle Verana Pillay prisoner in case No. 32 of 1848. on the file of the Sessions Court of Madura who has been convicted of "Forgery" and sentenced to four year's Imprisonment with hard labor in irons.—

2. Before finally disposing of this Petition, the Court of Foujdaree Udalut resolve to call upon the Sessions Judge to explain whether it has been satisfactorily shown that the individual named Senabaganadien, mentioned in the Collector's Takeed of the 2d January 1835, as having died in 1834 was the identical person to whom the prisoner declared in his answer in Original Suit No. 710 of 1845 in

F. 46.

19th March 1849.

on the file of the District Moonsiff of Peroopooragoondum that he had paid paddy in liquidation of the amount sued for, up to March 1842.

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

(Sent following Receipt No.)

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

Read Miscellaneous Petition presented on the 26th February 1849 by T. Appiah Vakeel on behalf of G. Venkajeerow Pantloo of Zillah Rajahmundry.

(Here enter F. Mis. P. No. 46 of 1849).

1. This is a counter Petition to that presented on the 15th January last on behalf of G. Annajee Row appealing from an order of the Sessions Judge of Rajahmundry referring him to the institution of a Civil Suit to recover possession of his own claimed by the present Petitioner by right of adoption.—

2. The Court of Foujdaree Udalut observe that the order of the Sessions Judge above referred to has been reversed by this Court in their

proceedings

19th March 1869.

proceedings of the 5th Instant, and they see nothing in this Petition which would induce them to modify the view of the case upon which the orders contained in those proceedings are founded.-

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

Endd. H.

lyk

J. M.

Tuesday.

20th March 1849

At a Court of the Sajdaree Adalat

Present

G. A. Hooper Esqr. ——— 1st Puisne Judge

C. P. Thompson Esqr. ——— 2nd Puisne Judge

H. G. Woodcock Esqr. ——— 3rd Puisne Judge

Read the Calendar of Case No 15 of 1849 of the Supreme Court of Adelaide

(Here take Doc. No 39 of 1849.)

The Prisoner in this case was convicted of Forgery by the late Abolition, and sentenced to four years' Imprisonment with certain labor.

The Court of Sajdaree Adalat resolve to call upon the Superintendent to state whether in his opinion the case of this prisoner must be attended by a mitigated punishment of one years Imprisonment: and should he deem such mitigated sentence adequate, he will have the goodness

to

to reduce the sentence accordingly, under the discretion vested in him by Section XXXIX Regulation XII of 1802.-

3 But should the Sessions Judge not be able to take that view of the case, he will be pleased to submit without delay with reference to Act XIX of 1848. an English Translation of the Record.,

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

/Sent following precept No /

Read Calendar of case No 8 of 1849 in the file of the Sessions Court of Cuddapah

/Here take file No 531 of 1849/

The Court of Foujdaree Adalat approve of the recommendation made by the Sessions Judge in this case that

that the period of Imprisonment awarded to the prisoner who has been convicted of "perjury" and sentenced to four years' imprisonment with hard labor in irons be reduced to three years; and do 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.-

Read Calendar of case No 3 of 1849 in the file of the Sessions Court of Rajahmundry.-

/Here take file No 532 of 1849/

The Court of Foujdaree Adalat observe that the designation of the officer of the police or magistracy by whom the cases tried by the Courts of Sessions may have been committed should be invariably entered in the Calendars

Ordered that Extract from

20th March 1849.

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

(Sent in Ct. /

Rajahmundry Criminal Reports forwarded by the Sessions Judge of Madura for the Month of January 1849.

(Here take Fee Ct. 538 of 1849.)

Read also return under date the 3d March 1849 from the Sessions Judge of Madura to the receipt of the Tongadavee Adalut dated the 2d March 1849. conveying their orders on the foregoing Criminal reports.

(Here take Fee Ct. 569 of 1849.)

Read also letter under date the 16th March 1849 from the same office.

(Here take Fee Ct. 576. of 1849.)

Ordered that be heard from the foregoing letter that the fees awarded to the prosecutor in case Ct. 5 of 1849 on the file of the Criminal Court has been paid to the prosecutor.

20th March 1849 prisoner released the Court of Tongadavee Adalut resolve to revoke their order for the transmission of the case to the Magistrate for retrial.

Adverting to the remark recorded by the Sessions Judge in his return that the Criminal Court was incompetent to dispose of the case referred to under the provisions of Section XII Regulation X of 1816. the offence charged being in violation of Mahomedan Law the Court of Tongadavee Adalut observe that the provisions of the Mahomedan Law can only be acted on in those cases in which no specific punishment has been provided in the Regulations for the offence charged.

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

(Sent in Ct. /

Rajahmundry Criminal Reports

20th March 1849.

Reports submitted by the Sessions Judge of Salem for the Month of September 1848.

(Here Enter No. No. 2261 of 1848.)

Read also return under date the 2d November 1848 from the Sessions Judge of Salem to the precedt of the Foujdaree Adalut dated the 28 October 1848 calling for information with preference to certain cases entered in the foregoing Criminal Reports

(Here Enter Nos 2627 of 1848.)

Case No 131

In explanation of the designation applied to the offence charged against the prisoner in this case the Subordinate Judge in a letter addressed to the Sessions Judge which accompanies the foregoing return adverts to the proceedings of the Foujdaree Adalut dated the 26 July 1845 held upon a review of the Criminal Reports of

20th March 1849

of Salem for the Month of June of that year with reference to which he states that cases of the nature of that under notice have hitherto been disposed of as cases of House-breaking.

2. On referring to the proceedings quoted by the Subordinate Judge the Court of Foujdaree Adalut observe that the instructions therein contained are inapplicable to the case under notice.

3. In the case upon which those orders were passed it appears that the prisoner effected an entry into the House, in which he committed the theft charged against him, by climbing over the wall of the House, whereas in the present case the entry was effected by climbing over the outside hedge of the compound and entering the house through the open door.

4. The Court of Foujdaree Adalut observe that the registration of records from the Individuals referred to in the proceedings

20th March 1849

the Foujdaree Adalut of the 20th Ultimo was with the exception of the single instance of "Todda Guevan" altogether illegal; the requisition being founded entirely on the suspicion which was considered to attach to them of having committed the specific crime with which they were charged and with the exception of the case of Todda Guevan the periods for which they were committed being in excess of that which the Magistracy are authorized to award under the enhanced powers vested in them by Section III Act VII of 1843.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Salem for communication of paras 1, 2, and 3 to the Salem Principal Sudr Amen and of para 4 to the Magistrate for the information and future guidance of those officers.

(Contd. pr Sr 1-5

End 1st

GJH

Wednesday,
21st March, 1849

F.B.

At a Court of the Foujdaree Adalut.

Present

GJH G. J. Hooker Esqre ——— 1st Puisne Judge,
CPT C. P. Thompson Esqre ——— 2d Puisne Judge
WAM W. A. Morehead Esqre ——— 3d Puisne Judge

Read letter dated the 13th Instant from the Sessions Judge of Mangalore, submitting for the final Judgment of the Foujdaree Adalut the record of Case No 7 of the Calendar of the Sessions Court

(Here Enter Sr No 615 of 1849)

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,

"Mainay"

is sufficient to connect him of the Crime of wounding with intent to kill, for which, according to Futwas of their Law Officers, Discretionary Punishment is awardable under the Mahommedan Law, do convict him thereof, and in conformity with the Provisions of Clause third Section VII

And

and Clause third Section VIII Regulation XV of 1803,
and Section XXXIV Act VII of 1843, sentence him to
be banished to the District of Bellary, 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 (14) fourteen years.-

(Sent following letter No. 264

Read Calendar of Case No 10 of 1849
submitted by the Sessions Judge of Rajahmundry under
date the 8th Instant.-

(Here Enter F.R No 593 of 1849)

Read Calendar of Case No 7 of 1849
submitted by the Sessions Judge of Coimbatore under
date the 29th January 1849.-

(Here Enter F.R No 594 of 1849)

Read letter dated the 13th Instant
from the Sessions Judge of Guntoor forwarding
Criminal Reports for the months of February 1849.-

(Here Enter F.R No 598 of 1849)

Read Calendar of Case No 12 of 1849
submitted by the Sessions Judge of Rajahmundry
under date the 12th Instant.-

(Here Enter F.R No 599 of 1849)

Read Criminal Reports B dated the
14th

14th Instant submitted by the Sessions Judge of
Bellary for the Month of February 1849.-

(Here Enter F.R No 603 of 1849)

Read letter dated the 14th Instant
from the Sessions Judge of Cuttack submitting the
Report B and other usual statements received from
the Subordinate Criminal Judge for the month
of February 1849 and also copy of case No 25 of 1849
in the Report in the form A which called for
remarks and orders.-

(Here Enter F.R No 605 of 1849)

Read Criminal Reports dated the
15th Instant submitted by the Sessions Judge
of Cuddapah for the month of February 1849.-

(Here Enter F.R No 609 of 1849)

Read Criminal Reports dated the
15th Instant submitted by the Sessions Judge of
Chingleput for the month of February 1849.-

(Here Enter F.R No 610 of 1849)

Read Calendar of Case No 5 of 1849
submitted by the Sessions Judge of Chingleput
under date the 12th Instant.-

(Here Enter F.R No 611 of 1849)

Read letter dated the 16th Instant
from

21st March 1849.

from the Session Judge of Chingleput informing the transfer of a sick convict named Bonalla Maude-gandoo to the Zillah of Masulipatam.-

(Here Enter F.R. No 614 of 1849)

Read Calendar of Case No 15 of 1849 submitted by the Session Judge of Cuddapah under date the 16th Instant.-

(Here Enter F.R. No 616 of 1849)

Read Calendar of Case No 13 of 1849 submitted by the Acting Session Judge of Coimbatore under date the 3d Instant.-

(Here Enter F.R. No 619 of 1849)

Read Return dated the 12th Instant from the Subordinate Judge in charge of Calicut to the precept of the Foujdaree Adalut under date the 5th March 1849 reducing the period for which Security was demanded in Case No 1 of 1849 of the Magistrate's Report B for January last to 6 months.

(Here Enter F.R. No 622 of 1849)

Ent'd [illegible]

F. C.

Thursday, 22d March, 1849.

At a Court of the Foujdaree Adalut.

Present,

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

Read Calendar of Case No 5 of 1849 on the file of the Session Court of Tellicherry.-

(Here enter F.R. No 526 of 1849.)-

The Court of Foujdaree Adalut not approving of the recommendation made by the Sessions Judge in this case that the period of Imprisonment awarded to the prisoner who has been convicted of "House breaking" and sentenced to seven years Imprisonment with hard labor in irons, be reduced to two years and a half, and the Court authorize the Sessions Judge to issue his warrant accordingly.

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

(Sent an No 267)

Read

22nd March 1849.

Read Calendar of Case
№10 of 1849 on the file of the Session Court
of Combaconum -

(Here enter J.U. №570 of 1849)

1. The prisoner in this case
being an old offender, the Court of Foy-
dare Adalut do not approve of the recom-
mendation made by the Session Judge
that the sentence awarded to him should
be reduced to three years Imprisonment
with hard labor in irons. -

2. The Court direct that the
period of Imprisonment awarded be re-
duced to five years. -

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

(Sent in № 268)

Read Calendar of Case
№12 of 1849 on the file of the Session Court
of Combatore.

(Here enter J.U. № 541 of 1849)

1. In this case the prisoner
has been convicted of Highway Robbery

22nd March 1849

and sentenced to 14 years Imprisonment
with hard labor in irons, the Session judge
recommending that the period of Imprison-
ment, be reduced to eight years. -

2. Under all the circumstan-
ces of the case the Court of Foydaree Adal-
lut, consider that a sentence of four years Imprio-
nment will be sufficient to meet the
demands of justice, and they direct that
the sentence passed be reduced accord-
ingly.

Ordered that Extract from
these proceedings be forwarded to the
Acting Session Judge of Combatore for
his information.

(Sent in № 269)

Read Calendar of Case
№8 of 1849 on the file of the Session Court
of Mangalore -

(Here enter J.U. № 548 of 1849)

The Court of Foydaree Adal-
lut 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 "House breaking

22d March 1849

"Housebreaking and Theft" be reduced to five years, and they authorize the Sessions Judge to issue his warrant accordingly.

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

Sent in Rs. 270

Read Calendar of Case No 13 of 1849 on the file of the Sessions Court of Chittoor.

(Henvente F. U. No 330 of 1849.)

1. The Court of Foujdaree Udalut do not approve of the recommendation made by the Sessions Judge in this case that the period of Imprisonment awarded to the prisoner who has been convicted of House breaking and theft, and has been sentenced to seven years Imprisonment with hard labor in irons should be reduced to four years.

2. Under the circumstances of the case, and especially adverting to the fact that the prisoner was employed as a peon in charge of the Treasury which he has been convicted of having robbed, the

F. U.

22d March 1849 the Court of Foujdaree Udalut consider that any sentence short of six years Imprisonment would be insufficient to meet the demands of justice.

To this extent however the

3. Court of Foujdaree Udalut direct that the period of Imprisonment awarded be reduced.-

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

Sent in Rs. 277

Ent. HH.

F. U.

Friday
23d March 1849

At a Court of the Foujdaree Adalut
Present,

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

Read again Criminal
Reports submitted by the Sessions Judge of
Trichinopoly for the month of January 1849.
(Vide order F. U. No 121 of 1849)

Read also return under date
the 10th Instant, from the Sessions Judge of
Trichinopoly.
(Vide order F. U. No 379.)

Under the explanation fur-
nished in the foregoing return the Court
of Foujdaree Adalut observe that the case
Case No 125. noted in the margin was correctly dis-
posed of, the offence charged having a
"theft" and not a case of "snatching" as
owing to the wording of the charge the
Court were led to infer.

Ordered that Extract from
these

23rd March 1849.

these proceedings be forwarded to the Sessions Judge of Trichinopoly for his information and guidance.

(Sent in No. 275)

Read Calendar of Case No. 8 of 1849 on the file of the Sessions Court of Nellore.

(Here enter T.U. No. 591 of 1849)

1. The Court of Foujdaree Adawlut are of opinion that a sentence of Imprisonment with hard labor in irons for the period of one year will be sufficient to meet the demands of justice in this case, in which the prisoner has been convicted of the offence of Culpable Homicide.

2. And the Court accordingly direct that the Sessions Judge will issue his warrant for the Imprisonment of the prisoner for that period.

3. The Court observe that in all cases in which the Sessions Judge should deem it proper to recommend a mitigation of the punishment prescribed by Law he should state specifically the sentence which he considers should be adjudged.-

Ordered

23rd March 1849.

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

Sent in No. 276

Read Calendar of Case No. 13 of 1849 on the file of the Sessions Court of Cuddapah.

(Here enter T.U. No. 592 of 1849)

The Court of Foujdaree Adawlut

1. are of opinion that the recommendation made by the Sessions Judge in this Case that 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.

2. And the Court authorize the Sessions Judge to issue his warrant accordingly.

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

(Sent in No. 277)

End 44

Saturday
24th March 1849.

F. 96

At a Court of the Fougdares Edalat

Present:

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

Read again Criminal Reports of the Sessions Court of Cumbracumma for January 1849 (Hereunto Fls. Nº 420 of 1849)

Read also Return dated 12th March 1849 made by the Sessions Judge of Cumbracumma to the Precept of the Fougdares Edalat dated 7th March 1849 directing that officer to review the Proceedings in Case Nº 2 on the Magistrates Report B (Hereunto Fls. Nº 582 of 1849)

The Court of Fougdares Edalat do not consider the additional reasons now assigned by the Sessions Judge sufficient to justify the severity of the sentence recorded against the Prisoner in this case and being of opinion that the imprisonment he has already undergone is adequate punishment for his crime, the Court resolve to direct that the Prisoner be immediately set at liberty.

Ordered

24th March 1849.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Coimbatoore for his information and guidance by Precept returnable within III days from and after its receipt.

(Sent following Precept No. 279

Read Calendar of Case No 2 of 1849 on the file of the Sessions Court of Tellicherry.

(Seventeen Fo. No 580 of 1849)

1. Two prisoners in this case have been convicted of "uttering Counterfeit coin" and have been sentenced the 1st to Imprisonment with hard labor in irons for the period of three years, and the 2nd to Imprisonment with labor suitable to her sex for two years under Clause first Section VI Regulation XI of 1822.

2. The sentences awarded in this case appear to the Court of Foujdaree Adalut to be unnecessarily severe; and they accordingly authorize the Sessions Judge to reduce the period of Imprisonment awarded to one year, unless that officer has reason to consider that any mitigation of the punishment adjudged would be calculated to defeat the ends of justice in which case he will submit an English Translation of the Record

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

24th March 1849.

for his information and guidance by Precept returnable within V days from and after its receipt.

(Sent following Precept No 280.

Read Criminal Reports submitted by the Subordinate Judge in charge of the Sessions Court of Calicut for the month of February 1849.

(Seventeen Fo. No 574 of 1849)

Magistrate's Report B.
Case No 3 of 1849.

1. In this case four prisoners were charged with "Arson" and the 1st Prisoner has been ordered by the Head Assistant Magistrate to produce two securities in Rupees 25 each for his good behaviour and appearance when required for the period of one year, or in default to be imprisoned for that period under Clause first Section IV Regulation XI of 1822 the other prisoners having been unconditionally released.

2. The Court of Foujdaree Adalut observe that the requisition of security under which the 1st prisoner in this case has been placed is illegal, the Head Assistant Magistrate not being competent to dispose of the offence with which the prisoners were charged.

3. If that officer considered that strong suspicion attached to the prisoner in question of having committed the offences liable to his charge, it was his duty to commit the prisoner to the Sessions

Court

Mon. 24th March 1849.

Court under Clause second Section XXIV Regulation IX of 1816.

4. The Court of Foujdaree Udalut direct that the requisition of security in this case be annulled.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Calicut for his information and for communication to the Magistrate of Malabar for the information and future guidance of the Head Assistant Magistrate by receipt returnable within V. days from and after its receipt.

(Sent following Receipt No 281)

Read Letter dated the 8th Instant from the Sessions Judge of Trichinopoly, forwarding with reference to this Court's letter of the 24th February 1849 and to the first that Mr. C. J. Bird was sworn in as Joint Magistrate of that District and also to the proceedings of the Foujdaree Udalut under date 19th December 1848, copies of two letters from the Magistrate both dated 6th Instant, and requesting instructions of the Judges for his guidance on the present occasion in future.

(Reverter F. Vol. No 561 of 1849)

Read Calendar of Cases No 14 of 1849 submitted by the Acting Sessions Judge of Coimbatore under date the 5th Instant.

(Reverter F. Vol. No 572 of 1849)

End 7th.

F. Vol.

Monday 26th March 1849.

At a Court of the Foujdaree Udalut.

Present:

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

Read Miscellaneous Petition presented on the 18th December 1848 by P. Appiah Yakel on behalf of C. Nanomauloo of Zillah Rajahmundry.

(Reverter Petn. P. No 324 of 1848)

This is an application for the payment to the Petitioner of Batta for the period he served as a Juror on certain trials held before the Sessions Court of Rajahmundry.

2. The Petitioner quotes the provisions of Section XII Regulation X of 1827 in support of the claim advanced by him.

3. The Court of Foujdaree Udalut observe that the request preferred by the Petitioner cannot be complied with, the trials to which he was sworn having been conducted under the provisions of Act XI of 1843 and not under Regulation X of 1827 as the Petitioner

Petitioner would appear to infer -

4.

The authority required by Clause first Section II of Regulation X of 1829 to avail himself of the provisions of that enactment has not been granted to the Sessions Judge of Rajahmundry.

Ordered that Extract from these proceedings be furnished to the Petitioner's Vakeel on his application -

Read Miscellaneous Petition presented on the 26th February 1849 by Arcapillay of Zillah Salem

/ Received F. M. P. No 47 of 1849 /

1.

This is an application to the Court to set aside a sentence of seven years Imprisonment with hard labor in irons awarded to the Petitioner a convict prisoner in Case No 2 of 1849 on the file of the Sessions Court of Chingleput on his conviction of the offence of receiving property knowing it to have been acquired by 'Robbery by open violence'

2.

The Court of Foujdaree Udalut do nothing in this Petition which would induce them to question the propriety of the sentence of which the Petitioner complains and they accordingly resolve to dismiss this Petition -

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

Read

Read Miscellaneous Petition presented on the 19th February 1849 by Veerasawmy of Zillah Masulipatam.

/ Received F. M. P. No 44 of 1849 /

The Petitioner is referred to the orders of the Court under date the 5th Ultimo refusing to interfere with the Sentence of which in this Petition he complains -

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

Read Letter dated the 6th Instant from the Sessions Judge of Tinnevelly submitting for the final Judgment of the Foujdaree Udalut the Record of Case No 9 of 1849 of the Sessions Court -

/ Received F. M. P. No 649 of 1849 /

Mr. W. B. 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 -

"Loobhak"

is sufficient to convict him of the Crime of Wounding; for which according to the Mahommedan Law as declared in Futwas of their Law Officers, discretionary punishment

is

26th March 1849.

is awardable, do convict him thereof, and under the provisions of Annas third Section VII Regulation XV of 1816 sentence him to be imprisoned and kept to hard labour in irons on the public roads or other public works for the period of (2) Two years.

(Sent following Letter No /

Read Calendar of Cases No 13 of 1849 of the Sessions Court of Rajahmundry.

/ Inwards No 618 of 1849 /

1. The Court of Foujdaree Adawlut being of opinion that the sentence recorded against the Prisoners in this case may with propriety be mitigated to a still further extent than that recommended by the Sessions Judge, resolve to direct that the term of their imprisonment be reduced to one year.

2 The Sessions Judge will be pleased to issue his Warrant in accordance with the foregoing resolutions.

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

(Sent in No /

Read Calendar of Cases No 15 of 1849 of the Sessions Court of Nellore.

/ Inwards No 619 of 1849 /

Adverting

P. 16.

26th March 1849

Adverting to the observations recorded in the 2d para: of the Sessions Judge's remarks on this case, the Court of Foujdaree Adawlut have that the Heading of the Statement of charge should have been amended, and sentence passed upon the Prisoner under Annas fourth Section II Regulation VII of 1822

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

(Sent in No /

The Vakeel for Ramalaswamy on behalf of Appatooreegan of Vakumpolly moves the Court to return the exhibits in Miscellaneous Petitions No 536 of 1848 and 301 of 1847

Ordered accordingly.

Read Criminal Reports B for the month of February 1849 submitted by the Sessions Judge of Combaconum under date the 12th Instant.

/ Inwards No 620 of 1849 /

Read Criminal Reports A & B for the month of March 1849 submitted by the Sessions Judge of Masulipatam under date the 15th Instant.

/ Inwards No 642 of 1849 /

Read

26th March 1849.

Read Calendar of Case No 95 of 1849 submitted by the Assistant Judge of Tellicherry under date the 23rd Instant

(Received P.No 1248 of 1849)

Read Report dated the 9th Instant from the Magistrate of Chingleput of persons apprehended in the Zillah of Chingleput and delivered to the Criminal Judge in the month of February 1849.

(Received P.No 1251 of 1849)

Read letter dated the 20th Instant from the Acting Assistant Judge of Calicut to the Secretary of the Punishment Board under date the 15th Instant requiring him to state whether the Petty Calendars disposed of by the Magistrates have been duly submitted to the Assistant Courts for the 3rd Quarter of 1848

(Received P.No 1258 of 1849)

Read Calendar of Case No 263 of 1848 submitted by the Assistant Judge of Cuddapah under date the 20th Instant.

(Received P.No 1260 of 1849)

Read Letter dated the 20th Instant from the Subordinate Judge of Combaconum reporting the transfer of 5 Civil Suits to the Judge of Negapatam for want of

(Received P.No 1262 of 1849)

26th March 1849

26th March

Tuesday
27th March 1849.

P.96

At a Court of the Panjdarra Malakat

Present

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

Read Extract from the Proceedings of the Assistant Judge of Batalapah under date the 19th February 1849. applying for donations for the distribution of Rewards to the Village Moorajah and his supporters who repulsed a Gang of Robbers at Yaroowagingunhully in the Doroor Talook.

(Here enter P.Pb. No 443 of 1849)

Read also Extract from the Minutes of Consultation in the Judicial Department under date the 13th March 1849. No 378. communicating the sanction of Government for the disbursement of the sum of Rupees (300) eight hundred as Rewards to the parties who opposed an Gang of Robbers in the manner reported in the Letter from the Register of the Panjdarra Malakat of the 7th instant.

(Here enter P.Pb. No 565 of 1849)

The Court of Panjdarra Malakat do

27th March 1849

that a copy of the Extract from the Minutes of Consultation above recorded, be sent to the Assistant Judge of Cuddalapah, with instructions to communicate the same to the Magistrate who will be pleased, with as little delay, as possible, to call the parties before himself, and publicly confer upon them the several rewards suggested in his Letter to the Assistant Judges of the 16th February 1849 and likewise bestow upon each of them a suitable cloth in the name of the Government intimating to them, at the same time, the high approbation with which their conduct on the occasion in question has been viewed by the Government

2. The Magistrate of Cuddalapah will also be pleased to cause a Proclamation to be issued in the Language of the District, on account of the Services rendered by the Parties above referred to, and of the Rewards conferred on them, to be prepared and published throughout the District of Cuddalapah.

3. The Court further direct that a copy of the Letter from this Court to Government under date the 7th instant and of the Minutes of Consultation in reply thereto, be sent to the Acting Magistrate of Bellary with instructions to convey satisfaction to

to

27th March 1849.

the Parties in question for the Services rendered by them on the occasion referred to in the Letter from this Court to Government under date the 7th instant, and to intimate to them that the Court have recommended to Government that they be rewarded with a Cloth each.

4. The Court further direct that a Proclamation be prepared in the Language of the District, setting forth the Services rendered by the Parties in question and the Rewards conferred by Government upon them and to take measures for giving the utmost possible publicity to the same throughout the District.

Ordered that Extract from the proceedings (paras 1 and 2) be forwarded to the Assistant Judge of Cuddalapah by Parcels Returnable within Six weeks from and after its receipt.

Cloth following Parcels No 289

Ordered also that Extract from the proceedings (para 3) be forwarded to the Acting Magistrate of Bellary by Parcels returnable within Six weeks from and after its receipt

Cloth following Parcels No 290

Read Criminal Reports submitted by the Acting Assistant Judge of Cuddalapah for the month of February 1849.

(Vide order Dated No 595 of 1849)

Report &c Para 3rd

1. The Court of Sudder Adawlut observe that under the rule laid down in Circular Order No 153 the case should have been committed for trial to the Court of Session, the person having been committed to that Court on another case in

which he

4th March 1849.

which he was charged with a more grave offence.—

2. The Acting Sessions Judge will now be pleased to order the commitment of this case under the Circular Order above quoted.—

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

(Entered No 291)

Read letter under date the 12th March 1849 from the Sessions Judge of Trichinopoly.

(Here enter P.R. No 59 of 1849)

The Sessions Judge requests instructions in regard to the disposal of a Criminal Case tried by the Moosly Sudder Ameen in which he considers the prisoner charged to have been improperly released by that officer.—

2. The Court of Foujdaree Adawlut observe that under the provisions of Section XXIII Act VII of 1843 the Sessions Judge is competent to annul judgments passed by the Sudder Ameen in Criminal Cases wherein he sees fit.—

3. The Court of Foujdaree Adawlut observe that the Criminal Judges are to have reference to the enactments of Act VII of 1843 the revision of Criminal

P.R.

27th March 1849.

Criminal Sentences passed by the Sudder Ameen vested, had power to enhance such sentences, but that it should be exercised rarely and with discretion.—

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

(Entered No 292)

Read Criminal Reports submitted by the Sessions Judge of Masulipatam for the month of February 1849.

(Here enter P.R. No 60 of 1849)

The Court of Foujdaree Adawlut observe that the Sessions Judge was directed under date the 9th January last to proceed in person to the villages in which one of the instances in the case noted in the margin resided and there to hold a Court for his examination in order to the disposal of the case.

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

(Entered No 293)

Read Criminal Reports of the Sessions Courts of Nellore for February 1849

(Here enter P.R. No 59 of 1849)

Case No 56 of 1849.

L

27th March 1849.

Report B
Case N°78.

1

In this case the Prisoner was charged with Housebreaking and Theft, and has been sentenced by the Mahomedan Cheddee Nuwis to three months imprisonment with hard labor on shore under Section VII Regulation X of 1816.

2

The Court of Sudder Adawlut observe that the Regulation cited by the Moofty was not applicable to the punishment of this case, the Prisoner having been convicted of "Housebreaking" should have been sentenced under clause fourth Section II Regulation VI of 1822.

3.

The Court further observe the want of the remarks elicited from the Sessions Judge on receipt of the Criminal Reports and of the unimportant nature of those recorded in the Proceedings of that Court under date 2nd and 3rd March instant Nos 39, 40 and 41, it is not necessary that such remarks should be submitted for the consideration of the Court of Sudder Adawlut in Report A.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Malabar for his information and for communication to the Moofty and for observance in the future by that officer.

(A true Copy No 394)

27th March 1849.

Read Criminal Reports submitted by the Sessions Judge of Mangalore for the month of February 1849.

(Have written P.C. No 845 of 1849)

Cases Nos 24, 25, 27

1

The Court of Sudder Adawlut observe that a copy of the proceedings held by the Sessions Judge on the cases noted in the margin have not been transmitted with these reports.

2

This omission the Sessions Judge will be pointed to shortly.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Mangalore by precept returnable within 15 days from and after its receipt.

(Sent following Precept No 295)

Read Criminal Reports submitted by the Acting Sessions Judge of Cuddalore for the month of February 1849.

(Have written P.C. No 803 of 1849)

Report B
Case N°78

1.

The Court of Sudder Adawlut consider the sentence passed on the accused in the 1st paragraph has been sentenced to two years Imprisonment with hard labor in irons for having stolen a bag of Pot valued at Rupees 2 8. to be unnecessarily severe

27th March 1849

severe, and they resolve to direct that it be reduced to one years Imprisonment.

Case No 20. 2. The Court of Puysdaen Oraluk desire to be informed of the age of the prisoner in this case and of what offence she has been formerly convicted.

Magistrates Calendar Case No 31. 3. The Court of Puysdaen Oraluk direct that the Stripes awarded to the prisoner in this case be remitted, the Court being of opinion that the Sentence of Imprisonment to which he has been adjudged will be sufficient to meet the demands of justice.

4. The Court observe that the manner in which the Prisoner effected his entrance into the Prosecutors House should have been stated.

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Cuddalore by Peon Post to return the Witness's days from and after its receipt.

(Sent following Peon Post No 296 F

Ext Wh

Wednesday 28th March 1849

F. C.

At a Court of the Puysdaen Oraluk

Present

G. S. Hooper Esqr — 1st Puisne Judge
E. P. Thompson Esqr — 2d Puisne Judge
W. T. Morehead Esqr — 3d Puisne Judge

Read Criminal Reports submitted by the Acting Sessions Judge of Salem for the month of February 1849.

(Vide enter F. C. No 601 of 1849)

Report A Case No 17. 1. The Court of Puysdaen Oraluk observe that the Acting Sessions Judge refers to Clause 2nd Section II Regulation VII of 1822, and not to Clause 2nd Section V of that enactment, which it is observed is erroneously quoted in pursuit of the proceedings of the Sessions Court, held under date the 14th February upon the Case noted in the Margin.

Report B Case No 24. 2. Adverting to the previous commitment of the prisoner in this Case, the Court of Puysdaen Oraluk observe that the case would have been more properly disposed of by the commitment of the prisoner for trial before the Court of Sessions, under the provisions of Clause third Section IV Regulation V of 1822.

Cases No 27, 29. 3. Referring to the

apparent in the severity of the sentences awarded in these cases, in which the offences charged appear to be of a similar nature, the Court of Foujdaree Adalut resolve to direct that the Acting Sessions Judge will review the records, and pass such orders thereon as may appear to him to be required.—

4 The sentence awarded in Case 27 appears to the Court of Foujdaree Adalut to be exceedingly severe with reference to the amount of property which the prisoner was charged with having stolen; and the Court doubt the sufficiency of the evidence, as recorded in Report A, upon which the conviction in Case No. 29 is based.—

Ordered that Extract from these Proceedings be sent to the Acting Sessions Judge of Salem for his information and guidance and for Communication to the Acting Subordinate Judge, by Precept returnable within X days from and after its receipt.—

(Sent following Precept No. 297).

Read Calendar in Case No. 16 of 1849 submitted by the Acting Sessions Judge of Coimbatore under date the 10th instant.—

(Here enter F. C. No. 623 of 1849)

Read Calendar in Case No. 3 of 1849 submitted by the Acting Sessions Judge of Salem under date the 7th instant.—

(Here enter F. C. No. 624 of 1849)

Read

28th. March 1849.

Read Criminal Reports dated the 1st. instant submitted by the Sessions Judge of Tinnevelly for the month of February 1849.—

(Here enter F. C. No. 626 of 1849).

Read Criminal Reports dated the 15th. instant submitted by the Sessions Judge of Trichinopoly for the months of February 1849.—

(Here enter F. C. No. 627 of 1849).

Read report A dated the 13th. instant submitted by the Sessions Judge of Tellicherry of cases disposed of by the Principal Sudr. Ameen of Tellicherry in the months of February 1849.—

(Here enter F. C. No. 628 of 1849).

Read Criminal Reports dated the 15th. instant, submitted by the Sessions Judge of Madura for the month of February 1849.—

(Here enter F. C. No. 629 of 1849).

Read letter dated the 17th. instant from the Acting Subordinate Judge of Salem, submitting Descriptive Rolls of 97 Convicts sent to the Joint Magistrate at St. Thomas' Mount.—

(Here enter F. C. No. 630 of 1849).

Read Calendar in Case No. 4 of 1849 submitted by the Sessions Judge of Tellicherry under date the 12th. Ultimo.—

(Here enter F. C. No. 635 of 1849).

Read

7th March 1849.

Read Criminal Reports Nos. dated the 16th instant submitted by the Agent to the Governor of Fort St. George at Kurnool for the month of January (Supplemental) and February 1849.

(Here enter F. 86. No. 636 of 1849).

Read letter dated the 12th instant, from the Agent to the Governor of Fort St. George in Ganjam, submitting Criminal Report No. 2 of the Agents Court together with the Reports B from his assistants for last month.

(Here enter F. 86. No. 637 of 1849).

Read report dated the 15th instant, submitted by the Agent to the Governor of Fort St. George at Vizagapatam, of Persons apprehended in the Separate Tracts of Vizagapatam and delivered to the Agency in the month of February 1849.

(Here enter F. 86. No. 638 of 1849).

F. 87.

F. C.

Thursday 29th March 1849. } At a Court of the Fouzdaree Adalut.

Present.

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

Read letter dated 20th Instant from the Session Judge of Masulipatam submitting for the final Sentence of Fouzdaree Adalut the Proceedings in Case No 7 of 1849.

(Here Enter F. C. No. 689)

Mr. E. P. Thompson and Mr. W. A. Morehead

The Court of Fouzdaree Adalut, on a deliberate consideration of all the circumstances of the Case in evidence before them, being of opinion that the proof against the Prisoner "Gogoo Ramaswamy" 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 300)

Read

29th March 1849.

Read return dated 26th January 1849 from the Session Judge of Bonoo to the Precept of the Foujdaree Adalut under date the 19th January 1849, directing that the term of imprisonment awarded to the 1st Prisoner in Case No. 25 on the Calendar of the Session Court for 1848 be reduced to three years, and that the Warrant be amended accordingly.

/ Here Enter F. H. No. 301 of 1849 /

Read Memorandum dated 20th March 1849 submitted by the Session Judge of Tumsuelly Requesting that the Magistrate's Monthly Reports herewith submitted may be appended to the Criminal Reports of this Zillah for the month of February 1849.

/ Here Enter F. H. No. 674 of 1849 / S

Ent. H.H.

F. M.

Monday 2nd April 1849. At a Court of the Foujdaree Udalut.

Present

W.K. C.S. Hooper Esqr. 1st Puisne Judge.
E.P. E.L. Thompson Esqr. 2d Puisne Judge.
W.H. W.A. Morehead Esqr. 3d Puisne Judge.

Read Miscellaneous Petition presented on the 30th October 1848 by Carroopayya of Zillah Salem.

(Here enter F.M.P. No 292 of 1848.)

1. This is an application for the interference of the Court of Foujdaree Udalut to reverse the Sentence awarded to the prisoner in Case No 131 of 1848 on the file of the Subordinate Court of Salem, who has been Sentenced to 18 months imprisonment with hard labor in irons upon his conviction on a charge of "theft."

2. The Court of Foujdaree Udalut see no reason to question the propriety of the Sentence of which the Petitioner complains, and they accordingly resolve to dismiss the Petition.

Ordered that Extract from these proceedings be furnished to the Petitioner on her application.

Read

2d April 1849.—

Read Miscellaneous Petition presented on the 5th March 1849 by Annavinga of Zillah Cuddalore.—

(Here enter P.M. P. No 52 of 1849.)

1. This is an application for the reversal of the sentence awarded to the prisoner in Case No 38 of 1844 on the file of the Sessions Court of Cuddalore.—

2. The Court of Foujdaree Adalut observe that a period of nearly five years has elapsed since the sentence was passed of which the Petitioner complains, and the Court have refused on two former occasions to disturb that sentence on the ground that it was just.—

3. 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 Petitions presented on the 12th March 1849 by D. Mahant Row of Zillah Cuddapah.—

(Here enter P.M. P. Nos 55 and 57 of 1849.)

1. In the former of the foregoing Petitions

2d April 1849.

Petitioner the Petitioner appeals from an order passed by the Sessions Judge of Cuddapah under date the 17th February 1849 refusing to grant him copies of the proceedings held in the matter of a charge of conspiracy preferred against him, in which certain warrants were issued for his apprehension by the Magisterial authorities of Cuddapah.—

2. The Petitioner submits to Petitions presented by him to the Sessions Court to the Magistrate and to the Acting Head Assistant Magistrate applying for copies of the proceedings referred to together with the endorsements of those Officers refusing to comply with his request, and he prays the Court of Foujdaree Adalut to direct that he may be furnished with the documents to which he refers in order that he may be enabled to rebut the charges preferred against him in consequence of which he states that he "has been declared by the Court of Foujdaree Adalut to be unfit for public employment."—

3. In the latter Petition the Petitioner complains of certain irregularities which

which he alleges to have been committed by the Magistrate of Cuddapah in the conduct of an investigation instituted by him in regard to a Petition forwarded to Government from certain Ryots of the Chennoor Talook.-

4. The Court of Foujdaree Udalut observe that no orders have been passed by the Court of the nature of those to which the Petitioner in the former of the foregoing Petitions refers; the orders prohibiting the future employment of the Petitioner having been passed by the Right Honorable the Governor in Council on consideration of the report submitted by the Court of Foujdaree Udalut with reference to the proceedings of the Magistrate of Cuddapah in the matter above adverted to.-

5. The Court of Foujdaree Udalut accordingly decline to order that the Petitioner should be supplied with copies of the proceedings for which he applies.-

6. The Court of Foujdaree Udalut observe that the result of the investigation in the matter of the Petition addressed to Government, by certain Ryots of the Chennoor Talook has been reported to Government and pronounced on &c &c &c &c &c by the Right Honorable the Governor

Governor in Council to be satisfactory.-

7. The Court accordingly resolve to dismiss these Petitions, the enclosures of which will be returned to the Petitioner.-

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

Read again Calendar of Case No. 54 of 1848 on the file of the Sessions Court of Coimbatore.-

(Here enter F. M. No. 372 of 1849.)

Read also Miscellaneous Petitions forwarded by the Acting Sessions Judge of Coimbatore from Vunniyan, Maneer & Poondeyan Appagounden and Palany Valen 1st, 2nd, 3d and 4th prisoners in the foregoing case.-

(Here enter F. M. J. Nos. 63 and 66 of 1849.)

1. The Petitioners pray the Court of Foujdaree Udalut to reverse the Sentences awarded to them in the foregoing case, wherein they have been convicted of "Robbery by open violence" and sentenced respectively to 14 years imprisonment with hard labor in irons, and to receive 150 lashes.

2. The Court of Foujdaree Udalut see no reason to question the propriety of the Sentences

sentences of which the Petitioners complain, and they accordingly resolve to dismiss these Petitions.-

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Coimbatore for communication to the Petitioners.-

(Sent in No. 313)

Read Miscellaneous Petition presented on the 19th March 1849 by V. Sethi Sam Esqre Vakeel on behalf of G. Govindapa of Zillah Cuddapah.-

(Here enter F. M. P. No. 70 of 1849.)

1. This is an application for the interference of the Court of Sudder Adalut to order the suspension of certain orders which the Petitioner represents to have been issued by the Magistrate of Cuddapah for the attachment and sale of the Petitioner's property upon the ground of his having absconded from the District to evade a warrant which has been issued for his appre-hension.-

2. The Court of Sudder Adalut are precluded from interfering in the present stage

of the proceedings in the matter to which the Petitioner refers.-

3. The Court observe that by his own shewing the Petitioner has absconded from Cuddapah to elude a warrant issued by the Magistrate for his apprehension upon a serious charge, and without awaiting the result of a Petition which he alleges that he presented to the Sessions Court against the Magistrate's proceedings.-

4. The Court accordingly resolve to dismiss this Petition.-

Ordered that Extract from these proceedings be furnished to the Petitioners Vakeel on his application.-

Read Calendar of Case No. 5 of 1849 on the file of the Sessions Court of Coimbatore.

(Here enter F. M. No. 656 of 1849)

1. The Court of Sudder Adalut consider that the period of imprisonment awarded to the 4th prisoner in this Case may with propriety be reduced to eight years; and they authorize the Acting Sessions Judge to issue his warrant accordingly.-

2. Should the Acting Sessions Judge be of opinion that the mitigated Sentence proposed

2d April 1849.-

proposed by the Tinnivelly Udalut would be insufficient to meet the demands of justice, he will be pleased to transmit an English translation of the record of the case with any remarks he may wish to make in support of the sentence passed by him for the consideration of the Court.-

Ordered that Extract from these proceedings be forwarded to the Acting Sessions Judge of Coimbatore for his information and guidance by precept returnable within V days from and after its receipt.-

Sent following precept No. 314 &c

Mr. Ch. D. Thompson and Mr. A. Morehead

Tuesday 3d April 1849.

Dlo

A Court of the Tinnivelly Udalut

Present

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

Read Letter dated the 26th Ultimo from the Sessions Judge of Bellary referring for the final Judgment of the Tinnivelly Udalut the Record of Case No. 57 of 1849 on the Calendar of the Sessions Court of Tinnivelly Dlo No. 75 of 1849

The Court of Tinnivelly Udalut on a deliberate consideration of all the circumstances of the case and evidence before them, being of opinion that the proof against the prisoner

"Lingah"

is sufficient to convict him of the crime of Wilful Murder & 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. 318 /

Record Calendar of Case No. 75 of 1849

1849 on the file of the Sessions Court of Tinnevelly.

/ Entered P.B. No 54 of 1849 /

The Court of Foujdaree Adalut approve of the recommendation made by the Sessions Judge in this case, that the period of Imprisonment awarded to the 1st, 2d and 3d prisoners who have been convicted of Highway Robbery and have been severally sentenced to 14 years Imprisonment with hard labor in irons be reduced to ten years, and the Court authorize the Sessions Judge to issue his warrant accordingly.

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

(Sent in No 319 /

Read Letter dated the 22d Ultimo from the Sessions Judge of Madura submitting) warrant issued to the Subordinate Judge for execution of Prisoner — Ramasamy Reddy alias Mootton Reddy in Calendar Case No 65 of 1848 with return and separate letter.)—

/ Entered P.B. No 55 of 1849 /

Read Calendar of Case No 69 of 1849 submitted by the Sessions Judge of Bellary under date the 22d Ultimo

/ Entered P.B. No 56 of 1849 /

Read

Read Calendar of Case No 82 of 1849 submitted by the Sessions Judge of Cuddapah under date the 23d Ultimo.—

/ Entered P.B. No 83 of 1849 /

Read Calendar of Case No XI of 1849 submitted by the Sessions Judge of Madura under date the 22d Ultimo.

/ Entered P.B. No 84 of 1849 /

Read Criminal Report for the month of March last submitted by the Sessions Judge of Guntoor under date the 28th Ultimo.—

/ Entered P.B. No 85 of 1849 /

Read letter dated the 24th Ultimo from the Sessions Judge of Cuddapah to the Registrar of the Foujdaree Adalut under date the 20th instant, suggesting that the sentence of 14 years imprisonment passed upon the Prisoner in Case No 7th of the Calendar for 1849 should be reduced to one year and directing him to furnish an English translation of the record, unless he feels able to modify his sentence accordingly

/ Entered P.B. No 87 of 1849 /

Read Letter dated the 23d Ultimo from the Acting Sessions Judge of Coimbatore forwarding a duplicate copy of a list of a Convict sent to

Read

3d April 1849.

Read Assistant Magistrate of Malabar at Palghaut

(Have enter'd P.No. 688 of 1849.)

Read Calendars of Cases No. 9, 11 and 12 of 1849 submitted by the Sessions Judge of Mangalore under date the 28th Ultimo.-

(Have enter'd P.No. 691, 692 and 693 of 1849.)

Read Calendar of Case No. 9 of 1849 submitted by the Sessions Judge of Tellicherry under date the 5th Instant.

(Have enter'd P.No. 700 of 1849.)

Read Statement dated the 23d Ultimo from the Sessions Judge of Madura of Batta paid to Prosecutors and Witnesses attending before the Sessions Court during the 2d half year of 1848.-

(Have enter'd P.No. 709 of 1849.)

Read Calendar of Case No. 5 of 1849 submitted by the Acting Sessions Judge of Cuddalore under date the 27th Ultimo.

(Have enter'd P.No. 710 of 1849.)

End W.

Thursday,
5th April 1849.

P.No.

At a Court of the Foujdaree Adalut.

Present:

G. S. Hooper Esquire ——— 1st Puisne Judge
C. D. Thompson Esquire ——— 2d Puisne Judge
W. A. Morehead Esquire ——— 3d Puisne Judge.

Read Letter dated the 24th Ultimo from the Sessions Judge of Rajahmundry referring for the final Judgment of the Foujdaree Adalut the Record of Case No. 33 of 1848 of the Calendar of the Sessions Court of Rajahmundry.

(Have enter'd P.No. 725 of 1849.)

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 Prisoner

Ganamoolee Somasundrum

is sufficient to convict him of the Crime of Gang Robbery by open violence, attended with aggravating circumstances, do convict him thereof, and under the provisions of Section XXXIV Act VII of 1843, and Clause second, Section IV Regulation XV of 1803 sentence him to be transported to such place or places beyond Seas,

and

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. 320

Read Letter dated the 24th Ultimo from the Sessions Judge of Rajahmundry, referring for the final judgment of the Foujdaree Adalut, the Record of Case No. 34 of 1848 of the Calendar of the Sessions Court of Rajahmundry.

(Here enter P. C. No. 720 of 1849)

Mr. G. L. 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 Yanamoolah Somandora

2nd Pody Goonavadoo

and

3rd Boddoo Govindoo

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 and fifth, Section IV Regulation XV of 1832, sentence the prisoners

prisoners,

2nd Pody Goonavadoo

and

3rd Boddoo Govindoo

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 prisoner

1st Yanamoolah Somandora

having been already sentenced in Case No. 33 on the Rajahmundry Calendar for 1848 no further sentence is required in this case.

(Sent following Letter No. 321

Read Letter dated the 24th Ultimo, from the Sessions Judge of Rajahmundry, referring for the final judgment of the Foujdaree Adalut, the Record of Case No. 37 of 1848 of the Calendar of the Sessions Court.

(Here enter P. C. No. 728 of 1849)

Mr. G. L. 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 Catapillay Gustamah

5th April 1849.

1st Catapillay Cristamah
2nd Catapillay Veeranah
and
3d Dola Petadoo.

is sufficient to convict them of the crimes charged, do convict them thereof; and under the provisions of Section XXXV Act VII of 1843 and Clauses third and fifth, Section IV, Regulation XV of 1803, sentences them to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of (3) three years.-

The Court of Foujdaree Udalut observe, with reference to para 4 of the Sessions Judge's Letter that when the sentences passed upon these prisoners expire, the usual intimation of the circumstances may be made to the Magistrate who will then take such steps in respect of them as the circumstance of the case may seem to authorize and the Law justify. But no special instructions on the subject are required from this Court.

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

(Sent following Letter No 322

Read

2

F. 86.

5th April 1849.

Read Letter dated the 24th Ultimo from the Sessions Judge of Rajahmundry, referring for the final judgment of the Foujdaree Udalut the Record of Case No 38 of 1848 of the Calendar of the Sessions Court of Rajahmundry.

(Reverter F. 86. No 729 of 1849.)

Mr. G. L. Harper.

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,

"4th Goddee Roopoolo"

is sufficient to convict him of the crime charged, do convict him thereof; and under the provisions of Section XXXV Act VII of 1843 and Clauses third and fifth Section IV 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.-

(Sent following Letter No 323

Read Letter dated the 31st Ultimo from the Sessions Judge of Combaconum, referring for the final judgment of the Foujdaree Udalut the Record of Case No 50 of 1849 of the Calendar of the Sessions Court of Combaconum.

(Reverter F. 86 No 747 of 1849)

The

5th April 1849

the prisoner in the foregoing case should be reduced to five years; and the Court authorize the Sessions Judge to issue his warrant accordingly.

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

Sent in N° 325 /

Read return under date the 17th March 1849 from the Sessions Judge of Tinnevelly to the precept of the Foujdaree Adalut dated the 2nd March 1849 directing the annulment of the requisition of security under which certain prisoners in Case N° 98 of 1848 of the Magistrate's Criminal Reports had been placed.

/ Vice enter P.C. N° 652 of 1849 /

1. In the foregoing return the Sessions Judge states that the Assistant Magistrate when recording the sentence awarded to the prisoners in the case above referred to omitted to specify the nature of the security to be given, and that he proposes now to amend the sentence by ordering that when the sentence of Imprisonment shall have expired the said prisoners do enter into their personal recognizances to keep the peace under Clause first Section

3. P.C.

5th April 1849

Section V. Regulation VII of 1827.

2. The Sessions Judge requests the instructions of the Foujdaree Adalut as to whether this course may not now be observed in regard to the 2nd and 10th prisoners in the case referred to, all the other prisoners charged having been released by order of the Magistrate on the 1st February last.

3. The Court of Foujdaree Adalut approve of the adoption of the course proposed in this case in regard to the two prisoners still in custody.

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

Sent in N° 326 /

Read the Calendar of Cases N° 8 of 1849 of the Sessions Court of Vellore.

/ Seventer P.C. N° 647 of 1849 /

1. The Court of Foujdaree Adalut approve of the recommendations made by the Sessions Judge in this case that the punishment awarded to the Prisoner who was convicted of Theft be mitigated to 6 years imprisonment with hard labor in irons.

2. The Sessions Judge will be pleased to

5th April 1849.

to issue his Warrant accordingly.

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

(Sent in No 327)

End 7th.

Monday. F. C.

9th April 1849. At a Court of the Foujdaree Adalut.

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 24th ultimo from the Session Judge of Chicacole, submitting for the final Judgment of the Foujdaree Adalut, the Record of case No 1 of 1849 of the Calendar of the Session Court.—

(Vide Enter F. C. No 764 of 1849)

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 Mutta Chinnegaudoo.

and

2d Sukky Appiah

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

be set at liberty.-

1. The Court of Foujdaree Udalut observe that the conviction rests almost entirely on the Police confessions of the Prisoners which were denied before the Court, and which were not obtained until the Prisoners had been fully two days in custody. These confessions also seem to the Court to be unsupported. The 1st witness alone gives any evidence that implicates the Prisoners - but even his testimony is open to much suspicion; It was not until his Police deposition was read over to him, (and which practice is prohibited) - that he made any statements against the Prisoners. and then he only relates what he says 2d Prisoner told him, evidence certainly not good against 1st Prisoner.

2. It does not appear in evidence that the stick No 3 - was such as could have caused the injuries said to have been visible upon the dead body - the witnesses all speak of a Rice pestle as being the most probable instrument.

3. The Court consider the evidence

9th April 1849

inconclusive and insufficient for the conviction of the accused.-

4. The Court observe that the reading of the declarations given by the Prisoners before the Police, when they were arraigned before the Sessions Court was irregular.

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

(Sent in No)

Read return dated the 21st Ultimo from the Sessions Judge of Rajahmundry to the Precept of the Foujdaree Udalut under date the 16th March 1849 requiring a report of the progress that has been made in the Translation of the Records in cases Nos 33, 34, 35, 37, 38, and 39 of 1848, and when the same will be submitted for the consideration of the Foujdaree Udalut.-

(Here Enter S.R. No 67 of 1849) No

No 15.10.

Sgh

F.46

Tuesday,
10th April, 1849.

At a Court of the Faujdaree Udalut

Present,

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

Read Miscellaneous Petition presented on the 29th January 1849 by Banka Nuck and Rajaunmaul of Zillah Chittoor.

/Here Enter F.M.P. No. 30 of 1849/

Read also return under date the 17th and Supplemental Return under date the 26th March 1849 from the Sessions Judge of Chittoor to the precepts of the Faujdaree Udalut dated the 26th February 1849 conveying their orders on the foregoing Petition.

/Here Enter F.M.P. Nos. 631 and 707 of 1849/.

It appears from the Supplemental return submitted by the Sessions

Judge

10th April, 1849.

Judge that the allegations contained in the foregoing Petition are entirely unfounded the 1st Petitioner having been dismissed from his situation and punished by the Head of Police, of whom he complains, by order of the Assistant Magistrate whose orders were confirmed by the Magistrate in Appeal.—

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

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

/Sent in No. /.

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

Read Miscellaneous Petition presented on the 5th February 1849 by T. Appiah Vakeel on behalf of Vythianatha Dufsoo Deas Numboodry of Zillah Calicut.—

/Here Enter T. Mo. P. No. 31 of 1849/.

The

10th April, 1849.

1. The Petitioner appeals from an order passed by the Sessions Judge of Calicut under date the 18th November 1848 dismissing an appeal preferred by him from an order of the Magistrate of Malabar directing the removal of the Petitioner from the office of Samoodayom of the Cherpoollasherry Ayapa Pagoda, and referring him to the institution of a Civil Suit.—

2. It would appear from the papers submitted with this Petition that the Petitioner was dismissed from the office to which he refers by the Oralers of the Pagoda in question by whom it would also seem that he was appointed, and in whom it is to be presumed that the power was vested of removing him when they thought fit.—

3. The Court of Foujdaree Udalut consider the order passed by the Sessions Judge to be correct and proper and they accordingly resolve to dismiss this Petition.—

Ordered,

10th April, 1849.

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

Read Miscellaneous Petitions forwarded by the Sessions Judge of Coimbatore on behalf of Linden alias Rakeya Goundan and Maree of Zillah Coimbatore and filed in this Court on 19th March 1849.—

(Here enter F. M. P. Nos. 64 and 65 of 1849.)

1. This is an application for the reversal of the sentence of 14 years imprisonment awarded to the Petitioners, 1st and 4th Prisoners in Case No. 6 of 1849 on the file of the Sessions Court of Coimbatore.—

2. Before finally disposing of this Petition, the Court of Foujdaree Adalut deem it proper to call upon the Acting Sessions Judge of Coimbatore to submit for their consideration translations of such portions of the record of this case as may have reference to 1st and 4th Prisoners.—

3. The Acting Sessions Judge will at the same time be pleased to state the value of the articles (Nos. 1 and 2) alleged to

F. 16.

10th April, 1849.

to have been produced from the houses of these Prisoners.—

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

(Sent following precept. No. 1.)

Read Miscellaneous Petition presented on the 19th March 1849 by Maregan and another of Zillah Salem.

(Here enter F. M. P. No. 66 of 1849.)

1. This is an application for the reversal of the sentences awarded to prisoners in Case No. 24 of 1848 on the file of the Sessions Court of Salem, and for an investigation into certain charges which the Petitioners prefer against certain of the Police authorities of Salem whom they charge with having seriously maltreated themselves and the prisoners in the case referred to and also with having concealed the charge upon which the prisoners in question have

been

5 10 10th April, 1849.

been convicted.—

2. The Court of Foujdaree Udalut resolve to direct that the English Translation of this Petition be forwarded to the Magistrate of Salem who will be pleased to institute an Enquiry in regard to the allegations therein contained reporting the result for the information of the Foujdaree Udalut.—

Ordered, that Extract from these Proceedings be forwarded to the Magistrate of Salem for his information and guidance by Post if returnable within XX days from and after its receipt.—

Sent following precept No. 1.

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

Ed. Ms.

Runga Chary of Trichinopoly moves the Court to return the enclosures in Miscellaneous Petition Nos. 195 and 230 of 1848.—

Ordered accordingly.—

J. U.

Wednesday 11th. April 1849.

At a Court of the Foujdaree Udalut.

—Present—

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

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

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

Read the following letter under date the 21st. Ultimo from the Agent to the Governor at Kurnool.—

(Here enter No. 667 of 1849.)

1. In this letter the Agent reports the trial of two prisoners namely

1st. Ramanoo

2d. Nagadoo.—

on the charge of Highway Robbery, and considering the evidence sufficient for their conviction, he recommends that they be sentenced respectively to (8) eight years imprisonment with hard labor in irons.—

2. The Court of Foujdaree Udalut concurring in their conviction, resolve under the provisions of Clauses third and fifth Section IV Regulation XV of 1803, and Section XXXIV Act VII of 1843, to confirm the proposed sentence

on

on the prisoners above named.—

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

(Sent in No. 335

Read Criminal Reports forwarded by the Sessions Judge of Chicacole for the Month of February 1849.—

(Here enter P.C. No. 686 of 1849.)

Report of the Principal Sudder Ameen of Vizagapatam. B. Case No. 4.

The Court of Foujdaree Udalut adverting to the sentence awarded in this case infer that the prisoners have only been convicted of the "assault" charged against them, and not of the "Theft" which is also entered in the indictment.—

2. This information should have been supplied in the report.—

Chicacole Criminal Report. 3. B Case No. 5.

The prisoner in this case having effected his entry into the prosecutor's house by forcibly opening the door thereof the offence charged against him should have been designated as "housebreaking" in the heading affixed to the statement of charge.—

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

Chicacole for his information and for communication to the Principal Sudder Ameen of Vizagapatam.—

(Sent in No. 336

Read Letter dated 22d Ultimo from the Principal Sudder Ameen of Chingleput, applying for sanction to offer a conditional pardon to Maunicca Pillay and Rungasawmy Pyengar the 3d and 5th prisoners in Case No. 21 of the Criminal File of his Court.—

(Here enter P.C. No. 664 of 1849.)

Read also Letter dated the 28th Ultimo, from the same Officer, submitting the translation of a declaration given by the 6th Prisoner Cuttaeaeren alias Putchay in Case No. 21 of the Criminal File of his Court, and applying for sanction to offer to him also, a conditional pardon.—

(Here enter P.C. No. 706 of 1849.)

Read also Letter dated the 2d instant from the same Officer, forwarding, in obedience to the instructions issued by the Foujdaree Udalut in their Registers Letter of the 31st March 1849. Translations of Statements of the Prosecutrix and of the 3d 5th and 6th Prisoners in Criminal

Criminal Case No. 21 of 1849- and explaining the grounds upon which the 3d. and 5th. Prisoners were first suspected in that case.-

(Here enter F. 66. No. 349 of 1849.)

1. The Court of Fouzdaree Udalut, under the circumstances represented in the communications above recorded, and in exercise of the power vested in them by Section XII Regulation XIII of 1832, resolve to authorize the offer of a pardon to the Prisoners

Maunicca Pillay

Ringasawmy Iyengar

and

Cuttacauren alias Putchay-

on the terms and conditions specified in Section XX Regulation VIII of 1802.-

2. The Court of Fouzdaree Udalut deem it necessary, however, to point out to the Principal Sudder Ameen, that in what he has done in this matter, he has greatly erred.- He should, in the first instance, have sought the permission of the Fouzdaree Udalut to offer a conditional pardon: and should not have obtained statements from the Prisoners under a promise that such conditional pardon would be given in the

event of their admitting the share they respectively took in the offence charged.-

3. It is the province of the Fouzdaree Udalut to determine, upon a review of the depositions taken from the accused, whether or not a conditional pardon shall be offered.-

Ordered that Extract from these proceedings be forwarded to the Principal Sudder Ameen of Chingleput for his information and future guidance.-

(Sent in No. 337

2d. Ditto.)

Friday,
13th April 1849.

F. No.

At a Court of the Poyndaroo Udalut

Present

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

Read again the Calendar of Case No. VII of 1849 of the Sessions Court of Madura.

(Vide inter Plo. No. 279 of 1849)

Read also Return dated 12th March 1849, made by the Sessions Judge of Madura to the Precept of this Court, calling for the Original Record of the above case, and for such explanatory remarks as the Sessions Judge might have to offer in respect to the severity of the sentence recorded by him against the 1st Prisoner.

(Vide inter Plo. No. 282 of 1849)

After due consideration of the Record of this Case, and of the documents therewith submitted, the Court of Poyndaroo Udalut are satisfied of the propriety of the sentence recorded by the Sessions Judge, and accordingly resolve to confirm it.

Ordered that Extract from these

Proceedings

Proceedings together with the Original Record of the Case be transmitted to the Sessions Judge of Madura for his information.

(Sent in No. 338)

Read Criminal Reports of the Sessions Court of Tanjore for February 1849.

(Inwards Jt. Mr. No. 853 of 1849)

The Court of Foujdaree Adalut observe that it is customary in other Jails to secure Prisoners who have once effected their escape from Jail, by fastening them to an iron bar when locked up in their Cells at night and the Court direct that this practice may be immediately adopted in the Tanjore Jail.

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

(Sent in No. 339)

Read Calendar of Case No. 97 of 1849 of the Sessions Court of Coimbatore.

(Inwards Jt. Mr. No. 896 of 1849)

1. The Court of Foujdaree Adalut approve of the recommendation made by the Acting Sessions Judge in this case, that the punishment awarded to the Prisoner who have been convicted of "Highway Robbery" be mitigated

mitigated to eight years imprisonment with hard labor in irons.

2. The Acting Sessions Judge will be pleased to issue his warrant accordingly.

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

(Sent in No. 340)

Read Calendars of Cases No. 6 and 9 of 1849 submitted by the Acting Sessions Judge of Cuddalore under dates the 27th and 28th Ultimo.

(Inwards Jt. Mr. No. 711, 712 and 716 of 1849)

Read Calendar of Case No. 13 of 1849 submitted by the Sessions Judge of Rajahmundry under date the 26th Ultimo.

(Inwards Jt. Mr. No. 718 of 1849)

Read return dated the 29th Ultimo from the Sessions Judge of Combaconum to the precept of the Foujdaree Adalut under date the 24th idem directing that the Prisoner in Case No. 2 of 1849 on the file of the Acting Joint Magistrate of Tanjore be immediately set at liberty.

(Inwards Jt. Mr. No. 720 of 1849)

Read Calendar of Case No. 30 of 1849 submitted

13th April 1849.

submitted by the Acting Sessions Judge of Cuddalore under
date the 30th Ultimo.-

(Here enter F. No. No. 732 of 1849.)

Read Calendar of Case No. 18 of 1849
submitted by the Sessions Judge of Chittoor under date
the 20th Ultimo.-

(Here enter F. No. No. 734 of 1849.)

Read Calendar of Case No. 19 of 1849
submitted by the Sessions Judge of Combaconum under
date the 29th Ultimo.-

(Here enter F. No. No. 735 of 1849.)

Read Calendar of Case No. 19 of 1849
submitted by the Sessions Judge of Cuddapah under date
the 30th Ultimo.-

(Here enter F. No. No. 737 of 1849.)

Read Calendar of Case No. 11 of 1849
submitted by the Sessions Judge of Rajahmundry under date
the 28th Ultimo.-

(Here enter F. No. No. 740 of 1849.)

Read Calendars of Cases Nos. 12.
13. 14. 16 and 15 of 1849 submitted by the Sessions Judge
of Tinnevelly under dates the 26 and 27th Ultimo.-

(Here enter F. Nos. Nos. 741. 742. 743. 744. 745 and 746 of 1849.)

F No.

Saturday
14th April 1849. } At a Court of the Tanjore Udalut.

Present.

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

Read again Calendars of
Cases Nos. 7, 8 and 9 on the file of the
Sessions Court of Trichinopoly.

(Here enter F. No. Nos. 352. 353 & 354 of 1849.)

Read again also return under
date the 3d March 1849 from the Sessions
Judge of Trichinopoly, to the precept of the
Tanjore Udalut under date the 27th February
1849, conveying their orders on the foregoing
Calendars.-

(Here enter F. No. No. 550 of 1849.)

Read also return under date
the 24th March 1849 from the Sessions Judge
of Trichinopoly, to the precept of the
Tanjore Udalut dated the 17th March
1849, calling for a translation of the record
upon which the requisition of security from
the prisoners in the foregoing cases

was

14th April 1849.

was founded.-

(Here enter F. No. 698 of 1849.)

1. It appears from the returns of the Sessions Judges that the requisitions of Security in question was founded on the evidence taken by the Magistrate in cases in which the prisoners were committed for trial, and that no other evidence to their character was taken by him.-

2. The Court of Sunjdanee Udalut resolve to direct that the requisition of Security under which the prisoners have been placed, be annulled the proceedings held in the case being irregular.-

Ordered, that Extracts from these Proceedings, be forwarded to the Sessions Judge of Trichinopoly, for communication to the Magistrate by precept returnable within 11 days, from and after its receipt.

(Sent following precept No 342 /S

24th 1849

Copy

F. W.

Monday :
16th April, 1849.

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.

Dr. R.

Read Miscellaneous Petition presented on the 29th January 1849. by Aroonachella Modely of Zillah Tinnevelly.—

(Here enter F. W. P. No. 25 of 1849).

The Court of Foujdaree Adalut direct that the Petitioners be referred to their proceedings under date the 10th March 1849. refusing to interfere with the sentence awarded by the Moofty Sudr Ameen of Tinnevelly in Case No. 52 of 1847. on the files of the Criminal Court of that Zillah to which it is observed that this Petition has reference.—

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

Read again Miscellaneous Petition presented on the 12th February 1849. by Caroopana Pillay of Zillah Madura.—

(Here enter F. W. P. No. 37 of 1849).

Read also return under date the 28th March

March 1849. from the Sessions Judge of Madura to the precept of the Foujdaree Adalut dated the 19th March 1849. conveying their orders on the foregoing Petition.—

(Here enter F: D: No. 721 of 1849).

On perusal of the notes submitted by the Sessions Judge with his return the Court of Foujdaree Adalut are satisfied of the justice of the sentence of which the Petitioner complains; and they accordingly resolve to dismiss this Petition.—

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

(Sent in No.).

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

Read Miscellaneous Petition presented on the 19th February 1849. by V. Venkatakistniew of Zillah Combaconum.—

(Here enter F: D: P: No. 41 of 1849).

1. The object of this Petition is to induce the Court of Sudder Adalut to reconsider their Orders under date 5th February and 19th March 1849, dismissing the Petitioners Application for the admission of a Special Appeal from the Decree of the Civil Judge of Combaconum in Appeal No. 42 of

of 1847. The Petitioner concludes by praying that the Court will direct the Civil Judge of Combaconum to re-open the Case, and to hold an enquiry on the Criminal side regarding 8 documents filed in the suit, which the Petitioner asserts to be forgeries.—

2. The Court of Foujdaree Adalut resolve to refer the Petitioner to the Orders already passed in the matter of his Appeal, which are final.—

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

Read Miscellaneous Petition forwarded by the Sessions Judge of Tinnevelly from Arunnavoo Chetty of Zillah Tinnevelly.—

(Here enter F: D: P: No. 54 of 1849).

1. This is an application for the interference of the Court of Foujdaree Adalut to order the reapprehension of certain parties whom the Petitioners aver to have been improperly released from custody by the Principal Sudr Ameen of Tinnevelly.

2. The Court of Foujdaree Adalut resolve to reject this Petition, the reasons recorded by the Principal Sudr Ameen for releasing the prisoners referred to, appearing to the Court to be satisfactory.

Ordered that Extract from these

Proceedings

Proceedings be sent to the Sessions Judge of Tinnevelly for communication to Petitioners.

Read Miscellaneous Petition presented on the 12th March 1849 by G. Govindappa of Zillah Cuddapah.—

(Here enter F. Gr. P. No. 56 of 1849).

1. The object of this Petition is to induce the Court of Foujdaree Adalut to issue instructions —— to the Magistrate of Cuddapah, directing that officer to abstain from proceeding further against this Petitioner on the charge of having stabbed one Rannoodoo. Petitioner avers his innocence of the crime, and states that he fully established the same on the first enquiry held in the matter before the Head of Police of the Goorum Coudah Talook.—

2. The Court of Foujdaree Adalut resolve to reject this Petition the Petitioner having failed to show any proper grounds for their interference in the manner solicited.—

3. The Court observe that the Magistrate has full authority to make enquiry into the charge alluded to against the Petitioner even altho', as he (the Petitioner) alleges, the Head of Police may have previously enquired into it, and the Petitioner has not shewn that the Magistrates Proceedings are in any respect illegal.—

The

F. Gr.
16th April 1849.

4 The proper course for the Petitioner to pursue will be to appear before the Magistrate and answer the charge, and prove his innocence, if able to do so.—

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

Read Miscellaneous Petition presented on the 12th March 1849 by Kakabooranoodeen of Zillah Cuddapah.—

(Here enter F. Gr. P. No. 58 of 1849).

1. The Court of Foujdaree Adalut observe that the matter contained in this Petition was finally disposed of in the Proceedings of the Court under date 21st February 1848. to those Proceedings the Petitioner is accordingly now referred.—

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

Read Miscellaneous Petition presented on the 5th March 1849. by T. Ramachendriah Vakeel on behalf of Mookadathee Damoodra Mumboodry of Zillah Salicut.—

(Here enter F. Gr. P. No. 49 of 1849).

1. This is an application for the —— interference of the Court of Foujdaree Adalut to order the remission of a fine of Rupees 50 imposed upon the Petitioner, by the Assistant Magistrate of Gudalore

on

on the alleged ground of his having preferred a false complaint, and confirmed by the Magistrate and subsequently by the Sessions Judge in Appeal.—

2. Before finally disposing of this Petition the Court of Foujdaree Adalut resolve to — call upon the Sessions Judge to state under what provisions of the Law the fine was imposed of which the Petitioner complains.—

3. This information the Court observe has been entirely omitted in the proceedings of the Assistant Magistrate and of the Magistrate and also in the orders of the Sessions Judge by whom those proceedings were confirmed.—

Ordered that Extract from these — Proceedings be sent to the Sessions Judge of Calicut by precept returnable within V days from and after its receipt.—

(Sent following Precept No.)

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

Read Miscellaneous Petition — forwarded by the Sessions Judge of Honore from Vencapah 1st prisoner in Case No. 28 of 1848 on the file of the Sessions Court.—

(Here enter F. Dr. P. No. 61 of 1849.

This

1. This is an application for the — reversal of the sentence awarded to the Petitioner in the case above referred to, who has been convicted of "Robbery by open violence" and sentenced to 14 years Imprisonment, with hard labor in irons.—

2. Before finally disposing of this Petition the Court of Foujdaree Adalut resolve to direct that the Sessions Judge will submit for their consideration an English Translation of the reports sent by the Potail and Duffadars to the Head of Police regarding the robbery with which the Petitioner was charged, and also of the deposition which appears to have been given by the Potail on the 29th November last before the Head of Police.

3. The Sessions Judge will be — pleased to state whether the Petitioner named — witnesses to establish his defence, and if so upon what grounds their evidence was not received.

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

(Sent following Precept No.)

Read Miscellaneous Petition presented on the 26th March 1849 by Sawmy Ayen of Zillah — Coimbatore.—

(Here enter F. Dr. P. No. 74 of 1849.

This

16th April 1849.

1. This is an application for the interference of the Court of Foujdaree Adalut in respect to certain proceedings which have been instituted by the Head of Police in the Sakrageeree Talook of Zillah Coimbatore against the Petitioner on a charge of having abused and assaulted one Ramayen a resident in that Talook.—

2. The Court of Foujdaree Adalut are unable in the present stage of proceedings to interfere in the manner solicited. The Petitioner must apply in the first instance to the local authorities for the redress he seeks.—

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

End 4th.

Read again Calendar of case No. 30 of 1848 on the file of the Sessions Court of Chittoor.—

(Here enter F. C. No. 2431 of 1848).

Read again also Miscellaneous Petitions presented on the 27th November 1848. by T. Chengul reddy and Calaspa reddy of Zillah Chittoor.—

(Here enter F. M. P. Nos. 309 and 310 of 1848).

Read also returns under date the 26th February and 10th March 1849. from the Sessions Judge of Chittoor to the precept of the Foujdaree Adalut dated the 29th January 1849. directing the transmission of an English Translation of the record of the foregoing case,

and

F. C.

16th April 1849.

requiring information, with reference to certain allegations contained in the above Petitions.—

(Here enter F. C. Nos. 496 and 659 of 1849).

1. On an attentive perusal of the record of this case and of the report submitted by the Magistrate of North Arcot which accompanies the latter of the foregoing returns the Court of Foujdaree Adalut are satisfied that the real circumstances of the robbery with which the prisoners were charged and especially the amount alleged to have been robbed have been considerably exaggerated.—

2. The Court of Foujdaree Adalut accordingly resolve to direct that the period of Imprisonment awarded to the prisoners respectively be reduced to Seven years.—

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

(Sent following Precept No.).

Ordered also that Extract from these Proceedings be furnished to the Petitioners on their Application.—

Read letter dated the 10th Ultimo from the Acting Sessions Judge of Coimbatore reporting execution at 1/2 6 O'clock on the morning of the

the 19th Instt, of the sentence of death passed on
Muruchellum, the Prisoner in Case No. 3 of 1849,
on the Calendar of the Sessions Court at Coimbatore.

(Here enter F. C. No. 655 of 1849).

Read letter dated the 23rd Ultimo,
from the Sessions Judge of Trichinopoly requesting
that the usual warrant for the sentence of death
passed by the Court of Foujdaree Adalut on Chowdry
Annoy, Prisoner in Case No. 13 on the file of the
Session Court of Trichinopoly for 1849. may be sent
to enable the Session Judge to make return thereto
certifying the execution of the sentence on the Prisoner.

(Here enter F. C. No. 697 of 1849).

Read Calendar in Cases No. 11, 12, 13,
14 and 15 of 1849. submitted by the Session Judge
of Combaconum under date the 27th Ultimo.

(Here enter F. C. No. 719 of 1849).

Fo 96.

Tuesday
17th April 1849

At a Court of the Zoojdaree Adaulut

Present:-

Y.B.
R.S
Bell

G. L. Hooper Esquire ——— 1st Puisne Judge,
L. P. Thompson Esquire ——— 2nd Puisne Judge,
W. A. Morehead Esquire ——— 3rd Puisne Judge,

Read Letter dated the 3rd Instant from the Acting Sessions Judge of Sabarcantah referring for the final judgment of the Zoojdaree Adaulut the Record of Case No 8 of 1849 of the Calendar of the Sessions Court.

(Enters Do. No 804 of 1849)

Mr. L. P. Thompson
and
Mr. W. A. Morehead

The Court of Zoojdaree Adaulut, on a deliberate consideration of all the circumstances of the case now before them being of opinion that the prisoner

"Monniah Chetty"

is sufficiently convicted by the evidence of Bullah Mendar, to convict him thereof, and under the provisions of Section I Regulation VIII of 1802 sentence him to suffer death by being hanged by the neck till he is dead.

(Sentence to be carried into effect by the following Letter No 355)

Read

17th April 1849.

Read Calendar of Cases Nos 18 of 1849
on the file of the Sessions Judge of Cuddapah.

/Recorded P.B. No 736 of 1849./

The Court of Foujdaree Adalut approve
of the recommendation made by the Sessions Judge
in this case that the period of Imprisonment awarded
to the prisoner who has been convicted of "Highway
Robbery" be reduced to seven years, and they authorize
the Sessions Judge to issue his warrant accordingly.

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

/Sent in No 356

Read Calendar of Cases Nos XII, XIII
XIV, XV, XVI and XVII of 1849 on the file of the Sessions Court
of Madura.

/Recorded P.B. No 739 of 1849/

The Court of Foujdaree Adalut approve
of the recommendation made by the Sessions Judge
in these cases that the period of Imprisonment
awarded to the prisoners, who have been severally
convicted of "perjury" be reduced to two years.—

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

17th April 1849.

Madura for his information and guidance.

/Sent in No 357/

Read Calendar of Cases No 9 of 1849
of the Sessions Court of Chingleput.

/Recorded P.B. No 785 of 1849/

The Court of Foujdaree Adalut
approve the recommendation made by the Sessions
Judge in this case that the sentence of imprisonment
awarded to the Prisoner on his conviction of the crime
of Housebreaking and Theft be mitigated to four
years imprisonment with hard labour in irons; and
the Court authorize the Sessions Judge to issue his
warrant accordingly.

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

/Sent in No 358

Read Calendar of Cases Nos 5 and
10 of 1849 of the Sessions Court of Rajahmundry.

/Recorded P.B. No 783 of 1849./

The Court of Foujdaree Adalut
approve the recommendation made by the Sessions
Judge in these Cases, that the sentence passed upon
the Prisoners on their conviction of "Housebreaking

and

17th April 1849.

and Thatty" be mitigated to four years imprisonment with hard labor in irons.

2. And the Court authorizes the Sessions Judge to issue his warrants accordingly.

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

(Sent in No. 359)

Read Calendar of Cases Nos. 21 and 22 of 1849 of the Sessions Court of Combaconum.

(Vide enter P.C. No. 787 of 1849)

1. The Court of Poujdaree Adalut approve the recommendation made by the Sessions Judge in these Cases that the Sentence passed upon the Prisoners on their conviction of "Perjury" be mitigated to two years imprisonment with hard labor in irons.

2. And the Sessions Judge is hereby authorized to issue his Warrants accordingly.—

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

(Sent in No. 360)

Read letter dated the 31st Ultimo from the Sessions Judge of Rajahmundry submitting for the

2.

P.C.

17th April 1849.

the final Judgment of the Poujdaree Adalut the Record of Case No. 11 of 1849 of the Calendar of the Sessions Court of Nellore

(Vide enter P.C. No. 790 of 1849)

The Court of Poujdaree Adalut,

M.W.A. Morehead

on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proofs against the Prisoner "Cuda Mahalutamma"

is sufficient to convict her of the offence charged, do convict her thereof; and sentence her to be imprisoned and kept to labor suitable to her sex for and during the period of One year.

(Sent following Letter No. 361)

Read letter dated the 5th Instant from the Sessions Judge of Cuddapah submitting for the final judgment of the Poujdaree Adalut the Record of Case No. 15 of 1849 of the Calendar of the Sessions Court.

(Vide enter P.C. No. 791 of 1849)

The Court of Poujdaree 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 proofs against the Prisoner "Gurrakala Guragolla Venkatayadoo."

a

17th April 1849.

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

The Court of Foujdaree Udalut are of opinion that there was no necessity for putting the 1st witness upon his trial in the case.

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

(Sent following Letter No 362)

Read Calendar of case No 4 of 1849 on the file of the Sessions Court of Guntoor.

(Here enter Pte. No 738 of 1849.)

1. The Court of Foujdaree Udalut are of opinion that the period of Imprisonment awarded to the 1st and 2d prisoners in this case, who have been convicted of "Highway Robbery," may with propriety be reduced to seven years.

2. Should the Sessions Judge concur in this opinion he will be pleased to recommend a mitigation of the prescribed punishment to the extent above specified, which the Court of Foujdaree Udalut

17th April 1849.

Udalut will be prepared to sanction but should that officer consider that any reduction of the sentence awarded would be calculated to defeat the requirements of justice, the Court of Foujdaree Udalut direct that an English Translation of the record together with the notes of the Sessions Judge may be submitted for their consideration.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Guntoor by precept returnable within X days from and after its receipt.

(Sent following Precept No 363)

End H.

Lyk

Thursday

19th April 1849

F.U.

At a Court of the Foujdaree Adaulut

Present

GJR G.J. Hooper Esqr — 1st Puisne Judge

CPT C.P. Thompson Esqr — 2d Puisne Judge

WAM W.A. Mackillop Esqr — 3d Puisne Judge

F-All.

Circular

The Court of Foujdaree Adaulut having reason to believe that due attention is not generally paid to the instructions laide down for the guidance of officers in charge of Jails in the Foujdaree Adaulut Circular Orders dated 22d May 1837 and 6th January 1840, and that to the partial violation of those rules many of the recent occasions of Prisoners effecting their Escape from Custody is a great measure to be attributed, resolve, with reference to a Letter from the Honorable Court of Directors, dated 1st July 1848. and to the Extract from the Proceedings of Consultation dated 28th November

1848

1849. to notify to the several Jail
Officers in the Provinces, that it will
be their imperative duty to observe
that all the requisitions contained
in the foregoing Circular Orders
are in future most strictly attended to.

2. The Officers in charge of
Jails will also be pleased strictly to
enjoin their Subordinate Officers
to abstain from all unnecessary
violence in cases of attempt at
escape on the part of Prisoners,
and to warn them that on proof
being adduced of such having been
used, the offender will be immediately
dismissed from his situation, and
will be further subjected to Criminal
prosecution.

3. The Court also take
this opportunity of cautioning Officers
in charge of Jails against the
admission of a Prisoner while labouring
under any infectious disease, a recent
instance

instance having occurred in a Jail of
a Prisoner having been admitted while
labouring under Small pox, in conse-
quence of which 30 inmates of
the Jail caught the infection, of whom
9 are reported to have died.

The Court presume that
the rule laid down in Inspectors
Circular Order dated
25th September 1846 No 17 for mitiga-
ting all Prisoners on their admission
into Jail is, on all occasions, duly
attended to.

Ordered that Extract
from these Proceedings be sent
to the several Officers in Charge of
Jails for their information and guid-
ance.

Sent following Circular Letter No 1

Read letter dated 31st March
1849 from the Sessions Judge of Dacca stating
stating the warrant in No 13 on the Calendar
of the Sessions Court of Dacca stood for 1849
only

duly endorsed and executed.

(Here Enter Fee No. 750 of 1849.)

Read Letter dated the 2d Instant from the Sessions Judge of Chingleput reporting that no cases were pending before him during the previous month.

(Here Enter Fee No. 752 of 1849.)

Read report, dated the 2d Instant submitted by the acting Sessions Judge of Cuddalore, of a case pending trial before him exceeding 25 days calculated from the date of commitment during the month of March 1849.—

(Here Enter Fee No. 753 of 1849.)

Read Statement, dated the 30th Ultimo submitted by the acting Sessions Judge of Cuddalore, of Batta paid to Prosecutors and witnesses who attended before the Sessions Court of Cuddalore during the 2d half of 1848.

(Here Enter Fee No. 757 of 1849.)

Read Statement, dated the 2d Instant, submitted by the Sessions

Judge

Judge of Chittoor, of cases pending on the 31st March 1849 before him for a period in excess of 25 days calculated from the date of commitment.

(Here Enter Fee No. 758 of 1849.)

Read Letter dated the 2d Instant from the Sessions Judge of Cuddapah, reporting that no cases were pending before him during the previous month.—

(Here Enter Fee No. 759 of 1849.)

Read the 2d Instant submitted by the acting Sessions Judge of Salem, of cases pending on the 31st March 1849 before him for a period in excess of 25 days calculated from the date of commitment.

(Here Enter Fee No. 760 of 1849.)

Read return dated the 29th Ultimo from the Subordinate Judge in charge of the Sessions Court of Coimbatore, to the precept of the Zillah Court of Cuddalore under date the 24th Ultimo cancelling the

Recognizances

security in case No. 8. of 1849. of the Magis-
-trate's Report B for February last.-

(Here Enter Fee No. 762 of 1849)

Read Calendar of Case No
10 of 1849 submitted by the Sessions Judge
of Tellicherry under date the 26th Ultimo.-

(Here Enter Fee No 765 of 1849)

Read Letter dated the
2d Instant from the Session Judge of
Hosur, reporting that no cases were
pending before the Sessions Court for more
than 25 days during the month of March
1849.-

(Here Enter Fee No 767 of 1849)

Read return dated the 3d
Instant from the Sessions Judge of Tellicherry
to the precept of the Foujdaree Adalut
under date the 26th March 1849, authorizing
him to reduce the period of Imprison-
-ment awarded in Case No 2 of 1849
on his Calendar of the Sessions Court of
Tellicherry to one year.-

(Here Enter Fee No 770 of 1849.)

Read

Read Report under date the
2d Instant submitted by the Sessions
Judge of Tellicherry, of a case pending
trial on the 31st March 1849.

(Here Enter Fee No 771 of 1849)

Read Communication dated
the 2d Instant from the Sessions Judge of
Malabar, replying to the remarks
contained in the Extract from the
Proceedings of the Foujdaree Adalut
dated the 27th March 1849. held on a
review of the Criminal Reports of
the Zillah of Malabar for
February 1849.-

(Here Enter Fee No 773 of 1849)

Read return dated the
4th April 1849. from the Sessions Judge of
Salem to the precept of the Foujdaree
Adalut under date the 28th March
1849. directing him to review the cases
No. 27 and 29 on the File of the Salem
Zillah Court of Salem and Report order
thereon.-

(Here Enter Fee No 774 of 1849.)

Read

19th April 1849.

Read return dated the 2d Instant from the Sessions Judge of Mangalore to the precept of the Joydaree Adalut under date the 27th March 1849 calling for copies of the Proceedings of the Sessions Court on review of the Reports of the cases Nos. 24 25 and 27 of 1849 on the Criminal File of the Subordinate Court.

(Here Enter File No. 775 of 1849)

Read statement dated 2d March 1849 submitted by the Sessions Judge of Mangalore, of cases pending on the 28th February, and committed for trial in the Month of March 1849 before the Sessions Court of Mangalore.

(Here Enter File No. 776 of 1849)

Read Letter dated the 2d Instant from the Sessions Judge in charge of the Sessions Court of Calicut, stating that there is no case during the past month to be entered in the Report required by the Joydaree Courts Circular letter of the 16th October 1846.

(Here Enter File No. 777 of 1849)

Read

19th April 1849

Read Calendar of Case No. 17 of 1849 submitted by the Sessions Judge of Cuddapah under date the 1st April 1849.

(Here Enter File No. 780 of 1849)

Read Calendar of Case No. 10 of 1849 submitted by the Sessions Judge of Bellary under date the 5th April 1849.

(Here Enter File No. 786 of 1849)

Read Monthly Criminal Reports submitted by the Sessions Judge of Nellore under date the 3d April 1849 for the Month of March last.

(Here Enter File No. 788 of 1849)

Read letter dated the 2d Instant from the Sessions Judge of Rajahmundry, reporting that there are no Criminal Cases pending beyond 20 days between 28th February and 1st March 1849.

(Here Enter File No. 789 of 1849)

Read Calendar of Case No. 11 of 1849 submitted by the Sessions Judge of

19th April 1849

of Tellicherry under date the 2d april 49.

/Here Enter No 796 of 1849/ R

Ent

F. U.

Saturday,
21st April, 1849. At a Court of the Foujdaree Udalut.

Present

GJR — G. A. Cooper, Esquire - 1st Puisne Judge -
EPT — E. P. Thompson, Esquire - 2d Puisne Judge -
WM — W. A. Morehead, Esquire - 3d Puisne Judge -

Read letter under date the 14th Ultimo from the Sessions Judge of Chingleput reporting the arrival at that station of one, of two Convicts under sentence of transportation, from the Zillah of Mangalore, and the death of the other en Route.

(Here Enter No. 588 of 1849)

1. Adverting to para: 3 of the above communication in which the Sessions Judge is of opinion that the Circular Order of the Foujdaree Udalut No. 167 "dispenses with the necessity of a Jail "Peon accompanying transfered Prisoners "the whole way from the Jail whence they

are

"are despatched", the Court of Foujdaree Udalut observe that that Circular Order refers only to the Escort which the Magistrates are required to provide from one District to another, and is not meant to apply to the "Peon or Doloyet", who, under para: 3 of the Circular Order of the Foujdaree Udalut under date the 22d. July 1814, should accompany the prisoners, from the station of their departure, until their arrival at Chingleput, and who is to be answerable for the due performance of the orders with which he may be charged in reference to those prisoners.

2. And that hereafter there may be no misconception of these orders the Court of Foujdaree Udalut resolve to direct that, whenever, in future, any prisoners are sent to the depot at Chingleput, from the Western Coast, a Peon be invariably sent to accompany them, the whole way, from the Jail whence they are originally forwarded.

Ordered, that Extract from

from these Proceedings be forwarded to the Sessions Judges of Calicut and Mangalore for the information and guidance of their Subordinate Judges.

/Sent in. Nos. 367+368/.

Ordered also, that Extract of these Proceedings be forwarded to the Sessions Judges of Tellicherry, Honore and Chingleput for their information.

/Sent in. Nos. 369-370+371/.

Read Extract from the Proceedings of the Sessions Court of Combaconum under date the 20th. March 1849.

/Here enter F.R.C. No. 675 of 1849/.

1. These proceedings have reference to the conduct of the Head of Police of Combaconum in regard to the commitment of certain persons to the Criminal Court on a charge of Homicide which has been pronounced by that Court to be unfounded.

2. The Sessions Judge recommends that the Head of Police in question should be suspended from office for a period of two years and has submitted this opinion together with copies of certain

documents

21st April, 1849.

documents bearing upon the case for the final orders of this Court of Foujdaree Udalut.

3. The Court of Foujdaree Udalut are precluded from passing any orders in this case; as the recommendation made by the Sessions Judge does not involve the dismissal of the Head of Police required to under the provisions of Section XXXIX Act VII of 1843 in which case alone are the Court of Foujdaree Udalut competent to interfere.—

4. The Court of Foujdaree Udalut are of opinion that the Acting Magistrate should pass such orders in the matter as may appear to him to be proper, reporting the same to the Board of Revenue in whom are vested the superintendence and control of the Native Officers of Police save in the instance set forth in the Section above quoted.

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

Sent in No. 372 /-

Monday
23rd April 1849.

F. U.

At a Court of the Foujdaree Udalut

Present

G. L. Cooper Esqr. — 1st Puisne Judge
E. P. Thompson Esqr. — 2d Puisne Judge
W. A. Morehead Esqr. — 3d Puisne Judge

Read the following Letter under date the 5th Instant from the Agent for the Governor of Fort St. George at Trichinopoly.

(Here enter F. U. No. 768 of 1849)

Case No. 71 of 1849.

In this Case ten Prisoners namely

1st Maungadoo
2d Thastagadoo
3d Veerabygadoo
4th Chinnayapatien Rungadoo Ringa
5th Canaka Goodumee
6th Cundadoo
7th Cuysaradoo
8th Tarapuren
9th Bodderdoo
10th Madeya Naygadoo

were charged with having committed the crime of Gang-Robbery with open violence near the village

Lod. H.

separate occasions, and should therefore have been arraigned on two distinct Charges, a sentence of conviction or acquittal (as the case might be) being recorded in each case.

2 From the Statement of the Charge and Sentence as drawn up in the Report now under review the Court of Foujdaree Udalut are unable to learn for which offence the Prisoner was punished, or whether, or not, he was convicted of both. Neither is it stated by whom he was tried and sentenced. Information on these points the Session Judge will be pleased to supply.

3 The Court request that in future, when the remarks of the Session Judge on review of the Criminal Statements extend to the length of those embodied in the Memorandum endorsed on the back of the Reports under consideration, they may be expressed on a separate sheet of paper to be appended to the statement.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Madura by Receipt returnable within 7 days from date after its receipt.

(Sent following Receipt No

F U

23d April 1849

Read again Calendar of Case No II of 1849 of the Session Court of Madura.

(Here enter F. U. No 279 of 1849)

Read also Miscellaneous Petition presented on the 12th March 1849 by Kistnanna Naiken of Tillah Madura

(Here enter F. U. M. P. No 60 of 1849)

The Court of Foujdaree Udalut, being satisfied from a consideration of the Record of the above case of the justness of the Prisoner's conviction, possess to reject this Petition praying for his release

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

Read letter under date the 4th Instant from the Agent for the Governor in Ganjam

(Here enter F. U. No 801 of 1849)

Case No 8 of 1849 1 In this Case one Prisoner namely,

Pambabiah,

was charged with Culpable Homicide, in having with the handle of an Ox straker man named Ramadoss, and thereby caused his death.

2 The Agent convicting the Prisoner

Recommends

recommends that he be sentenced to imprisonment with hard labor for the period of (2) two years.

The Court of Fouzdaree Udalut concur in this Conviction and resolve, under the provisions of Section IV Regulation I of 1818 and Section XXXIV of Act VII of 1843, to confirm the proposed sentence.

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

Sent in No.

Read again Calendar of Case No. 25 of 1848 of the Session Court of Chittoor.

(Here enter F. C. No. 1868 of 1848)

Read also Miscellaneous Petition presented on the 12th March 1849 by Venkataramen of Tillak Chittoor.

(Here enter F. C. M. P. No. 59 of 1849)

This is an application for the interference of the Court of Fouzdaree Udalut to direct the release of Petitioner's Father, who was charged in the above case with having committed "Perjury" in the evidence which he gave on behalf of the Prisoner in Case No. 19 of 1848 on the file

of the Session Court, and was sentenced for the said crime by the Session Judge to four years imprisonment with hard labor in irons.

2 Adverting to the Proceedings of the Court of Fouzdaree Udalut under date 20th November last, directing the release of the Prisoner in Case No. 19 of 1848 the Court of Fouzdaree Udalut deem it proper to call upon the Session Judge to submit for their consideration with as little delay as possible a translation of the Record of Case No. 25 of 1848

3 Pending the result of this reference Prisoner in Custody without labor and without irons.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Chittoor for his information and guidance by Receipt returnable within ~~xx~~ days from and after its receipt.

(Sent following Receipt No.

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

Read

23d April 1849.

Read Miscellaneous Petition presented on the 5th March 1849 by Lutchmee of Tillah Trichinopoly.

(Here enter F U M P No 51 of 1849)

The Court of Foujdaree Udalut resolve to dismiss this Petition, and direct that the Petitioner be referred to the Court's Proceedings of the 4th September 1848 rejecting his former application for a reversal of the sentences of which she now complains.

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

Read Miscellaneous Petition presented on the 26th March 1849 by J Cruchterlony Esqr Collector on behalf of Seetaramapa late Tahseldar and Head of Police of the Pondicherry Talook in the Tillah of Cuddapah

(Here enter F U M P No 76 of 1849)

1 This is an application for the restoration of the Petitioner to his situation of Head of Police from which he has been dismissed by order of the Court of Foujdaree Udalut for misconduct in connexion with the investigation of

F U
23d April 1849.

of a robbery which had occurred in another Talook.

2 The Court of Foujdaree Udalut see nothing in this Petition which would induce them to modify the opinion entertained by them in regard to the conduct of the Petitioner on the occasion to which he refers, and in consequence of which it was deemed necessary to direct that he should be dismissed from the Office of Head of District Police

3 The Court accordingly resolve to dismiss the Petition.

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

Read Miscellaneous Petition presented on the 2d April 1849 by Nanjappa Pillay of Tillah Salem.

(Here enter F U M P No 80 of 1849)

1 Petitioner adverting to his capture of Ambala Moodely, Prisoner in the Salem Session Court Calendar No 69 of 1847 prays either, that orders may be issued by the Court

Court through the Session Judge, directing the employment of Petitioner as a Peon, under the Magistrate, or that he may be suitably rewarded for his services.

2 The Court of Foujdaree Udalut are unable to interfere in the manner solicited and resolve, therefore to reject this Petition

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

Read Miscellaneous Petitions presented on the 22d January 1849 by Ramachun Driah Vakeel on behalf of Rama Pasharady Eyothan Chundan and Eyothan Ramen of Tellicherry

(Here enter F. U. M. P. Nos 19-20 and 21 of 1849)

The Court of Foujdaree Udalut resolve to dismiss these Petitions, and direct that the Petitioners be referred to their Proceedings of the 12th March last rejecting a former application for the reversal of the sentences passed in the case to which the Petitioners refer.

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

Read

The record of case No 70 of 1848 on the Calendar of the Session Court of Cuddapah which was called for by Receipt of this Court under date the 16th January 1849 not having been yet received

The Session Judge of Cuddapah is requested to report what progress has been made in the Translation of the said Record, and within what period it will be submitted for the consideration of the Court of Foujdaree Udalut

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Cuddapah by Receipt returnable within ... days from and after its receipt

(Sent following Receipt No

Read Miscellaneous Petition of Caroopen Chetty, forwarded by the Session Judge of Chittoor, and filed in this Court on 26th March 1849

(Here enter F. U. M. P. No 72 of 1849)

1 The Petitioner complains of the improper release of one "Aroonachelem Chetty" who was charged by the Petitioner

m2

in Criminal Case N° 191 of 1848 on the file of the Subordinate Court of Chittoor with having committed a "Fraud"

2. The Court of Foujdaree Udalut having duly perused the Case as stated in the Calendar, and the Proceedings of the Session Judge held in revision thereof, see no reason to doubt the propriety of the manner in which the case in question was disposed of.

3. The Court of Foujdaree Udalut accordingly resolve to reject this Petition.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Chittoor for his information and for communication to the Petitioner.

(Sent in N°

Rd Ltr.

Tuesday
24th April 1849

F. No.

At a Court of the Foujdaree 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 20th March 1849 from the Acting Sessions Judge of Salem.—

(Seventeen F. No. N° 857 of 1849.)

1. With the foregoing communication the Acting Sessions Judge submits for the consideration of the Court of Foujdaree Udalut communicated in their Proceedings from the Joint Magistrate of Salem, in which that officer, adverting to the decision of the Court of Foujdaree Udalut under date 2d March last, solicits the instructions of the Judges on the following point.—

2. In a Case disposed of by the Assistant Magistrate, a party was charged with "Housebreaking" an offence not punishable by the Magistrate. This charge was not proved, but it appeared that the party had entered the premises in consequence of an intrigue with the Prosecutor's wife. The Assistant

Assistant Magisthate considered it necessary to demand security for the parties good behaviour at the same time that he was acquitted of "Housebreaking"

3. The Joint Magisthate considers that the Prosecutor was entitled at least to this protection from the law; and requests to be informed, whether, under these circumstances a separate No. is to be entered in the Calendar so as to separate distinctly the original charge from that under which the demand for security is made by the Magisthate, or whether the Magisthate is to consider himself precluded in such cases from making a demand for security for future good conduct.

4 The Court of Fouzdaree Adalut observe that under the circumstances referred to in the Joint Magisthates Letter, it was not competent to the Assistant Magisthate to take the security demanded. The party adverted to was acquitted of the offence charged, and it was not in evidence before the Assistant Magisthate, that, otherwise, he was a person of the kind described in Clause first Section III Regulation II of 1822, when under Clause first Section VI Regulation VI of 1827 the Assistant Magisthate might have called upon him for security for his good behaviour.

Jns.

5. In all cases of the nature of those adverted to in the concluding paras: of the Joint Magisthates Letter, it is competent to the Magisthial authorities to demand security under Section VI Regulation VI of 1827, but it is essential in such cases that the evidence, on which the demand for security is made, is independent of the suspicion which may attach to the party of having committed the offence with which he is charged.

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

(Centuries No. 387)

Read Extract from the Proceedings of the Sessions Court of Madura dated 6th March 1849 on review of the Calendar of Persons furnished by the Magisthate and his Assistants from 1st July to 31st December 1848.

(Reverted P. Cs. No. 700 of 1849)

Head Assistant Magisthate Case No.

1. Adverting to the remarks recorded by the Sessions Judge on review of this case, the Court of Fouzdaree Adalut deem it proper to observe, that they have long since noted that Act XXI of 1841 does

24th April 1849.

does not empower the Magistrate to fine for prevarication or for offences of the nature of that charged against the Prisoners in this case.

Case No 41

2 In reference to this case, the Court observe that the additional powers conferred on Magistrates by Section LIV Act VII of 1843 merely extend to those cases which the Magistrate could deal with under Regulation IX of 1816.

3. All cases calling for a heavier punishment than a Magistrate under Regulation III of 1819 could inflict, must be committed for trial before the Criminal Court.

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

(Sent in No 388)

Read again Letter dated 30th November 1848 from the Sessions Judge of Masulipatam, submitting for the final Judgment of the Court of Foujdaree Adalut the Records of Case No 13 of 1848 of the Calendar of the Sessions Court.

(Reference Pl. No 269 of 1848.)

Read also Return dated 20th February

and

Pl.

24th April 1849.

and Supplemental Return dated 17th March 1849 made by the Sessions Judge of Masulipatam to the Precept of the Foujdaree Adalut dated 3d January 1849 directing that officer to institute a full and searching enquiry into the conduct of the Head of Police of Gollapilly, and also of the Subordinate Officers of Police in regard to the above case.

(Reference Pl. Nos 269 and 343 of 1849)

1. From the above Returns it appears, that although excessive remissness was evinced on the part of the Head of Police in his endeavours to trace evidence in the above case, yet the grave charge of having persuaded the witnesses to withhold information regarding the commission of the crime, or of his having attempted to keep the Magistrate in ignorance of the act, has not been established against him.

2. Under the above circumstances the Court of Foujdaree Adalut are pleased to authorize the Magistrate to remove the suspension under which the Head of Police has been placed; but the Court direct, that it be distinctly intimated to that officer that a repetition of similar negligence on his part will

will be held to establish his unfitness for the respons-
ible situation he holds, and will subject him to
immediate dismission therefrom.—

Ordered that Extract from these
Proceedings be forwarded to the Sessions Judge of
Masulipatam for his information and for comm-
unication to the Magistrate for the guidance of
that officer.—

(Sentence No. 389)

Read returns dated the 9th Instant
from the Acting Sessions Judge of Coimbatore to the
precept of the Foujdaree Adalut under date the 2d idem
reducing the period of imprisonment awarded to the
1st Prisoner in Calendar Case No. 5 of 1849, to 8 years and
authorizing him to issue his warrant accordingly, and
desiring him at the same time to submit an English
translation of the proceedings of the Case should he be of
opinion that the mitigated sentence would be
insufficient to meet the ends of justice.—

(Hereunto F. Dg. No. 812 of 1849)

Read Calendar of Case No. 19 of 1849
submitted by the Sessions Judge of Chittoor under
date the 30th Ultimo.—

(Hereunto F. Dg. No. 784 of 1849)

Read

Read Criminal Report for the
month of March 1849 submitted by the Sessions
Judge of Masulipatam under date the 6th Instant.

(Hereunto F. Dg. No. 806 of 1849)

Read Calendar of Cases No. 10 of 1849
submitted by the Sessions Judge of Masulipatam
under date the 6th Instant.

(Hereunto F. Dg. No. 807 of 1849.)

Read Letter dated the 6th Instant
from the Sessions Judge of Chicacole stating with
reference to the Precept of the Foujdaree Adalut
dated 15th January 1849, that the Principal Sudder
Ameen of Vizagapatam has reported that the Magis-
trate of that District intimated to him in reply
to his letter, that the Prisoner in Case No. 35 of 1848
had absconded, and that he adopted necessary
measures for his recapprehension.

(Hereunto F. Dg. No. 810 of 1849.)

Read Criminal Reports for the
month of March 1849 submitted by the Acting
Sessions Judge of Coimbatore under date the 10th Instant.

(Hereunto F. Dg. No. 813 of 1849.)

Read Letter dated the 10th Instant
from the Sessions Judge of Calicut submitting
copy

24th April 1849.

copy of a letter from the Magistrate of Malabar respecting the escape of a Convict from Calicut together with copies of the proceedings recorded thereon and of that officer's Petition.—

/Herewith P. Pc. No. 817 of 1849./

Read Criminal Reports for the month of March 1849 submitted by the Sessions Judge of Guntoor under date the 13th Instant.

/Herewith P. Pc. No. 818 of 1849./

Read Criminal Reports for the month of March 1849 submitted by the Sessions Judge of Nagapatnam under date the 1st Instant.—

/Herewith P. Pc. No. 820 of 1849./

Read Criminal Reports for the month of February (Supplemental) and March 1849 submitted by the Agent to the Governor of Fort St. George at Rammad under date the 7th Instant.

/Herewith P. Pc. No. 821 of 1849./

Read Calendar of Cases No. 21 of 1849 submitted by the Sessions Judge of Chittoor under date the 7th Instant.

/Herewith P. Pc. No. 822 of 1849./

Ed. HH.

+

F. Pc.

Wednesday 25th. April 1849.

At a Court of the Foujdaree Udalut.

Present:

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

Mr. W. A. Morehead.

Read letter dated the 10th. Instant from the Sessions Judge of Honore, submitting for the final Judgment of the Foujdaree Udalut the Record of Case No. 6 of 1849 of the Calendar of the Sessions Court.

/Herewith No. 857 of 1849./

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. Vashipoory Bava

and

2d. Shivaguna

is sufficient to convict them of the crime of Murder, do convict them thereof; and do sentence the prisoner,

1st. Vashipoory Bava

to be imprisoned in the Jail at Honore in irons

25th. April 1849

irons and with labor suitable to his age and strength, for, and, during the period of his natural life: and the Prisoner,

2d. Chevagnea

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.

1 The Court of Foujdaree Udalut observed, with reference to the Provisions of Act XIV of 1844, that they have determined from sentencing the 1st. Prisoner to Transportation, in consideration of his advanced age and infirmities.

2 The Court further observe that the manner in which the Sessions Judge examined the Prisoners when on their defence, was altogether irregular and must not be again repeated.

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

Sent following letter, No. 390 / 5

Lyt

Ent HH

Thursday
26th April 1849

706

At a Court of the Tsydarie Adalat.

Present

G. L. Hooper Esqr. ——— 1st Puisne Judge
C. P. Thompson Esqr. ——— 2d Puisne Judge
W. H. Morhead Esqr. ——— 3d Puisne Judge

Read Letter dated the 21st Instant from the Tsydar Judge of Chittoor, reporting for the final disposal of the Tsydarie Adalat the Record of Case No 12 of the Calendar of the Tsydar Court of 1849

[Here Enter No No 885. of 1849.]

Mr G. L. Hooper
and
Mr C. P. Thompson

The Court of Tsydarie Adalat on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the Prisoners

1st Odda Cheagan
2d Eorroorun
3d Chinaageal
4th Pampey
5th Dandegan
6th Pareya Eorroorun
7th Cheagunbrogeal
8th Chinna Eorroorun
9th Chinna Dandegan
10th Erranadea
11th Chinna Eorroorun
and
12th Chinna Cheagan

are

26th April 1849.

are not convicted on presumptive proof, or on the evidence of credible witnesses, or on their own confession of the crime charged, do acquit them thereof; and direct that they be set at liberty.—

The Court of Foujdaree Adalat are of opinion that the evidence in this case is wholly insufficient for the conviction of any of the accused. That of the Prosecutor is represented by the Sessions Judge as unsatisfactory, and in some respects contradictory.—

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

(Sent following letter No 403 J-S

Ent Bkd

by

F.C.C.

Friday,
27th April, 1849.

At a Court of the Foujdaree Adalut

Present.

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

Read letter dated the 17th instant from the Sessions Judge of Cuddapah, referring for the final judgment of the Foujdaree Adalut, the Record of Case No. 74 of 1848 of the Calendar of the Sessions Court.

(Here Enter F.C.C. No. 859 of 1849)

Mr. G.S. Cooper
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,

C. Nagamma.

is sufficient to convict him of the crime of wilful Murder, do convict him thereof; and under the providions of Section

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. 416/

Read Calendar of Case No. 20 of 1849 on the file of the Session Court of Chittoor.—

/Here Enter F.No. No. 782 of 1849/

1. The Court of Foujdaree Udalut do not approve of the recommendation made by the Session Judge in this case that the periods of imprisonment awarded to the prisoners who have been convicted of house breaking and theft and sentenced respectively to seven years' Imprisonment with hard labor in irons should be reduced.—

2. The amount of property stolen and the position of the 1st. prisoner a servant in the house of the prosecutor form in the opinion of the Foujdaree Udalut circumstances of aggravation which demand the infliction of the full punishment awardable by Law.—

Ordered,

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

/Sent in No. 417/

Read letter dated the 16th. Instant from the Session Judge of Chicacole, referring for the final Judgement of the Foujdaree Udalut, the Record of Case No. 2 of 1849 of the Calendar of the Session Court.—

/Here Enter F.No. No. 903 of 1849/

Mr. W. A. Morshead

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, "Coppesetty Kanakadoo" is sufficient to convict him of the crime of Manslaughter, for which the penalty of Deyut is awardable under the Mahommedan Law as declared in Futwas of their Law Officers, do convict him thereof; and

under

27th April, 1849.

under the provisions of Clause Second Section XV Regulation VIII of 1802 and Section XXXIII Act VII of 1843, sentence him to be imprisoned with Labor and without Irons for and during the period of (1) one year.—

Sent following letter. No 418 /S

Fwd W.

Saturday,
28th April, 1849.

F. U.

At a Court of the Foujdaree Udalut.

Present,

G. L. Hooper Esqr — 1st Puisne Judge,
E. L. Thompson Esqr — 3d Puisne Judge,
W. A. Morehead Esqr — 3d Puisne Judge,

Read again Criminal Reports submitted by the Acting Session Judge of Cuddalore for the Month of February 1849.

(Here enter F. U. No 602 of 1849)

Read also return under date the 3d April 1849 from the Acting Session Judge of Cuddalore to the Precept of the Foujdaree Udalut dated the 27th March 1849 conveying their Orders on the foregoing Criminal Reports.

(Here enter F. U. No 761 of 1849)

Magistrate's Calendar Case No 31

1 The Magistrate reports that the Prisoner in this case effected his entry into the Prosecutors house by the removal of a Tatty which had been substituted for a door

2 Under these circumstances the Court of Foujdaree Udalut observe that the offence of which the Prisoner has been

convicted

28th April 1849.

Judge being sufficient

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

(Section No.

Read again Criminal Report submitted by the Acting Session Judge of Coimbatore for the Month of February 1849.

Here enter F. Ct. No. 595 of 1849.

Read also Calendar of Case No. 15 of 1849 on the file of the Session Court of Coimbatore.

(Here enter F. Ct. No. 620 of 1849)

Read also Letter under date the 5th April 1849 from the Acting Session Judge of Coimbatore.

(Here enter F. Ct. No. 791 of 1849)

It is observed that case No. 43 on the file of the Subordinate Criminal Court was committed for trial to the Court of Session and returned for disposal to the Principal Sudder Ameen with reference to the rule laid down in Circular Order 13th July 1824 wherein the offence of escape with

F. Ct.

28th April 1849.

with which the Prisoner was charged is declared to be an offence distinct from all others and the punishment thereof to be additional to the sentence which may be awarded to the Prisoner for the offence which originally led to his confinement.

2 The Court of Foujdaree Adalut remark that in the particular case under notice the offence of escape was attended with wounding and they are therefore of opinion that the Principal Sudder Ameen acted correctly when he committed Case No. 43 for trial to the Court of Session.

3. The Court approve of the course proposed by the Acting Session Judge viz: that the Principal Sudder Ameen should be directed to cancel the sentence passed by him on the Prisoner in Case No. 43. the punishment for the minor offence having merged in that of the greater of which the same Prisoner has been convicted in Case No. 16 of 1849 on the file of the Session Court and thus course the Acting Session Judge will now be pleased to adopt.

Ordered that Extract from these Proceedings

28th April 1849.

Proceedings be forwarded to the Acting Session Judge of Coimbatore by Receipt returnable within III days from and after its receipt.

Sent following Receipt No. 5

End 4th.

Read Criminal Reports submitted by the Acting Session Judge of Coimbatore for the Month of March 1849.

(Vide order F. Co. No. 813 of 1849.)

Report B
Case No. 62.

1 The Court of Sudder Udalut require an explanation with reference to the note appended to the report of this case to the effect that the Prisoner who is stated to have been convicted of the offence laid to his charge, has been sentenced in the preceding case

2 The Court observe that on the preceding case the prisoner in question has been merely placed under a requisition of Security

Ordered that Extract from these Proceedings be forwarded to the Acting Session Judge of Coimbatore for his information and guidance by Receipt returnable within III days from and after its receipt.

(Sent following) Receipt No. 5

E. P. H.

hjh

Monday, F. C.

30th April 1849 At a Court of the Foujdaree Adawlut

Present.

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

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

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

Read again Calendar of case No 34 of 1848 on the file of the Session Court of Cuddapah.-

(Here Enter F.C. No 1870 of 1848)

Read again also Miscellaneous Petition presented on the 11th December 1848 by James Quahterlony Esqre Vakeel on behalf of P. Ragavaredy of Zillah Cuddapah.-

(Here Enter F.C. No 1871 No 318 of 1848)

Read also return under date the 10th January and Supplemental return under date the 7th April 1849 from the Session Judge of Cuddapah to the precepts of the Foujdaree Adawlut dated the 30th December 1848 directing the transmission to the Foujdaree Adawlut of an English translation of the record of case No 34 of 1848 on the file of the Session Court of Cuddapah-

(Here Enter F.C. Nos 89 and 798 of 1849)

The

30th April 1849.

1. The Court of Foujdaree Udalut having very carefully considered the voluminous record of the foregoing case are satisfied of the justness of the conviction of the 2d and 3d prisoners and of the propriety of the sentence passed upon them, which the Court resolve to confirm.-

2. The Court observe that in the Petition presented on behalf of the 2d prisoner in the case in question there are statements made, which are not only not borne out by the record, but directly at variance with the evidence adduced on the trial.-

3. The Petitioner's application is accordingly dismissed.-

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

(Sent in No. 427

Ordered also, that Extract from these proceedings be granted to the Petitioners Vakeel on his application.-

Read Miscellaneous Petition as forwarded by the Sessions Judge of Tinnevelly from Venatachellum and Sheeram of that

Gillah.

30th April 1849.

Gillah.-

(Here Enter Ft. M. Proc. 62 of 1849)

1. This is an application for the interference of the Court of Foujdaree Udalut to reverse a sentence of Imprisonment awarded to the Petitioners by the Assistant Magis=trate of Tinnevelly-

2. The Court of Foujdaree Udalut observe that the case to which the Petitioner refer has received full consideration from the Acting Magistrate who revised the pro=ceedings of the Assistant Magistrate and also from the Sessions Judge to whom the Petitioner appealed.-

3. The Court of Foujdaree Udalut see no reason to doubt the justice of the orders passed by those Officers which they accordingly refuse to disturb.-

4. This Petition is dismissed.-

Ordered that Extract from these proceedings be sent to the Sessions Judge of Tinnevelly for communication to Petitioner

(Sent in No. 428

Read Miscellaneous Petition presented

30th April 1849.

presented on the 26th March 1849 by Conaty Venkata-
-reddy of Zillah Chittoor.

(Here Enter F. M. P. No 977 of 1849)

1 This is an application for the interference of the Court of Foujdaree Adalut to institute an Enquiry into certain charges which the Petitioner prefers against the Poligar of Bungaroo Pollium and certain of his retainers.

2 The Court of Foujdaree Adalut observe that the Petitioner should apply to the Magistrate of North Arcot to enquire into the charges preferred by him.—

3 The Court of Foujdaree Adalut are precluded from interfering in the matter of this Petition until furnished with copies of orders to show that the Petitioner has applied to the Magistrate and Sessions Judge for redress from the grievances of which he complains.

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

Read Miscellaneous Petition presented on the 2d instant by V. Seth Lam Esqre Pleader on behalf of G. Govin accused of the

F. R.

30th April 1849.

Zillah of Cuddapah—

(Here Enter F. M. P. No 829 of 1849)

1 The Petitioner, it appears, was the Abkary contractor of five Talooks of the District of Cuddapah:- and has been charged with stabbing or attempting to stab a certain person: and the prayer of this Petition is that the trial of the case may be removed either to Chittoor or some other Zillah, on the ground that the enmity towards himself and influence with the Collector of Cuddapah, of certain parties will render it impossible for justice to be done him.

2. The Court of Foujdaree Adalut cannot comply with the prayer of this Petition.

3. Regulation III of 1827 provides for the removal of the Trial of Criminal cases from one Zillah to another whenever the Judge or Magistrate may deem it expedient that that course should be pursued: but it does not contemplate such a measure being adopted upon the mere application of the accused party.—

4. Nor can the Foujdaree Adalut comply with another request embodied in the

in the same Petition: namely that a Jawab-
-nauees of the Collectors Cutcherry, named
"Ramiru" and certain others whose influence
with the Collector is declared in this Petition
to be paramount - and their hostility to the
Petitioner, unwearied, may be suspended from
their situations pending the progress of the
inquiry - The Petitioner should first address
the Collector and Magistrate himself - and
failing to obtain redress, should lay his
complaint before the Board of Revenue - The
Foujdaree Adaulut have no power to interfere
with the Ministerial establishment of
the Collector -

5. Should the Magistrate deem
the charge of "stabbing" established against
the Petitioner, he will, it is presumed, send up
the case to the Criminal Court: and from any
decision which may be passed - the Petitioner
may appeal to the Sessions Court - and thence
again to the Foujdaree Adaulut - But in the
present stage of the Proceedings, this Court
cannot interfere -

Ordered that Extract from
these

these proceedings be granted to the Petitioner
if he call on his application -

Read Miscellaneous Petition
presented on the 10th April 1849 by Moonesamy
reddy of Zillah Chittoor -

(Here Enter Sl No 87 of 1849)

1. This is an application for the
interference of the Court of Foujdaree Adaulut
with reference to an order passed by the Sessions
Judge of Chittoor under date the 6th March
last dismissing an application made by the
Petitioner for his restoration to the Office
of Village Moonsif - from which he has
been dismissed by the Magistrate of North
Arcot -

2. The order of the Sessions Judge
of which the Petitioner complains is founded
on the provisions of Section VII Regulation VI
of 1831 whereby the control and superintendance
of the Officers of the Village Police is vested
exclusively in the Revenue Authorities -

3. The Court of Foujdaree Adaulut
consider this order to be correct and proper,
and they accordingly resolve to dismiss this
Petition

30th April 1849.

Petition.-

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

Read Miscellaneous Petition presented on the 16th April 1849 by Veerasamy late Sub Boon at Nellore.-

(Here Enter F.R. Pr No 890 of 1849)

1 The Petitioner who represents that he has been recently discharged by the Officer in charge of the Sub at Gundy whither he had been detached in charge of prisoners from Nellore prays the Court of Foujdaree Adalut to grant him a recommendation for employment to the Sub Collector of Salem, at which place he states that his family reside.-

2. The Court of Foujdaree Adalut cannot comply with the Petitioner's request.-

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

Read Miscellaneous Petition presented on the 16th April 1849 by B. Atchut Row of Zillah Cuddapah.-

(Here Enter F.R. No 910 of 1849)

The

F.R.

30th April 1849.

1 The object of this Petition is to induce the Court of Foujdaree Adalut to reconsider their orders of the 2d Instant refusing to grant the Petitioner copies of certain documents for which he had applied.-

2. The Court of Foujdaree Adalut see no reason to modify their former orders to which the Petitioner refers; and they 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 29th May 1848 by T. Ramachendriah Vakeel on behalf of Ameer Hussen 4th Goomastah in the Court of the Principal Sudder Ameen of Tellicherry.-

(Here Enter F.R. No 160 of 1848)

1 The Court of Foujdaree Adalut deem it unnecessary to pass any orders upon this Petition which it is observed has reference to the Suspension of the Petitioner from his situation by the Sessions Judge of Tellicherry

2. It does not appear from the Papers

papers before the Court that the Petitioner has been finally dismissed.-

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

Read again Calendar of case No 2 of 1849 of the Sessions Court of Chingleput.-

(Here Enter T. M. No. 1940 of 1849)

Read also miscellaneous Petition presented on the 16th Instt April 1849 by Areya Pillay of Zillah Salem.-

(Here Enter T. M. No. 90 of 1849)

This is an application for the interference of the Court of Foujdaree Adalut to direct the release of the Petitioner's Brother, Prisoner in the above case, who was convicted of having received stolen property knowing it to be such, and sentenced to seven years of imprisonment with hard labor in irons

2. The Court of Foujdaree Adalut have again carefully considered the evidence set forth in the Calendar of the above case, and in the Futwa of the Law Officer, but see no grounds for doubting the justness of the

30th April 1849.

Prisoner's conviction, nor the propriety of the sentence passed upon him. The Court accordingly resolve to reject this application for his release.-

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

Read Calendar of Case No 17 of 1849 on the file of the Sessions Court of Tinnevelly.-

(Here Enter T. R. No 839 of 1849)

The Court of Foujdaree Adalut observe that the 2d and 3d prosecutors in this case should have been entered as witnesses.-

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

(Sent in No. 429

Read Calendar of Case No 24 of 1849 of the Sessions Court of Combaconum.-

(Here Enter T. A. No 844 of 1849)

1. The Court of Foujdaree Adalut approve the recommendation made by the Sessions Judge in this case, that the sentence awarded to the first Prisoner on his conviction of

of "cattle stealing" be mitigated to three years imprisonment with hard labor in irons-

2. And the Session Judge is hereby authorized to issue his warrant accordingly-

Ordered that Extract from these proceedings be forwarded to the Session Judge of Combaconum for his information and guidance-

(Sent in No 430

Read Calendar of case No 10 of 1849 of the Session Court of Trichinopoly.-

(Here Enter F R No 84 90 of 1849)

1. The Prisoner in this case was charged with, and convicted of "cattle stealing", and, on the ground that he is a notorious character, has been sentenced to six years imprison-ment with hard labor in irons under clause fourth Section II Regulation VI of 1822.-

2. The Court of Foujdaree Udalut observe that under the construction of the Regulations recorded in Foujdaree Udalut Cir-cular Order dated 19th June 1823, the above sentence of the Session Judge is illegal, and must be immediately cancelled, a fresh sentence being

being recorded against the Prisoner under Section XXI Regulation VII of 1802, and a mitigation thereof applied for to such ex-tent as the Session Judge may deem proper.

3. The Session Judge will at the same time be pleased to propound a se-cond Question to the Law Officer with a view to the removal of the bar to "Hus."-

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

(Sent following Precept No 431

Read Miscellaneous Petition presented on the 10th April 1849 by Gounidaroo of Zillah Chittoor.

(Here F R No 85 of 1849)

1. This is an application for the interference of the Court of Foujdaree Udalut to order the restoration of the Petitioner to the situation of a Sub Raigue from which he represents that he has been dismissed by the Commissariat officer at Pellore-

The

of "cattle stealing," be mitigated to three years imprisonment with hard labor in irons.

2. And the Sessions Judge is hereby authorized to issue his warrant accordingly.

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

(Sent in No. 430

Read Calendar of Case No 10 of 1849 of the Sessions Court of Trichinopoly.

(Here Enter FL No 849 of 1849)

The Prisoner in this case was charged with, and convicted of "cattle stealing," and, on the ground that he is a notorious character, has been sentenced to five years imprisonment with hard labor in irons under clause fourth Section II Regulation VI of 1822.

2. The Court of Foujdaree Udalut observe that under the construction of the Regulations recorded in Foujdaree Udalut Circular Order dated 19th June 1823, the above sentence of the Sessions Judge is illegal, and must be immediately cancelled, a fresh sentence being

being recorded against the Prisoner under Section XXI Regulation VII of 1802, and a mitigation thereof applies for to such extent as the Sessions Judge may deem proper.

3. The Sessions Judge will at the same time be pleased to propound a second Question to the Law Officer with a view to the removal of the bar to "Hue."

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

(Sent following Precept No 431

Read Miscellaneous Petition presented on the 10th April 1849 by Gounidaroo of Zillah Chittoor.

(Here F In No 85 of 1849)

1. This is an application for the interference of the Court of Foujdaree Udalut to order the restoration of the Petitioner to the situation of a Sub Raigue from which he represents that he has been dismissed by the Commissariat Officer at Pellore.

The

2. The Court of Foujdaree Udalut so resolves to direct that the English Translation of this Petition be forwarded to the Sessions Judge of Chittoor who will be pleased to call upon the Subordinate Judge to ascertain the cause of the Petitioner's dismissal, and pass orders thereon reporting the same for the information of the Foujdaree Udalut.—

3. The Sessions Judge will be pleased to explain upon what grounds he declined to pass orders upon the Petitioner's case, when the Petitioner in the first instance applied to him for redress.—

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

(Sent following Precept No 432)

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

Read Miscellaneous Petitions presented on the 29th January, 12th February and

and 5th March 1849, by R Ferowmulrow Vakeel on behalf of Cottata Awoola of Zillah Tellicherry.

(Vide Entry Fm 9 Pp 24-36. and 48 of 1849)

1. The object of these Petitions is to move the Court of Foujdaree Udalut to set aside two Orders of the Sessions Judge of Tellicherry one dated 24th November 1848, passed in renewal of an order of the Joint Magistrate of Malabar, and referring the Petitioner to the institution of a Civil action for the recovery of an Elephant, which had been adjudged to him by the Joint Magistrate, and the other dated 1st December 1848 requiring the Petitioner to sign a Moochilka to ensure his attendance before the Sessions Court.

2. The Court of Foujdaree Udalut have duly perused the orders of the Sessions Judge appealed from, and consider the Order dated 24th November, referring the Petitioner to a Civil action for recovery of the Elephant, to be correct and proper; the Court accordingly refuse to disturb it.—

3. But before passing final orders on the Petition No 48, the Court of Foujdaree Udalut deem it proper to call upon the Sessions

Sessions Judge to explain under what provision of the Law he required the Petitioner to execute the Moochilka referred to, a translation of which document the Sessions Judge will at the same time be pleased to submit.—

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

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

Sent following Precept No. 433

Read Miscellaneous Petition presented on the 26th March 1849 by Dl. Sth Sam Eqre Vakeel on behalf of Vurdiengar of Zillah Combaconum.—

(Here Enter F.R. No 1073 of 1849)

Read also Miscellaneous Petition presented on the 2d April 1849 by Samaviengar of the same zillah.—

(Here Enter F.R. No 1079 of 1849)

1. These Petitions have for their object the release of the 1st and 2d prisoners in case No 11 of

F.R.

30th April 1849.

1849 on the file of the Sessions Court of Combaconum, the first of whom has been sentenced by the Court of Sanjeavee Doraiah to 12 months imprisonment and to pay a fine to Government of Rupees 1000 and the 2d to six months Imprisonment in their conviction on a charge of bribery.—

2. The Petitioner in No 79 seeks the restoration of the 1st Prisoner to his office of District Moonsiff of Manargoody from which he has been dismissed.—

3. The Court of Sanjeavee Doraiah on a careful consideration of the records of the case referred to considers both the prisoners of the offence laid to their charge, and they see nothing in either of the Petitions now under review to induce them to question the propriety of the sentences which have been pas-

4. The request of the Vakeel by whom the Petition No 73 has been presented to be heard orally being opposed to the practice of the Court of Sanjeavee Doraiah it cannot be complied with would be attended with no advantage to the 2d Prisoner, the Court

of

30th April 1849.

of Tonjavore Zoalub will not comply with his request.

5 These Petitions are dismissed.-

Ordered that Extract from these proceedings be granted to the Petitioner in No 79 and to the Petitioners Vakeel in No 73 on their respective applications.-

Moonesamy reddy of Chittoor moves the Court to return the Enclosures in his Miscellaneous Petition No 87 of 1849.-

Ordered accordingly.-

The Vakeel of Appiah on behalf of Vyshravan atha Sabai Dewa Shumboody of Calicut, moves the Court to return the Enclosures in Miscellaneous Petition No 31 of 1849.-

Ordered accordingly.-

Endd/ H.

F.C.

Tuesday,
1st. May, 1849.

At a Court of the Foujdaree Adalut.

Present.

Hon'ble G.S. Cooper, Esquire 1st. Puisne Judge.
" E.P. Thompson, Esquire 2d. Puisne Judge.
" W.M. Morehead, Esquire 3d. Puisne Judge.

Read letter under date the 12th. April 1849 from the Sessions Judge of Honore.—

Were Enter F.C. No. 847 of 1849.—

With the foregoing communication the Sessions Judge has submitted copies of letters from the Magistrate and Joint Magistrate of Canara pointing out the inconvenience which those officers consider likely to result from a strict adherence to the orders conveyed in the proceedings of the Foujdaree Adalut under date the 13th. March last directing that all communications addressed to the Sessions Courts by the Subordinate officers of the Magistracy in Canara

should

should be forwarded through the Magistrate.

2. The Court of Foujdaree Udalut are of opinion that the correspondence between the Joint Magistrate and the Sessions Court on all matters of routine and which are comparatively unimportant in their nature may as hitherto be carried on direct, but that all communications upon subjects of importance should be forwarded through the Magistrate, in conformity with the practice which obtains in other Zillahs.—

3. The Court of Foujdaree Udalut deem it unnecessary to direct the adoption of the course suggested by the Session Judge in the 3d. para: of his letter under review in regard to the letter of the late additional Joint Magistrate which was disposed of in their proceedings of the 13th. Ultimo.

Ordered, that Extract from these Proceedings be forwarded to the Session Judge of Honore for his

his information and guidance and for communication of paras: 1 and 2 to the Magistrate of Canara.—

/Sent in No. 434/-

Read Letter dated the 26th. Ultimo from the Acting Session Judge of Coimbatore, referring for the final Judgment of the Foujdaree Udalut, the Record of Case No. 18 of 1849 of the Calendar of the Session Court.—

/Were Enter F. Dc. No. 937 of 1849/-

Mr. E. P. Thompson
Mr. W. A. Marshead

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, "Goorooswamy Soundow" 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. 435/-

Read

1st. May, 1849.-

Read again Letter dated 27th. December 1848 from the Session Judge of Cuddapah forwarding Calendar of Case No. 70 of 1848 of the Session Court of Cuddapah.-

/Here Enter F.C. No. 2 of 1849/-

Read also return dated the 19th. Ultimo from the Session Judge of Cuddapah to the precept of the Foujdaree Udalut under date the 16th. January 1849, calling for the Translations of the Record in Case No. 70 of the Calendar for 1848.

/Here Enter F.C. No. 3 of 1849/-

Read also return dated the 25th. Ultimo from the Session Judge of Cuddapah to the precept of the Foujdaree Udalut under date the 23d. idem, & directing to report what progress has been made in the Translation of the Record in Case No. 70 of the Calendar for 1848.

/Here Enter F.C. No. 924 of 1849/-

Mr. W.A. Marshead

The Court of Foujdaree Udalut on a deliberate consideration of all the circumstances of the case in

F.C.

1st. May, 1849.-

in evidence before them, being of opinion that the Prisoners,

1st. Chakala Chinnegadoo

and

2d. Gaundla Bauboogadoo

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 the Prisoner,

2d. Gaundla Bauboogadoo

be set at liberty.-

But considering that strong suspicion tho' not amounting to conviction attaches to the Prisoner,

1st. Chakala Chinnegadoo

they direct that he be required, under Clause Sixth Section VI Regulation XV of 1803 and Section XXXIV. Act VII of 1843, to find 2 Sureties in (50) Rupees each Surety for his good behaviour and appearance when required within two years, or in default thereof; that he be detained in Custody for (2) two years

the

1st. May, 1849.

the term of the requisition being calculated from the date of the Calendar or the 27th December 1848.—

/Sent following letter. No. 436/-

End. III.

Wednesday,
2nd May, 1849 — At a Court of the Foujdaree Udaulut

Present

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

Read letter dated the 21st Ultimo from the Session Judge of Cuddapah, submitting for the final Judgment of the Foujdaree Udaulut the record of Case No 20 of 1849 of the Calendar of the Session Court—

(Here Enter F.U. No 918 of 1849.)

Mr G.S. Hooper — The Court of Foujdaree Udaulut, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the Prisoner,

H. Chennoogadoo"

is sufficient to convict him of the crime charged, do convict him thereof; and under the provisions of clauses third and fifth Section IV Regulation XV of 1803, and Section XXXIV Act VII of 1843, Sentence him to be imprisoned

2d May 1849

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.-

(Sent following letter. A 437)

End 11th.

hjk.

F. Ude.

Friday
4th May 1849.

At a Court of the Foydaree Udalut

Present

J.H.A. G. S. Hoopers Esqre ——— 1st Puisne judge
C.P.S. C. D. Thompson Esqre ——— 2d Puisne judge
F. Ude. M. A. Morehead Esqre ——— 3d Puisne judge

Read Calendar of Cases
Nos 25. 26. 27. 28. 29 and 30 of 1849 of the
Sefion Court of Combaconum.
(Here enter F.U. No 879 of 1849)

1. The Court of Foydaree Udalut approve the recommendation made by the Sefion judge in these cases, that the Sentence awarded to the Prisoners, who have severally been convicted of Perjury be mitigated to six months imprisonment with hard labor in irons.

2. And the Sefion judge is hereby authorized to iffue his warrant accordingly.

Ordered that Extract from these Proceedings be forwarded to the Sefion Judge of Combaconum for his information

Udalut as to the propriety of the mitigation of punishment suggested in this Case, he will be pleased to submit for the consideration of the Court an English translation of the record together with a copy of the Notes recorded by him on the trial.

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 445)

Read Calendar of Case No. 14 of 1849 of the Sessions Court of Calicut

(Here Enter F.R. No 893 of 1849)

Adverting to the absence of any apparent aggravating features in this Case, the Court of Foujdaree Udalut are disposed to consider that a Sentence of two years imprisonment would be adequate punishment for the crime of which the Prisoner has been convicted, and, on the recommendation of the Sessions Judge, the Court will be prepared to mitigate his Sentence accordingly.

2. Should, however, the Sessions Judge on a reconsideration of the circumstances of the Case be of opinion that the ends of justice demand a severer Sentence than that now

now proposed, he will be pleased to submit a translation of the record, together with his notes of the trial with the least possible delay.

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

(Sent following Precept No 446)

Read Statement, dated the 11th Ultimo, submitted by the Sessions Judge of Mangalore, of the actual produce of the labor of the prisoners and the application of the Funds arising therefrom from 1st January to 31st March 1849.

(Here enter J.U. No 826 of 1849)

Read Report A dated the 11th Ultimo, submitted by the Sessions Judge of Mangalore, for the month of February 1849.

(Here enter J.U. No 827 of 1849.)

Read letter dated the 12th Ultimo from the Sessions Judge of Masulipatam, affording explanations on the points indicated in Circular Order dated 3rd May 1838 relative to the execution of the Prisoner in Case No 7 of 1849 on the file of this Court.

(Here enter F.R. No 829 of 1849).

Read Return, dated the 12th Ultimo

information and guidance

(Sent in № 442)

Read Criminal Reports of the Sessions Court of Chicacole for March 1849

(Here enter № 892 of 1849).

1. The Court of Foujdaree Udalut require an explanation of the omission on the part of the Governor's Agent in the Hill Tracts of Orissa to forward the usual Report of Cases disposed of by him; the last Reports it is observed, which were received from that Officer, are dated 6th August 1847.

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

(Sent following Precept № 443)

Read Criminal Reports of the Sessions Court of Combaconum for March 1849

(Here enter F.U. № 825 of 1849).

Report B
Case № 33.

1. The Court of Foujdaree Udalut observe that the manner in which the Prisoner in this Case effected his entrance into the Prosecutor's House should have been

Case № 54.

been fully set forth in the Statement of the charge.

2. Adverting to the nature of the charge preferred against the 2nd 3rd and 4th Prisoners in this Case, the Court of Foujdaree Udalut consider that they were improperly committed for trial before the Criminal Court.

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

(Sent in № 444).

Read Calendar of Case № 18 of 1849 on the file of the Sessions Court of Calicut.

(Here enter F.U. № 876 of 1849)

1. The Court of Foujdaree Udalut consider the Sentence awarded to the Prisoner in this Case who has been sentenced to four years Imprisonment with hard labor in irons upon his conviction on a charge of "Assault and wounding" to be unnecessarily severe and they are of opinion that the period of Imprisonment awarded may with propriety be reduced to two years

2. Should the Sessions Judge be unable to concur with the Court of Foujdaree Udalut

4th May 1849.

Udalut as to the propriety of the mitigation of punishment suggested in this Case, he will be pleased to submit for the consideration of the Court an English translation of the record together with a copy of the Notes recorded by him on the trial.

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 445)

Read Calendar of Cases No. 14 of 1849 of the Sessions Court of Calicut

(Here Enter F.U. No 893 of 1849)

Adverting to the absence of any apparent aggravating features in this Case, the Court of Fouzdaree Udalut are disposed to consider that a Sentence of two years imprisonment would be adequate punishment for the crime of which the Prisoner has been convicted, and, on the recommendation of the Sessions Judge, the Court will be prepared to mitigate his sentence accordingly.

2. Should, however, the Sessions Judge on a reconsideration of the circumstances of the Case be of opinion that the ends of justice demand a severer Sentence than that now

J. U.
4th May 1849.

now proposed, he will be pleased to submit a translation of the record, together with his notes of the trial with the least possible delay.

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

(Sent following Precept No 446)

Read Statement, dated the 11th Ultimo, submitted by the Sessions Judge of Mangalore, of the actual produce of the labor of the prisoners and the application of the Funds arising therefrom from 1st January to 31st March 1849.

(Here enter No 826 of 1849)

Read Report A dated the 11th Ultimo, submitted by the Sessions Judge of Mangalore, for the month of February 1849.

(Here enter F.U. No 827 of 1849.)

Read letter dated the 12th Ultimo from the Sessions Judge of Masulipatam, affording explanations on the points indicated in Circular Order dated 3rd May 1830 relative to the execution of the Prisoner in Case No 1 of 1849 on the file of his Court.

(Here enter F.U. No 829 of 1849).

Read Return dated the 12th Ultimo

Ultimo, ——— from the Sessions Judge of Masulipatam, forwarding the death Warrant issued by the Fouzdaree Udalut in Case No 7 of 1849 on the file of his Court.

(Here enter F.U. No 830 of 1849.)

Read Statement dated the 12th Ultimo submitted by the Sessions Judge of Masulipatam, of the amount realized by the labor of Prisoners, in the 1st Quarter 1849

(Here enter F.U. No 831 of 1849).

Read Copy of the Calendar No 15 of 1849, submitted by the Sessions Judge of Calicut under date the 12th Ultimo

(Here enter F.U. No 834 of 1849).

Read Criminal Report A B submitted by the Sessions Judge of Calicut under date the 12th Ultimo, for the month of March last

(Here enter F.U. No 835 of 1849)

Read Criminal Report B for the month of March A.D. 1849, submitted by the Sessions Judge of Cuddapah under date the 14th Ultimo

(Here enter F.U. No 838 of 1849).

Read Criminal Report for the month of March 1849, submitted by the Sessions Judge of Chingleput under date the

the 16th Ultimo.

(Here enter F.U. No 840 of 1849).

Read Statement dated the 16th Ultimo submitted by the Sessions Judge of Trichinopoly, of the amount realized by the labor of Prisoners in the 1st Quarter of 1849.

(Here enter F.U. No 850 of 1849.)

Read Calendar, dated the 9th Ultimo, submitted by the Sessions Judge of Chicacole, of Case No 3 of 1849 on the file of his Court.

(Here enter F.U. No 860 of 1849)

Read Criminal Reports A for the month of March 1849, submitted by the Sessions Judge of Bellary under date the 14th Ultimo.

(Here Enter F.U. No 861 of 1849).

Read Criminal Reports B for the month of March 1849, submitted by the Sessions Judge of Nellore under date the 16th Ultimo

(Here enter F.U. No 862 of 1849.)

Read Report, dated the 14th Ultimo submitted by the Sessions Judge of Masulipatam, of Executions and of Prisoners released in the Zillah of Masulipatam in the month of March 1849.

(Here enter F.U. No 863 of 1849.)

Read

4th May 1849.

Read Criminal Reports for the month of March 1849, submitted by the Sessions Judge of Tinnevelly under date the 1st Ultimo.

(Here enter F.U. No. 864 of 1849).

Read Criminal Reports for the month of March 1849 submitted by the Sessions Judge of Trichinopoly under date the 5th Ultimo.

(Here enter F.U. No. 843 of 1849).

End Ditto.

F. U.

Saturday. 5th May 1849.

At a Court of the Foujdaree Adalut.

Present.

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

Read letter dated the 10th Ultimo from the Agent to the Governor of Fort St. George at Ganjam submitting the record of the trial in Case No. 7 on the Calendar of the Agent for 1849.

(Here enter F. U. No. 942 of 1849).

Mr. E. P. Thompson and Mr. W. A. Morehead deliberate consideration of all the circumstances of the Case in evidence before them, being of opinion that the Proof against the Prisoner,

"Broonda Naiko"

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 so soon as conveniently can be after the receipt of this warrant, at a spot to be selected by the Agent of Ganjam in the immediate vicinity of the place where the Murder was committed.

(Sent following letter No. 447).

Read letter dated the 26th Ultimo, from

from the Sessions Judge of Mangalore submitting the record of the trial in Case No. 19 on the Calendar of the Sessions Court for 1849.

(Here enter F. G. No. 943 of 1849).

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

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

"Runnaya"

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. 448).

Read Calendars of Cases Nos. 11 and 12 of 1849 submitted by the Acting Sessions Judge of Cuddalore under date the 17th Ultimo.—

(Here enter F. G. No. 865 of 1849).

Read return dated the 18th Ultimo from the Sessions Judge of Trichinopoly to the precept of the Foujdaree Adalut under date the 11th idem, directing with reference to this Courts' returns of the 5th and 24th Ultimo, to their precepts of the 27th February and 17th March 1849 that the requisition of Security under which the Prisoners in Calendars of Cases Nos. 7, 8 and 9 of

of 1849, have been placed be annulled, the proceedings held in the Case having been irregular.—

(Here enter F. G. No. 869 of 1849).

Read Criminal Reports dated the 11th Ultimo, submitted by the Sessions Judge of Honore for the month of March 1849.—

(Here enter F. G. No. 871 of 1849).

Read Criminal Report A dated the 20th Ultimo, submitted by the Sessions Judge of Guntoor for the Month of April 1849.—

(Here enter F. G. No. 872 of 1849).

Read letter dated the 11th Ultimo, from the Agent to the Governor of Fort St. George, in Ganjam, submitting Criminal Report No. 2 of the Agents Court, together with the Report B from his Assistant Mr. Frye for last month.—

(Here enter F. G. No. 873 of 1849).

Read Report B dated the 15th Ultimo, submitted by the Agent to the Governor of Fort St. George at Vizagapatam, of Persons apprehended in the Separate Tracts and delivered to the Agency in the month of March 1849.—

(Here enter F. G. No. 874 of 1849).

Read Calendar in Case No. XVII of 1849 submitted by the Sessions Judge of Calicut under date the 17th Ultimo.—

(Here enter F. G. No. 875 of 1849).

Read

5th May 1849.

Read Calendar in Case No. 8 of 184
submitted by the Sessions Judge of Bellary under
the 18th Ultimo.-

(Here enter F. G. No. 877 of 1849).

Read Calendar in Case No. 19 of 18
submitted by the Acting Sessions Judge of Cuddalo
under date the 18th Ultimo.-

(Here enter F. G. No. 878 of 1849).

Read Calendar in Case No. 5 of 18
submitted by the Sessions Judge of Salem under dat
the 14th Ultimo.-

(Here enter F. G. No. 881 of 1849).

Read report dated the 21st Ultimo,
submitted by the Chief Magistrate and Superintende
of Police, of Persons apprehended in the Collectorate of
Madras and delivered to the Deputy Superintendent
Police during the Month of March 1849.-

(Here enter F. G. No. 882 of 1849).

Read Calendar in Case No. 13 of 18
submitted by the Sessions Judge of Mangalore
under date the 18th Ultimo.-

(Here enter F. G. No. 887 of 1849).

No. 8.

Monday,
7th May 1849.

P. No.

At a Court of the Foujdaree Adalut.

Present:

G. S. Hooper Esquire ——— 1st Puisne Judge
E. P. Thompson Esquire ——— 2d Puisne Judge
W. A. Morehead Esquire ——— 3d Puisne Judge.

Read again - Miscellaneous
Petition forwarded by the Sessions Judge of Coimbatore
on behalf of Sindoo alias Rackya grounder, and
Maree of Zillah Coimbatore and filed on this
Court on the 19th of March 1849.

(Here enter P. No. P. No. 64 and 65 of 1849.)

Read also return under date the
28th April 1849 from the Acting Sessions Judge of
Coimbatore to the precept of the Foujdaree Adalut
dated the 10th April 1849 directing the submission
of such portions of the record of Case No. 8 of 1849
on the file of the Sessions Court as have reference
to the 1st and 4th Prisoners.-

(Here enter P. No. No. 965 of 1849.)

On an attentive consideration of
those portions of the record of this case, which have
been

been transmitted with the return of the Acting Sessions Judge, the Court of Foujdaree Adalut observe four points in which the evidence adduced against the 1st and 4th prisoners appears to be unsatisfactory.

2. In the first place, the Court are not satisfied that the articles Nos 1 and 2 were really secreted in the houses of the 1st and 4th prisoners.- secondly, that the article No 1 was delivered up by the 1st prisoner and No 2 discovered in the house of the 4th prisoner,- thirdly that the property in question really belongs to the Prosecutor and fourthly if it belong to him, that it is a portion of the property which was stolen on the night the robbery charged against the prisoners is alleged to have taken place.

3. The Court of Foujdaree Adalut considering the evidence on these points to be doubtful and insufficient for the conviction of the 1st and 4th prisoners resolve to order their unconditional release.

4. The Court of Foujdaree Adalut observe that the value of the property in question according to the prosecutor's own estimation is very small, the article No 1 being valued at Rupees 2 and No 2 at Rupee 1.

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

of Coimbatore for his information and guidance and for communication to Petitioner, by precept returnable within 10 days from and after its receipt.

(Sd) Following Precept No 452

Read Miscellaneous Petition presented on the 10th April 1849 by Ramier of Zillah Madura.-

(Accounter P. Ab. D. No 86 of 1849)

1. This is an application for the interference of the Court of Foujdaree Adalut to direct the punishment of one Anacaiye Row, whom, as Defendant in Suit No 14 of 1847 on the file of the District Moonsiff of Dindigul he had sued with others by one Seethalayer Ammal for the recovery of 3 Pungas of Land, this Petitioner accuses of having forged a Deed of Sale, and thereby gained a Decree in his favor.

2. In the event of the Court of Foujdaree Adalut being unable to accede to the above request, the Petitioner prays that Orders may be passed directing a review of the judgment in the above case.

3. The Court of Foujdaree Adalut see no grounds for their interference in this matter, and accordingly resolve to reject this Petition.

JF

7th May 1849.

4. If the Plaintiff Seithabye Ammal deems herself aggrieved by the decision passed in the suit in question, she should either appear before the Civil Judge in person, or thro' an authorized Vakal, and petition him on the subject of her grievances.—

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

Read Miscellaneous Petition presented on the 16th Ultimo, by Chinnabbee of Chittoor.

/Received Tr. No. P. No. 880 of 1849/

As the above address refers to matter of a Civil Nature the Court of Sunjdaree Adalut decline to bring it under consideration.—

Ordered accordingly that it be removed from the file of the Court.—

Read Calendar of Case No. 1190 of 1849 on the file of the Sessions Court of Madura

/Received Tr. No. 886 of 1849/

1. The 1st and 2d prisoners in this case have been sentenced to Imprisonment with hard labor in irons for the respective periods of two years and twelve months upon their conviction on a charge of culpable homicide.—

2. Under the circumstances of the case the

F. P.

7th May 1849.

the Court of Sunjdaree Adalut are of opinion that the sentences awarded might with propriety have been more severe.—

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

Sent in No. 453

Read Calendar of Case No. 249 of 1849 of the Sessions Court of Cuddapah.—

/Received Tr. No. 927 of 1849/

The Court of Sunjdaree Adalut

1. approve the recommendation made by the Sessions Judge in this case, that the sentence awarded against the Prisoner on her conviction of "Culpable" be mitigated to four years imprisonment with labor suited to her sex.—

2. And the Sessions Judge is hereby authorized to issue his warrant accordingly.—

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

Sent in No. 454

Read return under date the 25th Ultimo, from the Sessions Judge of Trichinopoly to

the

7th May 1849.

the Precept of the Foujdaree Udalut dated the 27th April 1849 declaring their opinion that the period of Imprisonment awarded to the 1st and 2nd Prisoners in Case No. 4 of 1849, of the Calendar of the Sessions Court may, with propriety, be reduced to seven years.

(Here enter P.C. No. 910 of 1849.)

Read also communication under the same date and from the same officer, recommending a reduction of the sentence to that extent.

(Here enter P.C. No. 913 of 1849.)

The Court of Foujdaree Udalut

approve the recommendation of the Sessions Judge and they authorize him to issue his warrant accordingly.

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

(Sent in No. 455.)

Read Calendar of Case No. 21 of 1849 of the Sessions Court of Madura.

(Here enter P.C. No. 919 of 1849.)

1. The Court of Foujdaree Udalut approve the recommendation made by the Sessions Judge in this case that the sentence to which the Prisoner

7th May 1849.

Prisoner has rendered himself liable on his conviction of "Perjury" be mitigated to three (3) months' imprisonment with hard labor in irons.

2. And the Sessions Judge is hereby authorized 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. 456.)

Read Miscellaneous Petition presented on the 12th February 1849 by Venkataramunnah of Tillah Cuddapah.

(Here Enter P. M. P. No. 39 of 1849.)

1. This is a further application for the reversal of the sentence awarded to the Petitioner's brother, the 1st prisoner in Case No. 41 of 1848 on the file of the Sessions Court of Cuddapah.

2. The Court of Foujdaree Udalut are satisfied of the propriety of the sentence of which the Petitioner complains, and they accordingly resolve to dismiss this Petition.

Ordered, that Extract

from

7th May, 1849

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

The Vakeel T. Appiah on behalf of Tekka Porakel Andy of Calicut, moves the Court to return the Enclosures in Fouzdaree Miscellaneous Petition No. 222 of 1848.—

Ordered accordingly.—

End. 7th

LK

F. U.

Tuesday 8th May 1849 } At a Court of the Fouzdaree Udalut.

Present:

GJH — G. J. Hooper Esqre — 1st Puisne Judge

EPT — E. P. Thompson Esqre — 2d Puisne Judge

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

Read Letter dated 19th April 1849 from the Session Judge of Salem.—

(Here Enter F. U. No. 867 of 1849)

With the above Letter the Sessions Judge submits for the consideration and Orders of the Court of Fouzdaree Udalut a Question of correspondence which has recently passed between the late Acting Sessions Judge of Salem, and the Joint Magistrate relative to a charge of "Theft" disposed of by the latter Officer under Section 54 Act VIII of 1842.

2. From the Proceedings of the Acting Sessions Judge held on Review of the above Case, it is observed that the charge of "Theft" was not considered by that Officer to have been established against

the

the Prisoner; but as it was evident from the prisoners defence alone "that the prisoner was knowingly in possession of stolen property without restoring it to the owner," the acting Sessions Judge considered "that the prisoner should have been sentenced under clause fourth Section IV Regulation VI of 1822- or committed to the Subordinate Court to take his trial for disguising the appearance of ornaments under Section IX Regulation XIII of 1832.

3. The Joint Magistrate doubts the correctness of the view taken of this Case by the acting Sessions Judge, and submits that the charge of Theft was fully borne out by the evidence for the prosecution; but in the event of the Court of Sonydaree Udalut dissenting from this opinion the Joint Magistrate solicits their instructions relative to the disposal of the Case, as he does not consider that the Magistracy are competent to take cognizance of Cases of receiving Stolen property under

under the enactment cited by the Acting Sessions Judge.

4 The Court of Sonydaree Udalut having carefully perused the papers submitted for their consideration, and concur with the Joint Magistrate in deeming the charge of "Theft" to be fully borne out by the evidence adduced: the sentence recorded against the Prisoner will accordingly remain undisturbed.

5. In regards to the powers of the Magistracy to punish receivers of stolen property, the Court observe that under the construction of the Regulations recorded in Sonydaree Udalut Circular Order dated the 28th November 1822, Magistrates were authorized to dispose of petty offences of this nature under Section XXXIII Regulation IX of 1816.

6 By Section 54 Act VII of 1843 the powers of the Magistracy under Regulation IX of 1816 were extended to the powers vested in Criminal Judges under Section VII Regulation X of 1816, under which enactment

Criminal

8th May 1849.

Criminal Judges previous to the promul-
-gation of Regulation VII of 1822, punished
all cases of receiving stolen property which
were then cognizable by them, and which
comprehended all cases for which the penalties
authorized by Sections XXXII and XXXIII Re-
-gulation IX of 1816 were deemed insufficient.
And as Magistrates are now authorized to
exercise the powers vested in Criminal Judges
by Section 7 Regulation X of 1816, the Court
consider that, under this enactments, they are
empowered to dispose of all cases of receiving
stolen property deemed deserving a severe punish-
-ment that the Magistrate could award
under Regulation IX of 1816.

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

(Sent in Mo 457)

Encl

G/K

+

J. U

Wednesday 9th May 1849. } At a Court of the Zoujdaree Adalut

Present

G/K G. S. Hooper Esquire — 1st Puisne Judge.
C/P/S E. P. Thompson Esquire — 2d Puisne Judge.
W. W. A. Morehead Esquire — 3d Puisne Judge

Read Calendar of Case No. 10
of 1849 of the Sessions Court of Vellore.

/Here Enter P.R. No 929 of 1849/

Before passing final Orders
on this Case, the Court
require to be informed of the immediate
circumstances which led to the Prisoner
being now charged with an Offence committed
in 1844 — and why he has not been before
apprehended.

2. The Session Judge will
at the same time be pleased to explain
the cause of the Government Vakeel being
the Prosecutor in the Case, and he will
also submit a Statement of the charge
made to the Police concerning this

Case

7th May 1849.

case in the Year 1854 or at the time that the Robbery was perpetrated.

Ordered that Extract from these Proceedings be sent to the Superior Judge of Nellore by Precept returnable in three days from and after its receipt.

Sd. 1849 (Seal) (Sd.) Collecting Precept No 462 /

Gph

F. W.

Thursday 10th May 1849. } At a Court of the Foujdaree Udalut.

Present

G. T. Hooper Esqre. - - - - 1st Puisne Judge.

C. P. Thompson Esqre. - - 2d Puisne Judge.

M. A. Morehead Esqre. 3d Puisne Judge

Read Letter dated the 5th instant from the Sessions Judge of Nellore, referring for the final Judgment of the Foujdaree Udalut, the Record of Case No 15 of the Calendar of the Sessions Court of 1849.

(Vide Extr. F. C. No 983 of 1849.)

Mr. C. P. Thompson and Mr. W. Kellorchead

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 Yeeravula Paumaia

and

2nd Pula Lakshmanen

is sufficient to convict them of the crime charged, do convict them thereof; but considering that the imprisonment they have already

10th May 1849.

already undergone is sufficient punishment, direct that they be set at liberty.

The Court of Poydars Adalut observing that although the Prisoners were apprehended on the 18th February, the case was not committed until the 12th April, or nearly two months after, resolve to call upon the Sessions Judge to obtain for their information, from the Principal Sudder Ameen, an explanation of this delay.

The Sessions Judge will be pleased to bear in mind that in cases referred for the final Judgment of the Poydaree Adalut, it is not necessary to refer a Translation of the Petition in the Calendar which in such Cases should contain merely an abstract of the Finding. It will suffice if a full Translation be appended to the Records.

Ordered, that Extract from these Proceedings be sent to the Sessions Judge of Nellore, by Dwarpt

Returnable

10th May 1849.

Returnable within Nine days from and after its receipt.

Sent following Receipt 32465 s

Dr B.W.

by k

Friday.

F. C.

11th May. 1849. At a Court of the Tonjdarew Estate

Present.

G. S. Hooper Esqre — 1st Puisne Judge

E. P. Thompson Esqre — 2d Puisne Judge

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

Read Criminal Reports of the Magistrate of Tanjore for March 1849.-

(Here Enter F.R. No 962 of 1849)

Report B Cases 241.

The Court of Tonjdarew Estate regret to observe the great delay which has occurred in the transmission of the above Reports, and they request that the Session Judge will take steps to prevent such delay in future

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

(Sent in No 468) ~~~

End 7th.

F. U.

Saturday
12th May 1849. At a Court of the Fourth Zillah Adalut.

Present.

GPH — G. L. Hooper Esqr 1st Puisne Judge
EPT — Er. P. Thompson Esqr 2d Puisne Judge
WAM — W. A. Morehead Esqr 3d Puisne Judge

Read Letter dated the 2d March
1849 from the Sessions Judge of Tellicherry
reporting that he had on that day suspended
Kunnayet Ally Khan the Moosliy Subder
Darogah of the Cutcherry and Sessions Court, in
consequence of certain information received
by the Joint Magistrate of Malabar and
the discovery of certain accounts in the
possession of the Prisoner in Cause No. 16 of
1849 of the Calendar of the Sessions Court
wherein it was set forth that certain bribes
were paid to him through Sreenivasa Aroolla
(Vide Letter F 16 No. 605 of 1848.)

Read also a Letter dated
the 8th June 1848 from the Sessions Judge of
Tellicherry, submitting a Report on the
evidence adduced against Kunnayet Ally Khan
Darogah

the Land Officer of the Session Court on the charge of corruption preferred by the Deputy Assistant Commissary General at Cannanore Prosecutor in the cases filed against the said Manager of the Commissariat Office

(Here enter F No. Nos 325 of 1845)

Read also Return dated the 11th September 1848 and Supplemental Return dated the 18th October 1848 from the Session Judge of Tellicherry to the Board of the Court of Sunderee Adalut under date the 19th August 1848 conveying instructions for the investigation of certain charges against the Mookhummudan Law Officer of the Session Court.

(Here enter F No. Nos 2090 and 2329 of 1848)

Read also Letter dated the 17th February 1849 from the Session Judge of Tellicherry submitting the whole of the proceedings held in respect to the charges preferred against the Mookhummudan Law Officer of the Session Court

(Here enter F No. Nos 479 of 1849)

Read also the following Letter presented

presented by the Vakeel T. Ramachendrah on behalf of Moolana Hemayt Ally Khan Mooftey Sudder Ameen of the Court and Session Court of Tellicherry

(Here enter F No. Nos 792 of 1848 and 379 and 45 of 1849)

Read also Order of Government dated the 20th December 1848 No. 833 communicating the resolution to consider again the Petition of the Mooftey Sudder Ameen of Tellicherry with the Report on his case promised by the Sudder Adalut in their Registers Letter of the 10th November 1848 shall have been submitted

(Here enter F No. Nos 1890 of 1848)

Read also Letter dated the 24th February 1849 from the Session Judge of Tellicherry submitting with reference to his Letter of the 17th of the same Month certain Decrees of the Mooftey Sudder Ameen and other Proceedings connected therewith

(Here enter F No. Nos 505 of 1849)

The Session Judge having on the 8th June last submitted a full Report on the evidence taken in regard to the charge of Corruption brought against the Mooftey Sudder Ameen

12th May 1849.

Ameen, together with a voluminous record of the Cases, the Court of Foujdaree Udalut instructed him, with reference to the Statements set forth in one part of the Record, to select one or two Cases in which he might think that he could satisfactorily establish the fact that Arzeelagha Aroolla being at the time the Mooftys Head Servant and the Mooftys son named Meah Saha did receive money from parties who were to believe that by that means, they could procure for them a favourable decision from the Court in the matters pending before the Court in which they were interested, and to make a full and particular investigation into those cases: and further to pursue the same course in regard to the statements contained in another part of the Record, relative to the Sudder Ameen having permitted the said Arzeelagha Aroolla, to sit in his Court, have access to the Public Records, and interfere with the examination of witnesses. The Session Judge was informed that in the examination of all these cases, the Sudder Ameen must be permitted to cross examine the parties, and that when the whole

inquiry

F 10.

12th May 1849

inquiry shall be terminated, he should be called upon to submit any explanation or observations he might desire to make in regard to the several charges preferred against him

The Court of Foujdaree Udalut have now carefully reviewed the whole of the proceedings of the Session Judge has instituted in consequence of the Sudder Ameens having permitted the said Arzeelagha Aroolla, to sit in his Court, have access to the Public Records, and interfere with the examination of witnesses. The Session Judge was informed that in the examination of all these cases, the Sudder Ameen must be permitted to cross examine the parties, and that when the whole inquiry shall be terminated, he should be called upon to submit any explanation or observations he might desire to make in regard to the several charges preferred against him

The Court of Foujdaree Udalut have now carefully reviewed the whole of the proceedings of the Session Judge has instituted in consequence of the submitted as the result of his inquiry and proceedings to record the following remarks

The Court are of opinion that the charge of actual corruption is not legally established against the Mooftys but there is too much reason to think that notwithstanding he had been warned of the proceedings of his Servant Aroolla, he did permit him, as well as his own son Meah to use the influence which their connexion with himself gave them with Suitors, who either in the hope of securing their own profit, or from fear of the consequences of a refusal, were prone to those intended to

It is abundantly proved that the said Aroolla, presuming on his peculiar connexion and intimacy with the Mooftys, interfered, although not perhaps to a Criminal extent, yet, in a manner very

very discreditable to the Moosfy. with the Government and Records of that Officer's Court, and the Court cannot but think that for permitting him so to interfere, the Moosfy was highly culpable.

5 The Moosfy Sudder Ameen is likewise charged with great irregularities in the discharge of his Court duties, and the Court regret to observe that this charge is brought home to him. It is clear from the evidence that the Sudder Ameen's custom has been to swear en masse all the witnesses who happened to be in attendance, and then to go to the Court, leaving it to the Government-taks to conduct in his absence, the examination of the parties and the whole subsequent proceedings in any way they thought proper.

6 The Sudder Ameen urges in his defence that he was vested with the powers given to Judges by Clause first Section xxix Regulation VII of 1809: but it is to be observed that those powers were not reposed even by the Registers of the late Zillah Courts, without the permission of the Judges communicated to them by a Circular Order: while Section IX Regulation VII of 1816 expressly declares that the Sudder Ameens are themselves to investigate the

the facts reported to them and are not to allow their Officers Servants or Dependants, or any other person to interfere therein.

The Defence therefore of the Sudder Ameen in regard to this matter, must be considered a highly unsatisfactory one: he has also stated that he had to attend in the Criminal Court, frequently on week days.

It is also to be observed that the Sudder Ameen subsequently signed these depositions and proceedings as though they had been taken before him in open Court: and of this additional irregularity he does not appear to have offered any defence.

After a most patient and impartial consideration of the whole Record and of all that the Sudder Ameen has thought fit to urge in his Defence the Court of Foujdaree Udalut while they acquit him of personal corruption, are satisfied that he evinced on the occasions above adverted to, has been highly irregular and improper and merits severe reprobation. Such conduct the Moosfy Sudder Ameen ought to, and must have known would, was eminently calculated to have a most injurious effect on the interests of the Suitors and

12th May 1849

and to bring down that on this Court can not which be
proceeded and on the responsible officer to fulfill
10 To mark their sense of the Sudder
Ameens misconduct, the Court of Fouzdaree Udalut
now resolve to direct his suspension from office on
Pay for the period of six months to be calculated
from the 2d March 1849 the date of his suspension
by the Session Judge. The Court also think it
absolutely necessary that he should be removed
from the Court at Tellicherry, and therefore direct
that he be transferred to the Civil and Session Court
of another Zillah as soon as the necessary arrangement
can be made.

11 The Session Judge will immediately
communicate this Reprimand and Resolution to the
Moosfy Sudder Ameen, and will at the same
time intimate to him that the Judges insist upon
the dissolution of all connexion with Amulla

Ordered that Extract from these
Proceedings be forwarded to the Session Judge of
Tellicherry by Dawk returnable within one week
from and after its receipt

(Sent following Dawk Nº 870

Ordered further that Extract from
these

3 F 76
12th May 1849

these Proceedings be forwarded to the Secretary to
Government in the Judicial Department with
reference to the Order of Government dated the 20
December 1848 Nº 833.

Sent in Nº 471

Read Calendar of Case Nº 33
of 1849 on the file of the Session Court of Cuttack

(Here enter F Ud Nº 954 of 1849)

1 The Court of Fouzdaree Udalut
approve of the recommendation made by the
Session Judge in this case that the period of
Imprisonment awarded to the prisoner who has
been sentenced to fourteen years Imprisonment
with hard labor in irons upon his conviction
on a charge of "Gang robbery" be reduced to
seven years.

2 The Court authorize the Session
Judge to issue his warrant accordingly

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

(Sent in Nº 472

Read Letter dated the 7th Instant
from the Session Judge of Chittoor, submitting
for

12th May 1849

for the final judgment of the Kegdara Udalut
the Record of Case No 16 of the Calendar of the
Session Court for 1849

(Vide minute F 16 No 8 of 1849)

Mr E. S. Thompson
and
Mr W. A. Muckland

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

Kazhna Chetty

is sufficient to convict him of the crime of Ex D
to convict him thereof, and under the provisions
of Clause 8th Section 3 Regulation 7 of 1816
sentence him to Imprisonment and Labour
and during the period of three (3) Months to be
calculated from the date of the Arrest of the Said
before the Court of Session

(See following Letter No 478)

Ex Off.

Register

Monday - - }
14th May 1849 - }

At a Court of the Foujdaree Udalut

Present

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

Read Miscellaneous Petitions presented on the 5th February and 25th March 1849 by Kristnamah of Lillah Trichinopoly.

(Vide enter F.M.R. Nos. 33 and 78 of 1849)

1. The Petitioner complains of a Sentence awarded to her son Roodruppah late a Jail Peon at Trichinopoly, for having permitted the escape of certain Convicts entrusted to his charge. —

2. The Court of Foujdaree Udalut observe that the Calendar of the Case to which the Petitioner refers has not reached the Foujdaree Udalut, and they accordingly resolve to direct that the English Translation* of the former of the foregoing Petitions be forwarded to the Superior Judge of Trichinopoly, who will be pleased to explain why the Calendar of the Case in question has not yet been —

Submitted

* to be returned

14th May 1869

Submitted.—

3. The Court direct that the Calendar referred to may be forwarded forthwith.—

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

(Sent following Precpt No 4714

4th 1869.

Thursday, F. C.

17th May, 1849. At a Court of the Tonjoaree Adalut

Present.

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

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

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

Read letter dated the 7th Instant from the Sessions Judge of Calicut submitting for the final Judgment of the Tonjoaree Adalut the record of case No. 240 of 1849 of the Calendar of the Sessions Court.

(Here Enter F.C. No. 1032 of 1849)

Mr. G.S. Hooper
(and)
Mr. M.A. Morehead

The Court of Tonjoaree 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 Erala Cheroomen Coroonalen

2d Do Cheroomen Parayen

3d Do Cheroomen Cariaco

4th Do Cheroomen Coorac

5th Do Cheroomen Thayaren

6th and Do Cheroomen Ponniapen alias Ramen.

id

is sufficient to convict them of the crime of
Culpable Homicide, for which the penalty of
Dayut is awardable under the Mookummedan
Law, as declared in Futwas of their Law Officers
so convict them thereof; and under the pro-
visions of Clause Second, Section XV Regu-
lation VII of 1802, sentenced the Prisoners,

1st Crala Cheroomen Coroonalen

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 prisoners

2d Crala Cheroomen Parayen

3d Crala Cheroomen Cariaro

and

4th Crala Cheroomen Coree

to be imprisoned and kept to hard labor
in irons on the public roads or other public
works for and during the period of (4) four
years - and the prisoners,

5th Crala Cheroomen Thangaren

and

6th Crala Cheroomen Caniapen

alias Ramen

to be imprisoned and kept to hard labor
in

17th May 1849.

in irons on the public roads or other public
works for and during the period of (1) One year -
(sent following letter No. 480 -

End 7th.

Sgh

F.U.

Friday 18th May 1849

At a Court of the Foujdaree Udalut

Present

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

Read Calendar of Case

No 12 of 1849 on the file of the Sessions Court of Tellicherry

(Here enter F.U. 972 of 1849)

The prisoner in this Case has been convicted of Theft and receiving and has been sentenced to 14 Years Imprisonment with hard labor in irons; the Sessions Judge recommending that the period of Imprisonment awarded be reduced to four years.

2. The Court of Foujdaree Udalut observe that the application for mitigation made by the Sessions Judge in this Case is unnecessary, it being competent to that Officer under the provisions of Clause fourth Section II Regulation VII of 1822 to award whatever Sentence may appear to him to be adequate to the offence of which

the

18th May 1849

the prisoner has been convicted.

3 Under the circumstances of the case under review the Court of Tondaree Udalut are of opinion that a sentence of two Years Imprisonment will be sufficient to meet the demands of justice.

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

(Sent in No. 482)

Read Calendar of Cases No 5 of 1849 on the file of the Sessions Court of Guntoor.

(Here enter Extract No 996 of 1849)

The Court of Tondaree Udalut infer that the remarks recorded by the Sessions Judge regarding the imprisonment of this Case have been communicated to the Magistrate of Guntoor.

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

(Sent in No. 483)

Read Calendar of Cases No 21 of 1849 on the file of the Sessions Court of Coimbatore

(Here enter Extract No 996 of 1849)

18th May 1849.

The Court of Tondaree Udalut approve of the recommendation made by the Acting Sessions Judge in this Case that the period of Imprisonment awarded to the prisoner be reduced to two years, and the Court authorize the Acting Sessions Judge to issue his warrant accordingly.

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

(Sent in No 484)

Read Statement of prisoners confined in the jail at Tripassoor during the year 1848

(Here enter Extract No 996 of 1849)

The Court of Tondaree Udalut observe that the number of "Cases of sickness" which have occurred during the year should be entered in the appropriate column.

Ordered that Extract from these Proceedings be forwarded to the Officers in charge of the Jail at Guntoor for his information and future guidance.

(Sent in No 485)

Read

18th May 1849.

Read Calendars of Cases
Nos 14 and 15 of 1849 on the file of the
Sessions Court of Chittoor

(Here enter F.R. Nos 1013 & 1014 of 1849)

The Court of Foujdaree
Udalut do not approve of the recommen-
dation made by the Sessions judge in
these Cases that the period of Imprison-
ment awarded to the 1st 2nd 3d and 4th
prisoners who have been convicted of
Robbery by open violence be reduced
to nine years

2. The Foujdaree Udalut
observe that in both Cases the prisoners
have been convicted of the offences laid
to their charge; and that the amount
of property plundered was considerable

Ordered that Extract from
these Proceedings be forwarded to the
Sessions Judge of Chittoor for his in-
formation

(Sent in a No 486)

Ent'd JH.

F. R.

Monday 21st May 1849.

At a Court of the Foujdaree Udalut.

Present.

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

Read Miscellaneous Petition presented
on the 25th September 1848 by Shaik Hoosain
Abdool Rahaman, Rachanah and Soolian Saib
of Zillah Cuddapah.

(Here enter F. R. Vol. Nos 257, 260, 262 & 264 of 1848.

These Petitions have reference to
the Sentences awarded to the prisoners in Cases
Nos 42, 43 and 44 of 1848 on the file of the Sessions
Court of Cuddapah, which the Petitioners pray
the Court of Foujdaree Udalut to reverse asserting
that the prisoners in question are entirely innocent
of the offences laid to their charges.

2 The Court of Foujdaree Udalut see
no reason to question the propriety of the sentence
to which the Petitioners refer and they accordingly
resolve to dismiss these Petitions.

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

Read

Read again Miscellaneous Petition presented on the 5th. March 1849. by T. Ramachundriah Vakeel on behalf of Mookadatha Damoodra Mumboody of Zillah Calicut.—

(Here enter F. St. P. No. 49 of 1849).

Read also return under date the 26th. April 1849. from the Session Judge of Calicut to the precept of the Foujdaree Adalut dated the 16th. April 1849. directing that officer to state under what provisions of the law the fine referred to in the foregoing Petition was imposed.—

(Here enter F. St. No. 944 of 1849)

On perusal of the Session Judge's return the Court of Foujdaree Adalut see no reason to interfere with the decision of the Magistracy in the Petitioner's case, which was confirmed by the Session Judge in appeal.—

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 again Miscellaneous Petition forwarded by the Session Judge of Honore from Veeracpah 1st. prisoner in Case No. 28 of 1848 on the file of the Session Court.—

(Here enter F. St. P. No. 61 of 1849)

Read

Read also return under date the 1st. May 1849. from the Session Judge of Honore to the precept of the Foujdaree Adalut dated the 16th. April 1849. conveying their order on the foregoing Petition.

(Here enter F. St. No. 1009 of 1849).

The Court of Foujdaree Adalut direct that an English Translation of the entire record of Case No. 28 of 1848. on the file of the Session Court of Honore be transmitted for their consideration; and that the Sentences awarded to the prisoners be suspended until further orders.—

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

(Sent following Precept No. 495).

Read Miscellaneous Petition presented on the 23rd. April 1849. by Sawmy Iyen of Zillah Coimbatore.—

(Here enter F. St. P. No. 97 of 1849).

The Petitioner is referred to the proceedings of the Court of Foujdaree Adalut dated the 16th. April 1849. directing him to apply to the local authorities for redress from the grievances of which he complains.—

This Petition is dismissed,

Ordered that Extract from these Proceedings

21st May 1849.

Proceedings be furnished to the Petitioner on his Application.—

Read again Calendar of Case No. 1 of 1849 on the file of the Sessions Court of Trichinopoly.

(Here enter F: C: No. 849 of 1849).

Read also return under date the 4th May 1849 from the Sessions Judge of Trichinopoly to the precept of the Fouzdaree Adalut dated the 30th April 1849 conveying their orders on the foregoing Case.—

(Here enter F: C: No. 995 of 1849).

1. Under all the circumstances of the Case under review the Court of Fouzdaree Adalut consider the Sentence of seven years Imprisonment with hard labor in irons proposed by the Sessions Judge to be more severe than the demands of justice require.—

2. The Court of Fouzdaree Adalut are of opinion that the period of Imprisonment awarded may with propriety be reduced to three years to date from the original close of the trial, and they authorize the Sessions Judge to issue his warrant accordingly.—

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

(Sent following Precept No. 496)

Read

F: C:

21st May 1849.

Read again Criminal Reports submitted by the Acting Sessions Judge of Coimbatore for the month of March 1849.—

(Here enter F: C: No. 813 of 1849).

Read also return under date the 3rd May 1849 from the Acting Sessions Judge of Coimbatore, to the precept of the Fouzdaree Adalut dated the 28th April 1849, conveying their orders on the foregoing Criminal Reports.—

(Here enter F: C: No. 976 of 1849).

1. The Court of Fouzdaree Adalut observe that in all cases in which prisoners are placed under a requisition of security a note to the effect "strong suspicion existed" should be appended to the report.—

2. In Cases of the nature of those referred to in the foregoing return it is sufficient that the sentence of Security should be recorded in one Case only.—

Ordered that Extract from these Proceedings be sent to the Acting Sessions Judge of Coimbatore for his information and for communication to the Principal Sudder Ameen.—

(Sent in No. 497).

Read Calendar in Case No. XIII of 1849 submitted by the Sessions Judge of Calicut

under

under date the 18th Ultimo.-

(Here enter F: G: No. 889 of 1849).

Read letter dated the 20th Ultimo from the Sessions Judge of Bellary, transmitting the original death Warrant issued by his Court in Case No. 7 on the Sessions file for 1849. together with Copy of the Acting Subordinate Judge's letter which accompanied it.-

(Here enter F: G: No. 891 of 1849).

Read Calendar in Case No. XVIII of 1849, submitted by the Sessions Judge of Guduvasa under date the 21st Ultimo.-

(Here enter F: G: No. 894 of 1849).

Read Calendar in Case No. 11 of 1849, submitted by the Sessions Judge of Mangalore under date the 19th Ultimo.-

(Here enter F: G: No. 895 of 1849).

Read Calendar in Case No. 18 of 1849, submitted by the Acting Sessions Judge of Cuddalore under date the 23rd Ultimo.-

(Here enter F: G: No. 896 of 1849).

Read Calendar in Case No. 22 of 1849, submitted by the Sessions Judge of Cuddapah under date the 21st Ultimo.-

(Here enter F: G: No. 897 of 1849).

Read Calendars in Cases No. 13 and 14 of

21st May 1849.

1849, submitted by the Sessions Judge of Bellary under dates the 21st Ultimo.-

(Here enter F: G: Nos. 898 and 899 of 1849).

Read Calendar in Case No. 11 of 1849, submitted by the Sessions Judge of Bellary under date the 21st Ultimo.-

(Here enter F: G: No. 904 of 1849).

Read Calendar in Case No. 8 of 1849, submitted by the Sessions Judge of Honore under date the 18th Ultimo.-

(Here enter F: G: No. 906 of 1849).

Read Calendar in Case No. 19 of 1849, submitted by the Sessions Judge of Tinnevelly under date the 20th Ultimo.-

(Here enter F: G: No. 907 of 1849).

Read Calendar in Case No. 31 of 1849, submitted by the Sessions Judge of Combaconum under date the 24th Ultimo.-

(Here enter F: G: No. 911 of 1849).

lyk

F. C.

Wednesday 23d May 1849.

At a Court of the Tongdaree Udalut

Present

G. S. Hooper Esqre 1st Principal Judge

E. P. Thompson Esqre 2d Principal Judge

W. A. Morehead Esqre 3d Principal Judge

Read Letter dated the 14th instant from the Acting Session Judge of Coimbatore referring for the final Judgment of the Tongdaree Udalut the record of Case No. 20 of the Calendar of the Session Court of 1849.

(Here enter F. C. No. 1053 of 1849)

Mr. E. 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 Prisoners,

1st Sheick Moideen

2d Syad Ibra Naicken

3d Vangamalay

4th Maurie moottoo

5th Iya cootty

6th Coomary

7th Cattay - and

8th Casoovun

are

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 the Prisoners,

3d Vangamulay

and

5th Iyacoutty

be set at liberty

But considering that strong suspicion tho' not amounting to conviction attaches to the Prisoners,

1st Shaick Abdeen

2d Iyoppen Naiken

4th Maura moothee

6th Coonnay

7th Vattay

and

8th Cassivan

the Court direct that they be severally required under Clause sixth, Section II Regulation X of 1816, to find two sureties in (50) Rupees each surety for their good behaviour and appearance when required within three years or in default thereof, that they be detained for three years in confinement.

The

23d May 1849

The Court of Foujdaree Adalut observe that no property was found in this case and they do not think that there is sufficient evidence on the Record to justify the conviction of any of the Prisoners.

Ordered that Extract from these Proceedings be forwarded to the Acting Session Judge of Coimbatore for his information

(Sent following Letter No 309

Lr 1845

F. U.

Friday 25th May 1849

At a Court of the Foujdaree Adalut

Present

G. L. Hooper Esqre 1st Puisne Judge -

E. P. Thompson Esqre 2d Puisne Judge -

W. I. Morhead Esqre 3d Puisne Judge -

Read again Calendar of Case No 14 of 1849 on the file of the Sessions Court of Backergunge -

(Here enter F.U. No 893 of 1849)

Read also petition and order passed the 4th May 1849 from the Sessions Judge of Backergunge to the precept of the Foujdaree Adalut dated the 4th May 1849 conveying their orders on the foregoing Criminal Reports -

(Here enter F.U. No 1043 of 1849)

The Court of Foujdaree Adalut authorize the Sessions Judge to issue the warrant for the Imprisonment of the prisoner in the foregoing case with hard labor in irons for the period of two years

Ordered that Extract from

the re

25th May 1849.

these proceedings be forwarded to the Sessions Judge of Calicut for his information and guidance by precept returnable within 15 days from and after its receipt

Sent following precept No. 513

Read Calendar of Case No 36 of 1849 on the file of the Sessions Court of Calicut.

(Here enter F.M. No 1038 of 1849)

The Court of Tovydaree Udalut consider that no sufficient ground of suspicion exist to justify the requisition of security under which the prisoners have been placed; and they accordingly direct that it be annulled.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Calicut for his information and guidance by precept returnable within 15 days from and after its receipt

Sent following precept No. 514

Read Calendar of Cases No 7 of 1849 on the file of the Sessions Court of Honore.

(Here enter F.M. No 1048 of 1849)

25th May 1849.

The Court of Tovydaree Udalut consider that no sufficient ground exist for the requisition of security under which the prisoner in this case has been placed and they accordingly direct that it be annulled.

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

Sent in No 515

End 7th.

F. Ha

Saturday
26th May 1849.

At a Court of the Foujdaree Adalut

Present

Lt C. J. Hooper Esqre — 1st Puisne Judge
C. D. Thompson Esqre — 2d Puisne Judge
H. A. Morehead Esqre — 3d Puisne Judge

Read Criminal Reports of the Sessions Court of Chittagong for April 1849.

(Here enter F. Ha. No 1054 of 1849)

The Court of Foujdaree Adalut observe that there had been a delay of one day in the transmission of the above Reports: which the Sessions Judge will be pleased to avoid in future.

2. The Sessions Judge will be pleased to explain the cause of two Proceedings having been returned in excess of the prescribed number.

Ordered that Kyhaat from whom proceedings be forwarded to the Sessions Judge of Chittagong by Precept returnable within three days from and after its receipt.

(Sent following precept No 516) Read

26th May 1849.

Read Criminal Reports
submitted by the Agent to the Governor
of Fort St. George in Ganjam for the
month of April 1849.

(Here enter F.St. No. 1061 of 1849)

Agt. Ganjam Report B
No. 10
" 11
" 12

The Court of Sungdaree Adalut
observe that the conviction of the prisoners
charged in these cases should have been stated
in the reports.

Case No. 14 2

The Court consider the award to
a convicted receiver of stolen property of a pumpkin that adjudged to the individual
more severe than
by whom the property in question was stolen to
be injudicious.

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

(Sent in No. 517)

Read Criminal Reports submitted
by the Sessions Judge of Masulipatam for the
month of April 1849.

(Here enter F.St. No. 1059 of 1849)

Report B
Case No. 17 of 1849

Adverting to the lengthened period

that

26th May 1849.

that has elapsed since the trial of this case was
commenced, the Court of Sungdaree Adalut
direct that it may now be concluded irrespectively
of the attendance of the witnesses cited by the pri-
soner on account of which its conclusion has
been so long postponed.

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

(Sent in No. 518)

Read Calendar of Case No. 9
of 1849 on the file of the Sessions Court of Nowsee-

(Here enter F.St. No. 1066 of 1849)

Under all the circumstances of
this case, the Court of Sungdaree Adalut are
of opinion that a sentence of four years im-
prisonment will be sufficient to meet the
demands of justice, and the Court will be prepared
to sanction a mitigation of the prescribed
punishment to the extent should the Sessions
Judge think fit to recommend it.

In the event of the Sessions Judge
2. being unable to concur in the opinion above
recorded, the Court of Sungdaree Adalut direct

that

26th May 1849.

Read Criminal Reports
submitted by the Agent to the Governor
of Fort St. George in Gangam for the
month of April 1849.

(Here enter F. No. No. 1061 of 1849)

Agt's Report B
Nos 10
" 11
" 12

The Court of Foujdaree Udalut
observe that the convictions of the prisoners
charged in these cases should have been stated
in the reports.

Case No. 14

The Court consider the award to
a convicted receiver of stolen property of a punishment
more severe than that adjudged to the individuals
by whom the property in question was stolen, to
be injudicious.

Ordered that by extract from these
proceedings be forwarded to the Agent to the
Governor of Fort St. George in Gangam for his
information.

(Sent in No. 517)

Read Criminal Reports submitted
by the Sessions Judge of Masulipatam for the
month of April 1849.

(Here enter F. No. No. 1059 of 1849)

Report B
Case No. 47 of 1848

Adverting to the lengthened period
that

26th May 1849

that has elapsed since the trial of this case was
commenced, the Court of Foujdaree Udalut
direct that it may now be concluded irrespectively
of the attendance of the witnesses cited by the
prisoner on account of which its conclusion has
been so long postponed.

Ordered that by extract from these
proceedings be forwarded to the Sessions Judge
of Masulipatam for his information and guidance.

(Sent in No. 518)

Read Calendar of Case No. 9
of 1849 on the file of the Sessions Court of Bonares.

(Here enter F. No. No. 1066 of 1849)

Under all the circumstances of
this case, the Court of Foujdaree Udalut are
of opinion that a Sentence of four years
imprisonment will be sufficient to meet the
demands of justice, and the Court will be prepared
to sanction a mitigation of the prescribed
punishment to the extent should the Sessions
Judge think fit to recommend it.

In the event of the Sessions Judge
being unable to concur in the opinions above
recorded, the Court of Foujdaree Udalut direct

that

26th May 1849

that an English Translation of the record of the case together with a copy of the notes of the Sessions Judge may be submitted for their consideration.-

3. The Court observe a delay of six weeks in the transmission of the Calendar of this case which requires explanation.-

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Hooghly for his information and guidance by perwanah returnable within five days from and after its receipt.-

(Sent following perwanah No. 519)

Read Calendar of Case No 8 of 1849 on the file of the Sessions Court of Chinglepute.-

(Here enter F. Mo. No. 1050 of 1849)

1 The Court of Foujdaree Adalut are of opinion that in this case the period of Imprisonment awarded may with propriety be reduced to one year, and they authorize the Sessions Judge to issue his warrant accordingly.-

The

F. Mo

26th May 1849

2 The Court of Foujdaree Adalut are not prepared to cancel the Circular Order to which the Sessions Judge refers.- Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Chinglepute for his information and guidance.-

(Sent in No. 520)

Read letter dated the 15th instant, from the Acting Sessions Judge of Backergunge, submitting for the final judgment of the Foujdaree Adalut, the Record of Case No. 8 of 1849 of the Calendar of the Sessions Court.-

(Here enter F. Mo. No. 1058 of 1849)

The Court of Foujdaree Adalut

Mr. G. L. Sheppard and Mr. W. Morehead

on a deliberate consideration of all the circumstances of the case in evidence before them.- being of opinion that the Prisoner "Vencatramma Narah" 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

26th May 1849.

The Court of Sanjdarea Adalut observe that there is no proof that the prisoner unlawfully and maliciously obliterated, injured or destroyed the Records in question.—

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

(Sent following Letter No. 521)

End 1st.

Lyk

F. 86.

Tuesday 29th. May 1849.

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 Criminal Reports of the Sessions Court of Calicut for April 1849.

(Here enter F: 86: No. 1073 of 1849).

The Court of Foujdaree Adalut request that the Sessions Judge will in future notify in the endorsement on the Criminal Reports the date on which they may be disputched from the Sessions Court.—

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

(Sent in No. 529).

Read Criminal Reports of the Sessions Court of Chittoor for April 1849.—

(Here enter F: 86: No. 1074 of 1849).

The Court of Foujdaree Adalut deem it proper to notice the delay of three days which has occurred in the transmission of the above

above Reports, and they request that greater regularity may be observed in the dispatch of these Returns for the future.—

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

(Sent in No. 530).

Read Criminal Reports of the Sessions Court of Mangalore for April 1849.—

(Here enter F. R. No. 1076 of 1849).

Report B.
Case No. 38.

The Court of Fouzdaree Adalut deem it proper to direct, that the period for which Security has been demanded from the 2nd 3rd and 4th Prisoners in this Case be reduced to six (6) Months.—

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

(Sent in No. 531).

Read Criminal Reports of the Sessions Court of Tinnevelly for April 1849.—

(Here enter F. R. No. 1078 of 1849).

Report B.
Case No. 38.

From the Statement of the charge in

this Case, the Court of Fouzdaree Adalut are disposed to think that the crime committed by the two Prisoners respectively was "Perjury" and "Subornation of Perjury"; but, before passing final Orders in the matter, the Court deem it proper to call upon the Sessions Judge to furnish them with further particulars of the Case.—

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Tinnevelly by Precept returnable within V days from and after the receipt.—

(Sent following Precept No. 532)

Read letter dated the 24th Ultimo, from the Sessions Judge of Trichinopoly explaining with reference to the Fouzdaree Court's letter of the 20th April 1849, the cause why the Calendars from 1st to 5th of the Sessions Court for the current year were not forwarded in due course, and stating that the Calendars were submitted to the Fouzdaree Adalut on the 18th Instant.—

(Here enter F. R. No. 914 of 1849).

Read letter dated the 27th Ultimo from the Sessions Judge of Salem submitting the return

return to the death warrant in Case No. 4 on the Calendar of the Session Court of Salem for 1849, and the letter required by the Circular Order of the Foujdaree Adalut of the 20th. September 1830.-

(Here enter F: 16: No. 923 of 1849).

Read Calendar in Case No. 12 of 1849 submitted by the Session Judge of Bellary under date the 25th. Ultimo.-

(Here enter F: 16: No. 926 of 1849).

Read Calendar in Case No. XXII of 1849 submitted by the Session Judge of Madura under date the 25th. Ultimo.-

(Here enter F: 16: No. 928 of 1849).

Read Calendar in Case No. 15 of 1849 submitted by the Session Judge of Rajahmundry under date the 21st. Ultimo.-

(Here enter F: 16: No. 933 of 1849).

Read Magistrate's Criminal report dated the 24th. Ultimo, submitted by the Session Judge of Combaconum for the month of March 1849.-

(Here enter F: 16: No. 935 of 1849).

Read letter dated the 24th. Ultimo, from the Session Judge of Chicacole, assigning reasons for the non transmission of the Statements required by the Circular orders of the Foujdaree Adalut dated 24th. August 1835 and 9th. June 1837.-

(Here enter F: 16: No. 938 of 1849)

Read

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 first quarter of 1849.-

(Here enter F: 16: No. 939 of 1849).

Read Calendar in Case No. 8 of 1849 submitted by the Session Judge of Salem under date the 27th. Ultimo.-

(Here enter F: 16: No. 940 of 1849).

Read Calendar in Case No. 18 of 1849 submitted by the Session Judge of Tinnevelly under date the 26th. Ultimo.-

(Here enter F: 16: No. 941 of 1849).

Read letter dated the 25th. Ultimo, from the Session Judge of Calicut, stating that the Subordinate Judge of Calicut and the Principal Sudr. Ameen of Cochin have reported that no payment was made for bringing up the Children of Convicts, and nothing realized by the labor of the Prisoners during the 1st. Quarter of 1849.

(Here enter F: 16: No. 946 of 1849).

Read return dated the 28th. Ultimo from the Session Judge of Chittoor, to the precept of the Foujdaree Adalut under date the 16th. April 1849, directing that the period of 14 years imprisonment awarded to the prisoners respectively in Case No. 30

of

of the Calendar for 1848, should be reduced to 7 Years.

(Here enter F: C: No. 953 of 1849).

Read letter dated the 30th. Ultimo from the Acting Subordinate Criminal Judge in charge of the Sessions Court of Cuddapah, reporting the execution of the Prisoner Yareekala Yaregolla Venkatayadoo, in Case No. 4 of the Calendar for 1849.-

(Here enter F: C: No. 957 of 1849).

Read report dated the 1st. Instant submitted by the Acting Sessions Judge of Cuddalore, of Cases pending trial before the Sessions Court exceeding 25 Days calculated from the date of commitment during the Months of April 1849.-

(Here enter F: C: No. 958 of 1849).

Read Calendar in Case No. 9 of 1849 submitted by the Sessions Judge of Mangalore, under date the 28th. Ultimo.-

(Here enter F: C: No. 961 of 1849).

Read report dated the 1st. Instant submitted by the Acting Subordinate Criminal Judge in charge of Cuddapah, of Cases pending on the 31st. March 1849, and committed for trial during the month of April 1849.-

(Here enter F: C: No. 966 of 1849).

Read report dated the 1st. Instant submitted by the Sessions Judge of Salem, of Cases pending

29th. May 1849.

pending on the 30th. April 1849. before him for a period in excess of 25 days, calculated from the date of commitment-

(Here enter F: C: No. 968 of 1849).

Read return dated the 1st. Instant, from the Sessions Judge of Madura, to the precept of the Foujdaree Adalut under date the 23d. Ultimo, requiring information on certain points connected with Case No. 1 of 1849 disposed of by the Magistrate.-

(Here enter F: C: No. 969 of 1849).

Read letter dated the 1st. Instant, from the Acting Sessions Judge of Coimbatore, forwarding the Duplicate Copies of the Calendars of Persons punished by the Joint Magistrate on the Neilgherries from 1st. July to 30th. September 1848, and of the Proceedings of the Sessions Court dated 29th. December 1848.-

(Here enter F: C: No. 970 of 1849).

Sd. T. B. C.

Sylv

F. Ud.

Wednesday
30th May, 1849.

At a Court of the Foujdaree Udalut

Present,

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

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

W. H. Morahead, Esquire - 3d Puisne Judge.

Read letter dated the 23d instant from the Sessions Judge of Cuddapah, referring for the final Judgement of the Foujdaree Udalut the Record of Case No. 23 of 1849 of the Calendar of the Session Court.

(Here Enter F. Ud. No. 1110 of 1849.)

The Court of Foujdaree

Mr. G. S. Hooper.

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 proof against the Prisoners

1st Pelum Gungadoo

and

2d Brynainee Gungadoo

is sufficient to convict them of the

crime

crime 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 labour in Irons on the Public roads or other Public works for and during the period of their Natural Lives respectively.

/Sent following letter. No. 534/

Read letter dated the 22d. instant from the Sessions Judge of Madura, referring for the final judgment of the Foujdaree Adalut, the Record of Case No. 20 of 1849 of the Calendar of the Sessions Court.

/Here Enter F.C. No. 1125 of 1849/

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. Coopparamoottoo

2d. Meerah

3d. Valeevittaun Sheroy

and

4th. Carooth Oodiar

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 the Prisoners

3d. Valeevittaun Sheroy

and

4th. Carooth Oodiar

be set at Liberty.

But being of opinion that strong suspicion, though not amounting to conviction, attaches to the Prisoners

1st. Coopparamoottoo

and

2nd. Meerah

the Court direct, under the Provisions of Clause sixth, Section II Regulation XV of 1803, and Section XXXIV. Act VII of 1843. that they be severally required to find two sureties in twenty (20) Rupees each surety, for their good behaviour and appearance when required within two years. and that in default thereof, they be detained for two years in confinement.

/Sent following letter No. 535/

Read

30th. May, 1849.

Read agen. Miscellaneous Petition presented on the 17th. March 1849 by Vinasitamen of Tillah Chittoor. — (Here Enter F. M. P. No. 59 of 1849)

Read also return under date the 19th. May 1849 from the Session Judge of Chittoor to the precept of the Foujdaree Udalut dated the 23d. April 1849 directing the submission of an English Translation of the record of case No. 25 of 1848 on the file of the Session Court for the consideration of the Foujdaree Udalut. — (Here Enter F. M. P. No. 1089 of 1849)

1. The Prisoner in this case was charged with "perjury" in having falsely deposed before the Session Court of Chittoor that one Kistnama chetty then under trial on a charge of "forgery" was a different person from the individual against whom under the same name the charge in question had been originally preferred. —

2. The prisoner has been sentenced by the Session Judge to four years'

F. M.

30th. May, 1849.

Imprisonment with hard labor in irons. —

3. The Court of Foujdaree Udalut have declared in evidence in case No. 19 of 1848 on the file of the Sessions Court insufficient to establish the identity of the prisoner charged therein with the individual named Kistnama chetty against whom the charge was originally preferred; and they are therefore of opinion that no sufficient grounds exist for convicting the prisoner in this case of the "perjury" laid to his charge. —

4. The Court of Foujdaree Udalut accordingly direct that the prisoner in this case be unconditionally released. —

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Chittoor by precept returnable within 11 days from and after its receipt. —

(Sent following precept. No. 536)

Ordered

30th May, 1849.

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

Ent. H.

F. C.

Saturday 2nd June 1849. At a Court of the Foujdaree Udalut

Present.

G. S. Hooper Esqre 1st Puisne Judge.

C. P. Thompson Esqre 2d Puisne Judge

W. A. Morehead Esqre 3d Puisne Judge.

Read Miscellaneous

Petition presented on the 23d April 1849 by Moottyalen Naicken and others of Zillah Salem.

(Referred F. C. No. 98 of 1849)

The object of this Petition is to induce the Court of Foujdaree Udalut to ordain an increase to the Salaries of the Petitioners who represent themselves to be Jail Peons detached from Salem incharge of prisoners located in the Jail at Gaindy.

2d The Court of Foujdaree Udalut cannot comply with the Petitioners application and they accordingly resolve to dismiss this Petition.

Ordered that Extract from

2nd June 1849. From these Proceedings be granted to Petitioners on application.-

Read again Miscellaneous Petition presented on the 19th March 1849 by Maregam and another of Pallakadu Salem.-

(Here enter Fm. P No 69 of 1849)

Read also return under date the 7th May 1849 from the Magistrate of Salem to the Precept of the Fouzdaree Udalut dated the 10th April 1849 conveying their orders on the foregoing Petition.-

(Here enter Fw. No 1008 of 1849)

1 Under the circumstances stated in the letter of the Acting Head Assistant Magistrate of Salem which accompanys the Magistrates return the Court of Fouzdaree Udalut are satisfied that the allegations set forth by the Petitioners are unfounded.-

2 The Court of Fouzdaree Udalut accordingly resolve to dismiss this Petition.-

Ordered that Extract from these Proceedings be forwarded to the Magistrate of Salem for his information.-

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

(Entered No 539)

Read Miscellaneous Petition forwarded by the Sessions Judge of Tellicherry from Rabara Verran of that Pallakadu.-

(Here enter Fm. P No 93 of 1849)

This is an application for the reversal of the sentence awarded to the Petitioner the 2nd Prisoner in Case No 1 of 1849 on the file of the Sessions Court of Tellicherry who has been sentenced by the Sessions Court to nine months imprisonment upon his conviction on a charge of wounding.-

1 The Court of Fouzdaree Udalut see no reason to question the propriety of the sentence of which the Petitioner complains, and they accordingly resolve to dismiss this Petition.-

Ordered that Extract from

2nd June 1849. From these Proceedings be sent to the Sessions Judge of Tellicherry for communication to the Petitioner

(Sent in No. 540)

Read Miscellaneous Petition forwarded by the Sessions Judge of Cuntoor from B. Naragoodoo of that Pillah.

(Here enter Fm. P. No. 92 of 1849)

This is an application for the interference of the Court of Foujdaree Adalut to order the payment to the Petitioner of certain batta, which he represents to be due to him for having apprehended an individual for whose apprehension he was entrusted with a Warrant by the District Moonsiff of Chalvole.

2 The Court of Foujdaree Adalut deem it unnecessary to interfere in the matter of this Petition which is accordingly dismissed

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Cuntoor.

for

F. W.

2nd June 1849. for his information and for communication to Petitioner.

(Sent in No. 540)

Read again Miscellaneous Petitions presented on the 29th January 12th February and 5th March 1849 by R. Iroomala Row Vakeel on behalf of Cottall Avoolla of Pillah Tellicherry.

(Here enter Fm. P Nos 24-36 and 48 of 1849)

Read also Return dated 14th May made by the Session Judge of Tellicherry to the Precept of the Foujdaree Adalut dated 30th April 1849, requiring the Sessions Judge to explain under what provision of the Law Petitioner Cottall Avoolla was directed to execute the Procchika referred to in his Petition, and calling for a translation of the said document.

(Here enter Fm. Ct. No. 1083 of 1849)

Upon perusal of the Return made by the Sessions Judge the Court of Foujdaree Adalut see no reason to interfere in regard to the fine imposed upon

2d June 1849. upon the Petitioner by that Officer whose explanation upon that point is deemed satisfactory.-

2 And as the Petitioner was by his own showing released from the obligations of the Moochilka in question on the 2th. Nourmber, or three days after it was executed, it is unnecessary that he should now be furnished with a copy of it.-

3. The Court resolve, however to inform the Sessions Judge that they consider the practice which he states has always obtained in the Civil and Criminal Courts in the Western Division of requiring Prosecutors and Witnesses and other parties to sign moochilkas for appearance whenever it was deemed requisite, to be altogether irregular and improper, and unwarranted by any provision of the Law.-

4 Prosecutors and Witnesses in Cases committed for trial to the Courts of Circuit were under Clause third Section IX Regulation X of 1816 to be bound over to appear at the next

2d June 1849. next Sessions and give their evidence in the same manner and by the same rule in cases committed to the Sessions Court, the trial of which may from any cause, be postponed, the Prosecutor and witnesses may be bound over to appear again at some future period to give their evidence, but in no other instances can parties be legally called upon to enter into such recognizances.-

5 The Court therefore direct the Sessions Judge to discontinue the practice in question forthwith.-

6 And as it is stated that the same practice obtains throughout the Western Division, the Court resolve to forward an Extract from these Proceedings with similar instructions to the Courts of Calicut Mangalore and Honore for their information and guidance respectively.-

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

(Sent in R. 542)

Ordered

2d June 1849.

Ordered also that Extract from these Proceedings Paras 1 and 2 be granted to the Petitioners Vakeel on his application.

Ordered also that Extract from these Proceedings paras 3 4 & 5 and 6 be forwarded to the Sessions Judges of Mangalore Honore and Calicut for their information and guidance.

(Suit in Nos. 543-544 & 545)

Read Miscellaneous Petition presented on the 30th April 1849 by Lutchmen Shettoor.—

(Ans entered Fn. P. No. 102 of 1849)

This is an application for the reversal of the sentence awarded to the Petitioners husband the 2d prisoner in Case No. 20 of 1849 on the file of the Sessions Court of Chittoor

2 The Court of Foujdaree Udalut see no reason to question the propriety of the sentence of which the Petitioner complains, and they accordingly resolve to dismiss this Petition.

Ordered that Extract from

F. C.
2d June 1849.

these Proceedings be granted to the Petitioner on application.—

Read Miscellaneous Petition presented on the 30th April 1849 by J. Puckleton Esqre Vakeel on behalf of P. Raghavareddy of Tillah Cuddapah.

(Ans entered Fn. P. No. 104 of 1849)

This Petition is presented on behalf of the 2d Prisoner in Case No. 34 of 1848 on the Calendar of the Sessions Court of Cuddapah, and the object thereof is to induce the Court of Foujdaree Udalut to send for the jewels seized in the House of one Venkatee Ramaiah, and to have them submitted to the investigation of competent parties with a view to testing their identity with the property stolen from the house of C. Vencatasen, according to the list prepared by that individual on the occasion of that robbery.—

2 In support of this application the Petitioner adduces certain points upon which he asserts the Prosecution and witnesses have given conflicting and contradictory evidence touching

2d June 1849. touching the jewels in question.-

3 The Court of Foujdaree Udalut have again had the record of this case under their careful consideration, and are satisfied that the identity of the property found concealed in the granaries attached to the 3d Prisoners house, with that stolen from the Prosecutors house has been fully, and satisfactorily established.-

4 It is also to be observed that the property so discovered did not consist entirely of Jewels but numbers 1 to 7 comprised valuable clothes which were specified in the List drawn out by the Prosecutor immediately after the Robbery.-

5 The Court of Foujdaree Udalut, therefore, decline to comply with the Petitioners prayer.-

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

Read Criminal Reports of the Sessions Court of Salem for the months

2d June 1849. months of March and April 1849.

(Here enter F.C. Nos 819 and 1077 of 1849)

Reports B Case No 33 The Court of Foujdaree Udalut observe that in the Note appended to the foot of this case it is stated that the Sentence is cancelled, and the case remains undecided, awaiting the arrival of further Evidence; no further mention being made of this case in the subsequent Criminal Reports for April last, the Court of Foujdaree Udalut resolve to call upon the Sessions Judge to furnish them with the particulars of its disposal.-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Salem by Precept returnable within X days from and after it's Receipt.-

(Sent following Precept No 546 &c)

Read again Calendar of Case No 46 of 1848 on the file of the Sessions Court of Vellore.-

(Here enter F.C. No 280 of 1849)

Read also Miscellaneous Petition

2nd June 1849.

Petition presented on the 26th March and 10th April 1849 by Singum Casinar of Pillah Vallore.—

(Vide enter F. M. P. Nos 75 and 84 of 1849)

1 These Petitions have reference to the acquittal and release by the Sessions Judge of Vellore of the prisoner in the foregoing case, who was tried for the murder of the Petitioners wife.—

2 The Petitioner asserts that the release of the prisoner in question was brought about by the influence of his friends, and prays the Court of Foujdaree Udalut to order his re-apprehension and punishment for the murder of his (Petitioners) wife, of which he contends that there was sufficient evidence fully to establish the Pri-soners guilt.—

3 The Court of Foujdaree Udalut observe that the case to which the Petitioner refers was disposed of after a full investigation by the Court of Session, and that the prisoner was released in consequence of the insufficiency of the evidence to convict him of the offence laid to

F.W.

2nd June 1849.

his charge, and not for the reasons set forth by the Petitioner.—

4 The Court of Foujdaree Udalut are precluded from interfering in the matter, and they resolve to dismiss this Petition.—

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

Read Miscellaneous Pe-tition forwarded by the Session Judge of Tinnevelly from Permaos, and Pullacunnoo Thanum of that Pillah

(Vide enter F. M. P. Nos 107 & 108 of 1849)

1 These Petitions have refer-ence to the Sentences awarded to the 1st Prisoner in Case No 23 and to the 1st and 2d Prisoners in Case No 26 of 1849 on the file of the Session Court of Tinnevelly, which the Petitioners pray the Court of Foujdaree Udalut to reverse.—

2 The Court of Foujdaree Udalut see no reason to question the propriety of the Sentences of

which

2d June 1849

which the Petitioners complain and they accordingly resolve to dismiss these Petitions.-

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

Ex. 15th

(Sent in Dr. 576 B) S.

by L

T. C.

Monday
4th June 1849. At a Court of the Tondjdaree Adalut.

Present

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

Read Criminal Reports
submitted by the Session Judge of Chicacole
for the Month of April 1849

(Here enter T. C. No. 1085 of 1849)

Ordered that the Principal Sudder Ameen of
Vizagapatam will in future be more
careful in the preparation of the Monthly
Criminal Reports.

Ordered that Extract from
these Proceedings be forwarded to the Session
Judge of Chicacole for communication
to the Principal Sudder Ameen of Vizagapatam
for the information and future guidance
of that Officer.

(Sent in No. 548

Read

4th June 1849

Read Calendar of Case No 16
of 1849 of the Session Court of Mangalore

(Here enter F. Ct. No 1094 of 1849)

1 The Court of Foujdaree Adalut
observe that the Futwa given in by the Ma-
homedan Law Officer in this Case is faulty,
and must be amended, inasmuch as it does
not expressly declare the crimes of which
the Prisoner has been convicted

2 The Court accordingly resolve
to return the said Futwa to the Session Judge,
who will be pleased to call upon the Law
Officer to pronounce a fresh Futwa, stating
with reference to the provisions of Clause
second Section XV Regulation XII of 1802, the
precise crime of which the Prisoner is convicted
and the punishment to which he is liable

3 The Session Judge will then
proceed according to the penalty which may
be declared, either to refer the Case to the
Foujdaree Adalut, or to pass his own sentence
under the enactment before cited, or under
Clause seventh Section II Regulation XX of 1803
as the Case may be.

Ordered

4th June 1849

Ordered that Extract from the
Proceedings be forwarded to the Session Judge
of Mangalore for his information and
guidance

(Sent in No 514)

Read Calendar of Case No 19
of 1849 of the Session Court of Combatore

(Here enter F. Ct. No 1098 of 1849)

1 Before passing their final Order
on this Case, the Court of Foujdaree Adalut deem
it proper to call upon the Acting Session Judge
to submit for their consideration a List of the
stolen property given in by the Prosecutor
immediately after the occurrence of the Robbery
also a statement of the value of the property
found in the Prisoners' houses, together with a
translate of the depositions of the witnesses who
deposed to such property being the Prosecutors.

2 The Acting Session Judge
will at the same time be pleased to submit
translations of the confessions stated to have
been given by the Prisoners before the Police

3 The Court further direct that
the sentence recorded against the 2d 3d and 5th

Prisoners

June 1849

Prisoners be suspended until further Orders

Ordered that Extract from the Proceedings be forwarded to the Acting Assistant Judge of Combatoor by Express to return the within x days from and after its receipt

Sent following Express No

Wednesday 6th June 1849

Present—

1st Puisne Judge

J. S. Hooper Esqr

2d Puisne Judge

C. D. Thompson Esqr

3d Puisne Judge

H. A. Morehead Esqr

Read Calendar of Cases No 25 of 1849 of the Sessions Court of Calicut

(Here Enter Express No 1132 of 1849)

after a careful consideration of the evidence set forth in the Calendar of this case, the Court of Foujdaree Adawlut are disposed to consider that a sentence of 7 years' imprisonment would be a degrade punishment for the crime of which the first Prisoner has been convicted, and on the recommendation of the Sessions Judge, the Court will be prepared to mitigate his sentence accordingly.

Should however the Sessions Judge, after a reconsideration of the circumstances of the case, still adhere to his opinion

that the Prisoner is deserving of the full penalty prescribed by Law, and that the sentence now proposed will not adequately meet the demands of justice, he will be pleased to submit for the consideration of the Court a translation of the entire Record of the case with as little delay as possible.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Colombo by Precept returnable within Two days from and after its receipt.-

(Sent following precept № 554)

Read Calendar of Case № 1106 of 1869 of the Sessions Court of Trincomalee.-

(Here Enter Two № 1115 of 1869)

Before passing their final Orders on this Case, the Court of Judicature deem it proper to call upon the acting Sessions Judge to submit for their consideration a Translation of

of the first Report made by the Village authorities of the occurrence of the Robbery in question, and also translations of the depositions given by the 1st and 3rd Witnesses before the various Tribunals.-

2 Pending the result of this reference the Acting Sessions Judge will be pleased to detain the 1st Prisoner in Confinement without labor, and without irons.-

Ordered that Extract from these Proceedings be forwarded to the acting Sessions Judge of Trincomalee by Precept returnable within Two days from and after its receipt.-

(Sent following precept № 555)

Read Calendars of Cases № 15 and 17 of 1869 on the File of the Sessions Court of Trincomalee.-

(Here Enter Two № 1114 and 1113 of 1869)

The Court of Judicature are Unable to decide that the Acting

5th June 1869.

acting Sessions Judge will state the value of the property discovered in the houses of the 1st & 2nd and 5th prisoners in case No 15, and that he will submit for their consideration translations of the depositions of the witnesses who depose to the articles in question being the property of the prosecutor.

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

Sent following precept No 536/

Read Calendar of Case No 17 of 1869 of the Sessions Court of Salem.

/Here Enter Doc No 1125 of 1869/

The Court of Foujdaree Adalut approve the recommendation made by the Sessions Judge in this case, that the punishment to which the Prisoner has rendered himself liable on his conviction of "Gang Robbery

Doc
5th June 1869.

Robbery by open violence" be mitigated to 3 (three) years' imprisonment with hard labor in irons.

2 Read the Sessions Judge is hereby authorized to issue his warrant accordingly.

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

Sent pr No 537/

End 7th

Read letter dated 25th May 1869 from the Principal Assistant Agent in charge Erode reporting the execution of the Broonda Naiken the Prisoner in Criminal Trial No 7 of 1869 on the 21st May 1869.

/Here Enter Doc No 1135 of 1869/

Read letter dated 28th May 1869 from the Acting Sessions Judge of Coimbatore, forwarding a duplicate copy of a list of a cowrie sent to the Assistant Magistrate of Dharapuram in lieu of the one released at Palghaut.

/Here Enter Doc No 1138 of 1869/

Read Letter dated 1st June 1869 from the Acting Sessions Judge of Cuddalore reporting that no cases was pending trial before the Sessions Court exceeding 25 days calculated from the

6th June 1849.

the date of commencement during the month of May
1849.

/ Steer Baker Esq No. 1157 of 1849 / 8

F. C.

Thursday 7th. June 1849.

At a Court of the Fouj dares Adalut.

Present

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

E. P. Thompson Esqr. ——— 2nd. Puisne Judge

W. A. Morehead Esqr. ——— 3rd. Puisne Judge

Read Calendar of Case No. 6 of 1849. on the file of the Sessions Court of Chicacole.

(Here enter F. C. No. 1131 of 1849).

The Court of Fouydares Adalut direct that the prisoner in this Case who has been sentenced to five years imprisonment with hard labor in irons under the provisions of Clause Second Section XI Regulation XIII of 1832. be transferred to Rajahmundry for the purpose of undergoing the sentence awarded to him in the Jail of that Zillah.—

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

(Sent in No. 560)

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

(Sent in No. 561)

Read letter dated the 7th. Ultimo from

from the Acting Sessions Judge of Cuddalore reporting for the information of the Foujdaree Adalut the escape on the 2nd May 1849 of a Prisoner sentenced to security by the Magistracy.—

(Here enter F. A.: No. 1001 of 1849).

Read Calendars of Cases Nos. XXI and XXII of 1849 submitted by the Sessions Judge of Calicut under date the 23rd April 1849.—

(Here enter F. A.: No. 1003 of 1849).

Read letter dated the 7th Ultimo from the Acting Subordinate Criminal Judge in charge of the Sessions Court of Cuddapah reporting the detention of the Prisoner in Case No. 7 of the Calendar for 1848.—

(Here enter F. A.: No. 1004 of 1849)

Read Statement dated the 1st April 1849 submitted by the Subordinate Judge of Salem shewing the amount realized by the labour of the Prisoners in the 1st Quarter of 1849.—

(Here enter F. A.: No. 1005 of 1849)

Read Calendar in Case No. XXIII of 1849 submitted by the Sessions Judge of Calicut under date the 4th Ultimo.—

(Here enter F. A.: No. 1016 of 1849).

Read Criminal Reports Vos. dated 30th April 1849 submitted by the Acting Sessions Judge of Coimbatore for the Month of April 1849.—

(Here enter F. A.: No. 1021 of 1849)

Read

7th June 1849.

Read Calendar of Case No. 8 of 1849 submitted by the Acting Sessions Judge of Cuddalore under date the 8th Ultimo.—

(Here enter F. A.: No. 1023 of 1849).

Read Calendar of Case No. 2 of 1849 submitted by the Sessions Judge of Calicut under date the 5th Ultimo.—

(Here enter F. A.: No. 1024 of 1849).

Read return dated the 9th Ultimo from the Acting Subordinate Criminal Judge in charge of Cuddapah to the precept of the Foujdaree Adalut under date the 27th March 1849 authorizing the disbursement of Rupees 800 as reward to the parties who opposed a gang of Robbers on the occasion which formed the subject of trial in Case No. 6 of the Calendar for 1849.—

(Here enter F. A.: No. 1029 of 1849).

Read statement dated the 7th Ultimo, submitted by the Sessions Judge of Honore shewing the amount realized by the labor of the Prisoners in the Jail of the Zillah of Honore in the 1st Quarter of 1849 required by the Foujdaree Adalut C. O. No. 88 dated 9th June 1837.—

(Here enter F. A.: No. 1034 of 1849).

Read

F. U.

Friday 8th June, 1849

At a Court of the Fouydaree Adalut

Present

G. S. Hooper Esqr — 1st Puisne Judge

E. P. Thompson Esqr — 2nd Puisne Judge

W. A. Morehead Esqr — 3rd Puisne Judge.

Read Calendar of Case No. 20 of 1849. on the file of the Sessions Court of Cuddalore (Here enter F. U. No. 1130 of 1849).

1. The Court of Fouydaree Adalut direct that an explanation of the detention of the prisoner in this Case in the Talook previous to his transmission to the Criminal Court may be submitted for their consideration, and they desire to be furnished with a more detailed statement than the Calendar contains of the circumstances which led to the prisoner's apprehension, together with an account of the value of the property found, and a list of the articles stolen.

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

Sent following Recpt. No. 563)

Read

Read return dated the 10th Ultimo, from the Sessions Judge of Calicut to the precept of the Foujdaree Adalut under date the 4th Instant expressing an opinion that the sentence awarded to the Prisoner in Case No. 18 is unnecessarily severe and may with propriety be reduced to 2 years and directing the Sessions Judge if unable to concur in the propriety of the mitigation to submit an English translation of the record together with a Copy of the notes recorded by him on the trial.—

(Here enter F. 86: No. 1036 of 1849).

Read Criminal Reports dated the 12th Ultimo submitted by the Sessions Judge of Guntoor for the Months of April 1849.—

(Here enter F. 86: No. 1039 of 1849).

Read Criminal Reports dated the 14th Ultimo submitted by the Acting Subordinate Criminal Judge in charge of the Sessions Court of Cuddapah for the month of April 1849.—

(Here enter F. 86: No. 1045 of 1849).

Read return dated the 14th Ultimo, from the Acting Sessions Judge of Coimbatore to the precept of the Foujdaree Adalut under date the 7th Instant, directing the unconditional release of the 1st and 4th Prisoners in Calendar Case No. 6 of 1849.—

(Here enter F. 86: No. 1052 of 1849).

Read

Read Criminal Reports dated the 15th Ultimo submitted by the Sessions Judge of Vellore for the month of April 1849.—

(Here enter F. 86: No. 1055 of 1849).

Read Criminal Reports dated the 1st Ultimo submitted by the Sessions Judge of Combaconum for the Months of April 1849.—

(Here enter F. 86: No. 1056 of 1849).

Read Criminal Reports dated the 1st Ultimo submitted by the Subordinate Judge in charge of the Sessions Court of Rajahmundry for the Months of April 1849.—

(Here enter F. 86: No. 1060 of 1849).

Read Criminal Reports dated the 14th April 1849 submitted by the Sessions Judge of Bellary for the month of April 1849.—

(Here enter F. 86: No. 1062 of 1849).

Read — Calendar in Cases Nos. 13 and 14 of 1849 submitted by the Sessions Judge of Tellicherry under date the 8th Ultimo.—

(Here enter F. 86: No. 1065 of 1849).

Read letter dated the 16th Ultimo, from the Acting Sessions Judge of Coimbatore, reporting execution at ½ 6 O'clock on the morning of the 16th Instant of the Sentence of death passed on Govindoo Sawmygoundon, Prisoner in Case No. 18 of 1849.

on

8th June 1849.

on the Calendar of the Session Court at Coimbatore.—

(Here enter F. C. No. 1068 of 1849).

Read letter dated the 17th Ultimo from the Magistrate of Salem reporting the apprehension of Sathany Ramen, the convict who effected his escape from Prince of Wales Island on the 20th December last.—

(Here enter F. C. No. 1072 of 1849).

Read Calendar in Case No. 36 of 1849 submitted by the Session Judge of Coimbatoore under date the 18th Ultimo.—

(Here enter F. C. No. 1079 of 1849).

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

F. C.

Saturday 9th June, 1849.

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 Letter dated the 24th Ultimo from the Session Judge of Honore, referring for the final Judgment of the Foujdaree Adalut, the Record of Case No. 10 of the Calendar of the Session Court of 1849.—

(Here enter F. C. No. 1148 of 1849).

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 Dher Verea

and

2nd Woolsavar Gouden.

is sufficient to convict them of the crime of Murder, 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

8th June 1849.

on the Calendar of the Session Court at Coimbatore.—

(Here enter F: C: No: 1068 of 1849).

Read letter dated the 17th Ultimo from the Magistrate of Salem reporting the apprehension of Sathany Ramen, the convict who effected his escape from Prince of Wales Island on the 20th December last.—

(Here enter F: C: No: 1072 of 1849).

Read Calendar in Case No: 36 of 1849. submitted by the Session Judge of Coimbatoore under date the 18th Ultimo.—

(Here enter F: C: No: 1079 of 1849).

F. C:

Saturday 9th June 1849.

At a Court of the Fouzdaree Adalut.

Present

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

Read Letter dated the 24th Ultimo from the Session Judge of Honore, referring for the final Judgment of the Fouzdaree Adalut, the Record of Case No: 10 of the Calendar of the Session Court of 1849.—

(Here enter F: C: No: 1148 of 1849).

Mr. G: S: Hooper and Mr. E: P: Thompson.

The Court of Fouzdaree Adalut, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the Prisoners,

1st Dher Virea

and

2nd Hoolsavar Gondea.

is sufficient to convict them of the crime of murder, 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

the period of their natural lives.-

1. The Court of Foujdaree Adalut observe that when the Prisoners were "arraigned" they should have been called upon to plead "Guilty" or "Not Guilty" but not allowed to enter into any Statement of Facts whatever they wished to say, should have been reserved for their "Defence" at the close of the Prosecution.-

2. The Court further observe that the putting of a number of questions to the Prisoners on their Defence was irregular and must be avoided in future.-

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

(Sent following Letter No. 564)

Read Calendar in Case No. 15 of 1849 submitted by the Acting Sessions Judge of Cuddalore under date the 22nd Ultimo.-

(Here enter F. C: No. 1165 of 1849).

Read return dated the 1st Instant, from the Sessions Judge of Chittoor to the precept of the Foujdaree Adalut under date the 30th Ultimo, directing the release of the Prisoner in Calendar No. 25 of 1848.-

(Here enter F. C: No. 1162 of 1849).

Read letter dated the 1st Instant, from the Sessions Judge of Calicut stating that there is no case during the past month to be entered in the Report required by the Foujdaree Courts Circular Letter dated the 16th October 1844.-

(Here enter F. C: No. 1173 of 1849).

Read report dated the 5th Instant, submitted by the Sessions Judge of Nellore of Cases pending before the Sessions Court for May 1849.-

(Here enter F. C: No. 1175 of 1849).

Read return dated the 31st Ultimo from the Sessions Judge of Calicut to the precept of the Foujdaree Adalut under date the 25th idem reducing the Sentence passed on the Prisoner in No. 11 of 1849. Sessions Court Calendar from four to 2 years imprisonment with hard labor in irons.-

(Here enter F. C: No. 1176 of 1849).

Read return dated the 31st Ultimo, from the Sessions Judge of Calicut to the precept of the Foujdaree Adalut under date the 25th idem directing the annulment of the Sentence of Security passed on the 1st and 2nd Prisoners in Case No. 16 of 1849 on the Calendar.-

(Here enter F. C: No. 1177 of 1849).

Read report dated the 1st Instant, submitted by the Sessions Judge of Tellicherry of a case pending on the 31st May 1849 and committed for

6th June 1849.

for trial during the month of December 1848 before the Session Judge of Tellicherry.—

(Here enter F. U. No. 1184 of 1849).

Read Calendar in Case No. 22 of 1849. submitted by the Session Judge of Mangalore under date the 2nd Instant.—

(Here enter F. U. No. 1188 of 1849).

Ent W.

F. U.

Monday 11th June 1849.

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 Calendar of Case No. 12 of 1849 on the file of the Session Court of Salem.

(Here enter F. U. No. 1158 of 1849)

The Court of Foujdaree Udalut direct that an English Translation of the record of this case be submitted for their consideration.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Salem for his information and guidance by Precept returnable within ~~x~~ days from and after its receipt.

Sent following Precept. No. 568

Read again Calendars of Cases No. 25, 26, 27, 28, 29 and 30 of 1849 on the file of the

the Session Court of Combaconum.

(Here enter F. C. No. 879 of 1849)

Read also Miscellaneous

Petition presented on the 21st May 1849 by

Bahoodeen Alim Saib of Tillah Combaconum.

(Here enter F. C. M. P. No. 118 of 1849.)

1. This is an application for the reversal of the sentences awarded to the Prisoners in Cases Nos. 25 and 30 of 1849 on the file of the Session Court of Combaconum who have been convicted of perjury and sentenced respectively to Imprisonment with hard Labor in irons for the period of one year.

2. The Prisoners were charged respectively with having when examined as witnesses before the Subordinate Judge of Combaconum in Case No. 53 of 1849 on the file of the Subordinate Criminal Court deposed upon Oath that one Sawmy Pillay was present and taking part in an assault which formed the subject of the charge in the Cases in question whereas the said Sawmy Pillay on the occasion referred to was shown to have been at the Tahseeldar's Cutcherry at a distance of two miles and a half from

from the spot where the assault took place.

The Petitioner contends that

3. the alleged absence of Sawmy Pillay on the occasion of the assault with which he was charged has not been proved, and he refers to a report of the Tahseeldar wherein he states that that Officer denies any knowledge of Sawmy Pillay's presence at his Cutcherry on the day on the assault or that he was summoned by him to attend there on that day, as was asserted by Sawmy Pillay.

The Court of Fouzdaree Udalut

4. resolve to direct that the Session Judge will examine the Tahseeldar of Tanjanapeem and some of the servants of that Officer's Cutcherry in regard to the alleged presence of Sawmy Pillay at that place on the day upon which the assault referred to occurred.

5. Should it appear from the evidence of those examined that Sawmy Pillay really attended at the Tahseeldar's Cutcherry on the day referred to, the Session Judge will endeavour to ascertain the exact hour of his arrival and also of his departure and will be pleased to submit the depositions for the

consideration

11th June 1849

consideration of the Tonjdaree Udalut, as well as the original report made by the Tahseldar

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

(Sent following Precept No. 569

Read Calendar of Case No. 9 of 1849 of the Session Court of Masulipatam

(Here enter F. C. No. 1147 of 1849)

1 After a careful consideration of the evidence set forth in the Calendar of this Case, the Court of Tonjdaree Udalut are disposed to consider that a sentence of one years imprisonment would be adequate punishment for the offence of which the Prisoners have been convicted, and, on the recommendation of the Session Judge, the Court will be prepared to mitigate their sentences accordingly.

2 Should, however, the Session Judge after a reconsideration of the circumstances of the Case be of opinion that the nature of the offence committed by the Prisoners does not justify

F. C.

11th June 1849

a reduction of their sentences to the extent now proposed, he will be pleased to submit a translation of the entire Record, together with his notes of the trial, with as little delays as possible

3. The Court observe that this trial was commenced on the 21st March and not closed until the 30th March. The Futwa was given on the 2d April and the date of the sentence is the 24th May. Of all these great delays, the Court require a full explanation.

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

(Sent following Precept No. 570

Read Letter dated the 5th Instant from the Session Judge of Combaconum submitting for the final sentence of the Tonjdaree Udalut, the Record of Case No. 37 on the file of the Session Court for 1849.

(Here enter F. C. No. 1185 of 1849)

The Court of Tonjdaree Udalut,

Mr. E. P. Thompson and Mr. H. A. Morehead

on a deliberate consideration of all the circumstances

11th June 1849

circumstances of the case in evidence before them,
being of opinion that the Prisoner,

"Ramapadiachy"

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; but being of opinion that strong
suspicion though not amounting to conviction
attaches to him, the Court direct that under
the Provisions of Clause sixth Section iv
Regulation xx of 1803, he be required to find two
sureties in (50) fifty Rupees each Surety for
his good behaviour and appearance when
required within three years and that in default
thereof he be detained for three years in confinement

Sent following Letter No 571 to

Dr 1820.

Tuesday
12th June 1849.

F. Up.

At a Court of the Tongalanee Udalut.

Present.

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

Read a letter dated the 31st Ultimo, from the Sessions Judge of Chicacole, submitting for the final Judgment of the Tongalanee Udalut the Record of Case No. 4 of 1849 of the Calendar of the Sessions Court.

(Here enter No. 1200 of 1849.)

Mr. E. P. Thompson

The Court of Tongalanee 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,

"Dansary Iyapah"

is sufficient to convict him of the crime charged, do convict him thereof; and under the provisions of Section XXXIV. Act. VII of 1843, and Clauses Second and fifth,

Section

12th June 1849.

Section IV 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 [5] Five years.-

1. The Court conclude that the Magistracy have taken measures for the apprehension of "Sadiah", who was implicated by the Prisoner as being a party to the assault and robbery, and whose Mother delivered up from the house in which he lived a portion of the stolen property.-

2. The conduct of the 7th and 8th Witnesses, the Police Duffadar and Peon, who allowed the said Sadiah to escape after communicating with him in his house, is discreditable to their vigilance and activity.-

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

Sent following Letter. [illegible] / 5

[illegible]

Wednesday
13th June 1849

F. C.

At a Court of the Foujdaree Adalat

Present

J. S. Hooper Esqr 1st Russee Judge

C. P. Thompson Esqr 2d Russee Judge

W. A. Morehead Esqr 3d Russee Judge

Read letter dated 7th Instant from the Sessions Judge of Chittagong submitting for the final Judgment of the Foujdaree Adalat the records of trial in case No 7 of 1849 on the file of the Sessions Court

Here enter Order No 1893 of 1849

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

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

1st Kerapetia

and

2d Apporvee

is sufficient to convict them of the crime

crime of Wilful Murder, do convict them ~~thereof~~, and, under the provision of Section x Regulation ~~XII~~ of 1832, sentence them to suffer death by being hanged at the usual time and place of execution.-

(Sent following letter No 574)

Read again Calendar of Case No 10 of 1849 of the Sessions Court of Nellore.-

(Here Enter Ltr No 929 of 1849)

Read also Return dated 1st June 1849 made by the Sessions Judge of Nellore to the precept of the Trichinopoly Adalat dated 9th May 1849 requiring information upon certain points connected with the above case.

(Here Enter Ltr No 1590 of 1849)

Under the explanation afforded in the above Return, the Court of Trichinopoly Adalat resolve to confirm the sentence of 14 years' imprisonment recorded against the Prisoner by the Sessions

Judge.-

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

(Sent per No 575)

Read Return dated 2d May 1849 from the acting Sessions Judge of Coimbatore to the precept of the Trichinopoly Adalat under date the 28th April 1849 requesting him to direct the Principal Shedder under of Coimbatore to cancel the sentences passed by him in Criminal Case No 503 of 1849.-

(Here Enter Ltr No 970 of 1849)

Read Report dated 5th May 1849 submitted by the Sessions Judge of Bellary, of a case pending on the 31st March 1849 before him longer than 25 days.-

(Here Enter Ltr No 979 of 1849)

Read Report dated 5th May 1849 submitted by the Sessions Judge of Calicut, of a case pending on the 31st March

13th June 1849.

March and committed for trial during the Month of April 1849 before him.-

(Here Enter File No. 980 of 1849)

Read Report dated 1st May 1849 submitted by the Sessions Judge of Tellicherry of a case pending on the 30th April 1849 and committed for trial during the Month of December 1848 before the Sessions Judge of Tellicherry.-

(Here Enter File No. 981 of 1849)

Read Report dated 1st May 1849 from the Sessions Judges of Mangalore, of Cases pending on the 31st March and so committed for trials in the Month of April 1849 before the Sessions Court of Mangalore.-

(Here Enter File No. 982 of 1849)

Read Criminal Report B. under date 28th April 1849 submitted by the Sessions Judge of Combaconum for the Month of March 1849.-

(Here Enter File No. 984 of 1849)

Read

File

13th June 1849.

Read Calendar of Cases No. 15 of 1849 submitted by the Sessions Judge of Mangalore under date the 30th April 1849

(Here Enter File No. 983 of 1849)

Read Calendar of Case No. 14 of 1849 submitted by the Sessions Judge of Calicut under date the 1st Instant.-

(Here Enter File No. 986 of 1849)

Read Calendar of Cases Nos. 6 and 7 of 1849 submitted by the Sessions Judge of Salem under date the 2d Instant.-

(Here Enter File No. 987 of 1849)

Read Calendar of Case No. 16 of 1849 submitted by the Sessions Judge of Nellore under date the 4th Instant.-

(Here Enter File No. 988 of 1849)

Read Calendar of Case No. 569 1849 submitted by the Sessions Judge of Combaconum under date the 3d Instant.-

(Here Enter File No. 989 of 1849)

Read Report dated the 3d

13th June 1849

3d Return submitted by the Supreme Judge of Sellore, of Cases pending before him during the Month of April 1849.—

Here Enter Sheet No. 995 of 1849/-00

Ent'd.

Thursday.
14th June 1849

At a Court of the Foydaree Adaulut

Present

Mr. J. Hooper Esqr. ——— 1st Puisne Justice

Mr. D. Thompson Esqr. ——— 2d Puisne Justice

Mr. A. Morehead Esqr. ——— 3d Puisne Justice

Read the following Letter dated the 6th Instant from the Sessions Judge of Rajahmundry.

"Herewith I forward Calendar No 1691 of 1849 of the Sessions Judge, at the request of the Subordinate Judge, refers the question of whether the offence tried in Case No 55 of 1849 on the file of the Subordinate Court, should be designated "Theft" or "Breach of Trust".

The Case in question was this. Two Coolies were employed to carry opium to Berhampore; but in the road they robbed the opium and appropriated the proceeds. One of them was prosecuted,

and

and corrected in the Subordinate Court
& the Report the offence was designated
"Theft" but the Sessions Judge being of opinion
that it was not Theft but "Breach of
Trust" directed the heading to be altered
accordingly. From this view the Subordinate
Judge dissented.

3 The Court of Sudder
Adalut observe that the case was
clearly one of "Theft" and was properly
disposed of by the Subordinate Judge-

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

(Sent pa. No 581 /-

Read Calendar of Case No
33 of 1849 on the file of the Sessions Court
of Mangalore.-

(Here Letter Rec'd No 1107 of 1849)

1 The Court of Sudder
Adalut approve of the recommendation
made

made by the Sessions Judge in this case
that the prescribed period of Imprison-
ment be reduced to four years, and
they authorize the Sessions Judge to issue
his warrant accordingly.-

2 The Court of Sudder
Adalut direct that the prisoner
be transferred to the Jail at Honore
therein to undergo the sentence awarded
to her.-

Ordered that Extract
from these Proceedings be forwarded
to the Sessions Judges of Mangalore & Honore
for their information.-

(Sent pa. No. 582-
and 583 /-

End 7th

fyh

Friday.—
15th June 1849.

Sylla
Of
Dale.

J. 16.

At a Court of the Foujdaree Adalat

Present

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

C. D. Thompson Esqr. ——— 2d Puisne Judge

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

Read Letter dated 2d June 1849 from the Sessions Judge of Chittoor.

Case Calendar No. 1883 of 1849.

1. With the above communication the Sessions Judge of Chittoor submits for the consideration and orders of the Court of Foujdaree Adalut, copy of a Letter from the Magistrate of the district, in which that Officer, on certain grounds therein recorded, states his objections to the release of the Prisoner in case No 19 of 1849 on the file of the Sessions Court of Chittoor, who was charged with Waylaying & Robbery; but was acquitted by the Sessions Judge and Mahomedan Law Officers on the grounds of the insufficiency of the evidence.

2. Before recording their opinion on the merits of this case, the Court of Foujdaree Adalut resolve to call upon the Sessions Judge to submit for their consideration a translation of the entire Record.

Ordered

ordered that Extract from these Proceedings be forwarded to the Sessions Court of Chittoor by Precept returnable within thirty days from and after its receipt

(Sent following precept No. 587)

Read Calendar of Case No. 20 of 1849 on the file of the Sessions Court of Calicut

(Here Enter File No. 1178 of 1849)

The Court of Sudder Adawlut observe that under the circumstances of there being no evidence against the parties made appovers in this case, it was competent to the Sessions Judge to order them unconditional release, which that Officer will now be pleased to direct.

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

(Sent pr No. 588)

Read Letter dated 9th instant from the Acting Sessions Judge of Coimbatore, submitting for the final judgment of the Sudder Adawlut the records of trial in Case No. 25 of 1849 on the Calendar of the Sessions Court.

(Here Enter the No. 1217 of 1849)

Mr. E. P. Thompson and Mr. W. H. Morehead

The Court of Sudder Adawlut on a deliberate consideration of all the circumstances of the case as evidence before them, being of opinion that

that the proof against the prisoners Kurumalay Chetty is sufficient to convict him of the 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 589)

The Register lays before the Court the following statements drawn up in his office, from the Returns received thro the Sessions Courts exhibiting the operations of the Village and District Police, and of the Magistracy of the Subordinate Criminal Courts and of the Courts of Sessions respectively; he also submits an abstract of the operations of the Sudder Adawlut from the 1st of July to the 31st December 1847 according to the form approved by Government.

(Here Enter Nos 1 to 9.)

Statements Nos 1 and 2 Village Police

Statement No 1 with the details pr No 2. exhibits the number of Persons summoned before the Village and District Police and the Magistracy, for Petty offences punishable by themselves together with the number of acquittals and convictions, and the nature of the punishments inflicted.

The total number of persons brought before the Village Police together with the number

number acquitted or convicted of Petty offences, as compared with the preceding half year, or from the 1st of January to the 31st June 1847, is as follows.

	Persons examined	Persons acquitted		Persons Punished
		After investigation	Without investigation upon Reports made to	
From the 1st January to the 31st June 1847	6637	1866	1226	3317
From the 1st of July to the 31st December 1847	5956	1215	1464	3225

3. Of the 3225 persons punished by the Village Police, 2285 were confined in the Village Choultry and 940 in the Stocks.

4 Out of 5956 persons brought before them, 5026 were charged with petty thefts of the former 3464 were punished, of the latter 749.

5 In the Districts of Ganjam and Vizagapatam, the Village Police do not appear to have exercised, during the half year under review, their Judicial powers in Petty Criminal Cases.

District Police 6 The total number of Persons brought before the District Police from the 1st July to the 31st December 1847 for Petty offences punishable by themselves, was 69907; besides whom there were also 920 persons whose cases were not disposed of at the date of the last report, forming a total of 70,927

The

7 The number of persons summoned in the preceding half year and then under examination before the District Police at its commencement, was 67,279.

8. Of the 70,927 persons brought before the District Police during the half year under review, 24916 were acquitted, against 301 of whom the charge was considered to be wilfully false and malicious, and 23,463 were discharged on a mutual settlement of their dispute, or without investigation for default or other cause.

9 The total number of persons convicted and punished by the District Police was 29,123 without reference to the Magistracy; and 1,617 after reference to that authority making a total of 21,740. and 772. are entered as under examination at the close of the Reports.

10 Of the persons punished by the District Police, 15345 were fined, 5,111 confined in the Choultry with or without labor, 96 in the Stocks, and 198 were flogged by order of the Magistrate on reference made to that authority under the provisions of Clause 3rd, Section IV, Regulation IV of 1821.

11. The sum remitted to the Magistracy on account of the 15345 persons fined by the District Police, was Rs 14654 or 1 fourteen Thousand Six hundred and fifty four and six pice Sicca.

Before

before those tribunals during the above period, inclusive of those not disposed of at the close of the preceding report, + is 2291 including 4351 prisoners.-

21. In the preceding half year the total number of cases brought before the same tribunals was 2169. including 4586 prisoners, being an increase in the half year under review of 122 cases and a decrease of 35 prisoners.-

22. Of the cases brought and depending before the Subordinate Courts, 52 were cases of murder, 29 of Culpable Homicide, 21 of Robbery and murder, 9 of Poisoning, 71 of maiming and wounding 123. of Assault, 11 of Rape, 8 of Arsonry, 3 of Pir. causing abortion 84 of Gang Robbery, attended with aggravating circumstances, 54 of Gang Robbery without aggravating circumstances, 26 of Robbery by a Single individual, 21 of Arson, 71 of House breaking by day, 288. of House-breaking by night, 279 of Cattle Stealing, Killing or Wounding, 342 of Theft, 102 of Receiving Stolen goods, 31 of Forgery, 23 of Perjury, 74, of False and malicious accusations, 1 of Resistance to legal process, and 1178 of a Breach of Revenue Laws &c &c.

23. Of the 4551 prisoners brought before the Subordinate Criminal Courts

2 In cases appreciable by those authorities

907 Were released unconditionally

Against 5 of whom the charge was considered wilfully false and malicious

41 Were released on Security

92 Were detained on demand of Security.-

1391 Were convicted and punished in cases cognizable by the Subordinate Criminal Courts.

25. In cases cognizable by the Superior Courts.

660 Were released by the Subordinate Courts

Against 2 of whom the charge was considered wilfully false and malicious

14 Were released on Security

26 Were detained on demand of Security

1155 Were committed for trial

262 Were under examination

2 Were sent to other Zillahs

5 Died.-

4551.

26. Of the 1391 persons who were convicted and punished by the Subordinate Courts.

932. Were imprisoned

335 Were fined

8 Were flogged

28 Were imprisoned and fined

88. Were imprisoned and flogged.

1391.

27. The number of persons convicted and punished by the Subordinate Courts in the preceding half year was 1349. the number committed was 1155 and the number unconditionally released

released in cases either punishable by themselves in the Courts of Sessions, prior 1856.

28. The reports required in para: 6 of the rules of Consolidation under date the 26th October 1839. No 853, and subscribed by the Sessions Judges regarding the manner in which the Sudder Adawlut have exercised the criminal jurisdiction conferred upon them by Regulation III of 1838. Shew, that generally they have exercised their duties as Criminal Judges satisfactorily.-

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Stat Statements No 7 and 8. Courts of Sessions

29. The Statements No 7 and 8 exhibit the operations of the Sessions Courts from 1st July to 31st December 1847.

30. The number of prisoners who came before those Courts during the six months under review together with those undisposed of at the close of the last return, were 648 including 1364 persons, being 7 cases and 6 prisoners less than the number before the Sessions Courts during the 1st half of the year 48.

31. Of the 1364 persons who were committed for trial, 530 were released on acquittal of whom 22 were considered to have been falsely and maliciously accused, 99 were released on bail, 368 were convicted and punished

Of these latter

32. 2 were flogged and imprisoned for a term exceeding 7 years
24 do do for a term not exceeding 7 years
97 were imprisoned for a term exceeding 7 years without flogging
238 were imprisoned for 7 years and under, without flogging
1 was fined and imprisoned.

33. There were 64 cases including 176 prisoners referred to the Sudder Adawlut 49 cases containing 167 prisoners remained undisposed of by the Sessions Courts at the close of the month, 3 prisoners were returned to the Subordinate criminal Courts to be there disposed of, 5 prisoners were discharged from the bar and 6 prisoners died

34. The greatest number of cases brought before the Sessions Courts during the period under review was at Salem 61 of which 9 cases were referred to the Sudder Adawlut
Coimbatore 55 do 2 do do
Mangalore 52 do 6 do do
Calicut 39 do 3 do do
Cuddalore 35 do 3 do do
Chittoor 33 do 6 do do
Cuddapah 32 do 7 do do
Tellicherry 32 do 6 do do
Combaconum 31 do 3 do do
Madura 26 do one was referred do
Salem 23 do 1 was referred do
Tanjore 21 do 2 were referred do

35. Of the 64 trials referred to the Sudder Adawlut by the Sessions Courts, the returns delivered by them Law Officers and the verdict given by the Sessions, were concurred in ——
—— by three tribunals in 56 trials, but the natives

15th June 1849.

nature of the offences made the trials of necessity preferible, and 18 cases were referred because the Sessions Judges did not approve of the Views of their Law Officers or the Verdict of the Assessors.

Statement No 9.
Foujdaree Adalut

36. Statement No 9 exhibits the operations of the Foujdaree Adalut during the 2d Half of the year 1849

37. It shews that at the date of the last report, there were 10 Cases including 41 prisoners, which had not been disposed of, and that there were received during the half year 98 Trials including 229 prisoners, making together 98 Trials and 270 Prisoners, whereof 36 were for trial of Cases of Culpable Homicide, 11 Cases of Murder and 6 Robbery, 8 Cases of Wounding or Wounding, 2 Cases of Affrays, 1 Case of Rape, 5 Cases of Gang Robbery attended with aggravating circumstances, 16 Cases of Gang Robbery, without aggravating circumstances, 3 Cases of Robbery by a Single individual, 1 Case of House breaking by night, 1 Case of Stealing Stolen Property knowing them to be such, and 6 Cases of receiving stolen property, 2 Cases of Forgery, 3 Cases of Cheating and Wounding with intent to kill, 1 Case of Conspiracy, 1 Case of Ribbeken, Murder and Robbery &c. 2 Cases of Riot, attended with Murder, Robbery, Severe Wounding and Arson, 2 Cases of Wounding,

1 Case

15th June 1849

1 Case of attempt at Murder, and 1 Case of Gross Assault aggravated above of Police authority.

38. Of the 98 Trials, 88 were disposed of within the half year under review, leaving 8 Cases undisposed of at the close of the Report and in 1 Case the Prisoner died before the Foujdaree Adalut had disposed of the case.

39. Of the 88 Cases containing 264 prisoners in which the Court of Foujdaree Adalut proceeded to Judgment

50 Prisoners were pleased unconditionally
3 Were ordered to be released on Security
172 Were convicted and Sentenced to Punishment
21 Were returned to the Sessions Judges to be disposed of by them
2 Died

Of these 53 Prisoners, 46 were convicted by the Sessions Judge of whom 1 prisoner was convicted not convicted by the Sessions Judge

40. Of the 172 Prisoners convicted

24 were Sentenced to suffer death
1 Hoffed and Transported
28 Transported without flogging
32 Imprisoned for more than 7 and not more than 14 years without flogging
1 Hoffed and Imprisoned for 7 years and under
77 Imprisoned for 7 years and under, without flogging
2 Released in consideration of the Imprisonment already undergone
7 Punished in other Cases
172.

The Judges of the Foujdaree Adalut likewise disposed of 1819 Bahadurs during the 2d Half 1849.

41. In conformity to the instructions contained in the 22d Paral. of the Extract from the Minutes of Consultation under date the 8th of August 1834, the Judges beg leave to explain that out of the 38 Cases referred to the Foujdaree Adalut

Adalat because the preceding Judge disapproved of the Interpretation of the Law officers, or the finding of the Assessors, the decision of the Superior Judge was affirmed by the Foujdaree Adalut in 33 cases.

12. The subjoined Statement exhibits the information required by the Honorable the Court of Directors in the 41st Para. of their General Letter under date the 20th March 1833 as to the number of Sessions cases disposed 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
G. S. Hooper Esqr — 1st Judge	8	55		
C. P. Thompson Esqr — 2 Judge	12	43		
H. A. Morehead Esqr — 3d Judge	8	50		

13. A Statement is also transmitted shewing the number of trials disposed by the Foujdaree Adalut within the period under review, and the average number of days delay in the disposal of those trials, as required by the 33d para of the General Letter from the Honorable the Court of Directors dated 20th of March 1833

14. With reference to the instructions contained in para 8 of the General Letter from the Honorable the Court of Directors dated 19th February 1840 the Judges beg to submit two Statements marked A and B shewing the extent which the Magistrates have themselves discharged their police duties, and how far it has been left

by them to their Assistants, and in accordance with the Honorable Courts further instructions contained 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.

15. The Statement Marked D shewing the number of cases forwarded to the Criminal Courts by each Head of Police, and the manner in which they were disposed of is also submitted, in obedience to the orders conveyed in Para 20 of the Extract from the Minutes of Consultation dated 30th June 1845.

16. Accompanying the Statements submitted for the consideration of Government will be found Statements in abstract exhibiting the state of Crime during the 2d half of 1848 in the Separate Tracts of Kanjam and Vizagapatam districts, and in the district of Kurnool placed under the jurisdiction of the Government Agents.

17. The Statement marked B exhibits the labors individually performed by the Judges of this Court during the period under review.

18. In para 22 of the Minutes of Consultation under date the 7th April 1848 the Government expressed a wish to be informed upon

what

what principle this Court proceeds in distributing the referred Trials amongst the Judges, and in ultimately disposing of such Trials.-

49 The Court observe that an accurate List is kept of all the Referred Trials as the Records are received, and they are distributed amongst the Judges as nearly as possible in equal proportions the same List showing to which of the Judges each Case is sent. When a Trial has come before a particular Judge under the general rule of distribution, the intervention of another Judge, generally speaking, is called for, only when the Judge who first perusses the proceedings finds reason to dissent from the judgment of the Lower Court, or when the concurrence of another Judge is otherwise necessary by Law. Of course in such cases, the two Judges who first review the case differ in opinion, it is taken up by the remaining Judge. It sometimes, but very rarely happens (perhaps not more than twice or three in a year) that a Judge, although legally competent to dispose of the case before him, requests the assistance of another Judge, in consequence of some difficulty or peculiarity in the evidence or circumstances. In this, and in every case without exception, the opinion of the Judges is recorded in a separate Minute.-

In

50 In perusing the Returns of the Numbers of Cases above referred, some remarks are made upon the order issued by the Sudder Adalat on the Suggestion of the Nizamut Judges of Chittagong, requiring in the Statements sent up to the Court by the several Heads of Police, a Column to be opened shewing the number of Criminal Cases committed in which more than one party has been apprehended. The Government apprehend that in their reliance on the Police may, in consequence of this order, apprehend innocent persons, without staying to enquire whether or not there are grounds of suspicion. But the Court of Sudder Adalat are not apprehensive of any danger in this respect. The Magistrates will know the Police Officers in whose duties the failure to apprehend offenders have occurred - and the Statement contained in the Extra Column was only intended to furnish the information to the Court. Moreover, the Report itself, without the additional Column would contain the same information, and be therefore liable to the same objection as the Column itself.

51 In the present Report as in all others, there will be found numerous cases in which Police Officers were charged with abuse of

authority

authority. There were 296 persons so charged of whom 206 were acquitted; but in none of the cases was the charge considered to be wilfully false and malicious. On this subject and with reference to the observations of Government in para 7 of the Minutes of Consultation above recited, the Court of Sujdaree Adalut would remark that while the numerous instances of such charges are undoubtedly much to be regretted, it would be difficult, if not impossible, to devise any other course than that which is at present pursued, for the disposal of such cases, so as to combine a proper regards for the official position of the accused with a due attention to the complaints of the people. The Government would appear to think that charges against Police Officers are entertained somewhat too lightly: but it is to be observed that when such a charge is made, and there appears nothing improbable in the facts stated, the officer before whom it is preferred has no option, but must at once proceed to the investigation. If the charge turns out to be false and malicious, the complainant is liable to be punished accordingly - and the law on that head might always, and the Court believe is, rigidly enforced.

82. In regards to para 13 of the Minutes of Council above recited. the only point

in which the Sujdaree Adalut differ from the Government is - the language in which the proceedings held in the petty cases therein referred to, should be taken down. The Court are of opinion that the Records should be in the language of the accused - and therefore, of course, taken down by a Comastah of the Cutcherry: but all that it is necessary to record seems to be the complaint and the defence, in the material parts of the evidence - and that as briefly and concisely — — — as is consistent with perspicuity and a due attention to the leading features of the charge.

Ordered that Extract from these Proceedings be sent to the Secretary to Government in the Judicial Department for the purpose of being laid before the Right Honorable the Governor in Council.

(Sent in No 590.) S

Read Letter dated the 22d May 1848 from the Sessions Judge of Masulipatam applying for the use of the Jail the new standard weights and measures.

(Here date Fa. No 1220 of 1848.)

Read letter dated 22d June 1848 from the Agent to the Governor of Fort St George at Vizagapatam, transmitting a warrant the Statement No 1 for the 2d half of 1847.

(Here date Fa. No 1400 of 1848.)

F.No

Saturday,
16th June, 1849.

At a Court of the Foujdaree Udalut

Present.

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

Read the following letter from the Agent for the Governor of Fort St. George in the District of Vizagapatam.

/Here Enter No. 1168 of 1849/-

In this letter the Agent submits a report of the trial of a prisoner named Woodityah Ranjee who was charged with Robbery accompanied by open violence, and convicting him on the evidence adduced, he recommends that he be sentenced for the period of (5) five years, to imprisonment with hard labor in irons.

Case No. 6 of 1849.

2. The Court of Foujdaree

Udalut

16th. June, 1849.

Udalut on a mature consideration of the Case, concur in the conviction of the Prisoner, and 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 sentence proposed to be passed upon him.

Ordered, that Extract of these Proceedings be forwarded to the Agent to the Governor of Fort St. George in the District of Vizagapatam for his information.

/Sent in. No. 591/-5

Read Letter dated the 17th. Instant from the Sessions Judge of Combaconum, referring for the final Judgment of the Foujdaree Udalut, the Record of Case No. 39 of 1849 of the Calendar of the Sessions Court.

/Here Enter F.C. No. 1233 of 1849/

Wm. G. S. Hoopes.

The Court of Foujdaree Udalut on a deliberate consideration of

16th. June, 1849.

all the circumstances of the case in evidence before them, being of opinion that the proof against the Prisoner,

1st. Coonjan

is sufficient to convict him of the crime of Gang Robbery, do convict him thereof; and under the provisions of Clauses third and fifth, Section IV. 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 (3) three years.

/Sent following letter No. 592/5

Ed. W.H.

F. M.

Monday, 18th June 1849.— At a Court of the Fouzdaree Udalut.—

Present—

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

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

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

H-de.

Read Miscellaneous Petition presented on the 23d April 1849 by Dickoorun & Zillah Combaemmn.—

(Here enter F. M. P. No. 96 of 1849.)

The Court of Fouzdaree Udalut observe that the matter referred to in this Petition received the consideration of the Court in their Proceedings held under date 10th April 1849 on the Petition of one Paracoor ammen. The Court have again reconsidered the matter, but are unable to discover any thing advanced by the Petitioner which would induce them to doubt the propriety of the Orders, which have been already issued on the subject and they accordingly resolve to reject this Petition.—

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

Read

Read Miscellaneous Petition presented on the 30th April 1849 by T. Chenjah Reddy of Zillah Chittoor.-

(Here enter F.M.P. No. 99 of 1849.)

1. This is an application for the reversal of the sentence awarded to the prisoner in Case No. 30 of 1848 on the file of the Sessions Court of Chittoor, which was mitigated by the Court of Foujdaree Adalut in their proceedings of the 16th April 1849, the period of Imprisonment awarded having been reduced from fourteen to seven years.-

2. The Court of Foujdaree Adalut see no reason to question the propriety of the sentences of which the Petitioner now complains, and they accordingly resolve to reject this application.-

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

Read Miscellaneous Petition presented on the 30th April 1849 by Mahomed Selaman of Zillah Cuddapah.-

(Here enter F.M.P. No. 100 of 1849.)

1. The Petitioner complains of an order

order passed by the Sessions Judge of Chingleput under date the 3d February last declining to interfere in regard to certain sentences passed upon the Petitioner by the late Acting Joint Magistrate at St. Thomas' Mount and the Principal Sudr Ameen at Chingleput.-

2. The Petitioner further prays the Court to protect him from oppression which he states that he has reason to apprehend from the Police authorities at St. Thomas' Mount.-

3. The Court of Foujdaree Adalut observe that the matter to which the Petitioner refers have been finally disposed of, and that should any of the events occur which the Petitioner apprehends, it will be open to him to appeal to the protection of the Law.-

This Petition is dismissed.-

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

Read Miscellaneous Petition presented on the 30th April 1849 by V. Seth Sam Esqr Vakeel on behalf of Veeraraghavamma of Zillah Cuddapah.-

(Here enter F.M.P. No. 105 of 1849.)

This

18th June 1849.

1. This is a further application for the reversal of the sentence of five years imprisonment with hard labor in irons which has been awarded to the Petitioner in Case No. 41 of 1848 on the file of the Session Court of Cuddapah upon his conviction on a charge of "oppression and abuse of authority."—

2. The Court of Sudder Adalut observe that the abstract of the evidence contained in the Calendar of this case and also the Puttwah recorded by the Mahommedan Law Officer are full and minute in their detail, and perfectly conclusive to the prisoner's guilt.—

3. The Court of Sudder Adalut see no reason to question the truth of the evidence upon which the conviction of the Petitioner is based, nor can they discover any thing in the statements now advanced by the Petitioner which would render necessary a more detailed examination of the record.—

4. The Court accordingly resolve to dismiss this Petition.—

Ordered that Extract from these proceedings be furnished to the Petitioner's Vakeel

F. 26.

18th June 1849.

Vakeel on his application.—

Read Miscellaneous Petition presented on the 21st May 1849 by M. Veneatarama Naik of Tillah Cuddalore.—

(Here enter F. M. P. No. 114 of 1849.)

This Petition is presented by

1. the late Civil Record-Keeper of the Zillah Court of Cuddalore, and has for its object the acquittal of the Petitioner from the criminal charge of having destroyed the Records of that Court.—

2. The Petitioner having been already acquitted of the criminal charge preferred against him no orders appear to be required in the matter of his Petition.—

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

Read Miscellaneous Petition presented on the 21st May 1849 by Varadiengar of Zillah Combaconum.—

(Here enter F. M. P. No. 116 of 1849.)

This is a further application

1. for the reversal of the sentence awarded to the 2d prisoner in case No. 11 of 1849 on the file of the Sessions

18th June 1849.-

Sessions Court of Combaconum.-

2. The Court of Sunjdaree Udalut direct that the Petitioner be referred to their order of the 30th April 1849 which are to be considered final.-

3. This Petition is dismissed.-

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

Read Miscellaneous Petition presented on the 21st May 1849 by Muroogen Chanoothen and another of Zillah Madura.-

(Here enter P.M.P. No. 117 of 1849.)

1. This is an application for a reversal of the sentence awarded to the Prisoner in Case No. 62 of 1848 on the file of the Sessions Court of Madura.-

2. The Court of Sunjdaree Udalut see no reason to question the propriety of the sentence to which the Petitioners refer, and which they accordingly refuse to disturb.-

Ordered that Extract from these proceedings be furnished to the Petitioners on their application.-

Read

18th June 1849.-

Read Miscellaneous Petition presented on the 2d June 1849 by Mala Cotadoo of Zillah Nellore.-

(Here enter P.M.P. No. 122 of 1849.)

1. This is an application for the interference of the Court of Sunjdaree Udalut to afford the Petitioner redress from certain grievances which he states to have been inflicted on him by an individual recently released by the Sessions Court of Nellore before which he had been placed on his trial on a charge of murder.-

2. The Court of Sunjdaree Udalut observe that this application should be addressed to the Joint Magistrate of Nellore who will institute the necessary enquiry into the Petitioner's complaint.-

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

Read Miscellaneous Petition forwarded by the Sessions Judge of Vizianagrum from Cossaranze Veeriah of that Zillah.-

(Here enter P.M.P. No. 95 of 1849.)

1. This is an application for the

reversal

June 1849.-

reversal of a Sentence of eight years' imprisonment with hard labor in irons awarded to the 5th prisoner in Case No. 19 of 1848. on the file of the Sessions Court of Masulipatam.-

2.

The Court of Foujdaree Udalut see no reason to question the propriety of the Sentence of which the Petitioner complains and they accordingly resolve to dismiss this Petition.-

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Masulipatam for communication to the Petitioner.-

(Here enter S.C. No. 395)

Read again Miscellaneous Petitions presented on the 25th March 1849 by Krishnanal of Zillah Trichinopoly.-

(Here enter S.C.P. Nos. 33 and 78 of 1849.)

Read also return under date the 22d May 1849 from the Sessions Judge of Trichinopoly to the precept of the Foujdaree Udalut dated the 14th May 1849 conveying their orders on the foregoing Petitions.-

(Here enter F.U. No. 1108 of 1849.)

1.

The Court of Foujdaree Udalut see no reason to question the propriety of the sentence

F.U.
18th June 1849.-

of which the Petitioner complains and which they accordingly refuse to disturb.-

The Court of Foujdaree Udalut

2.

observe that the case should have been tried in the manner prescribed for the trial of all cases committed to the Courts of Session, with the assistance of the Mahommedan Law Officer, and that a Calendar thereof should have been submitted to the Foujdaree Udalut.-

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

(Sent on No. 596)

Ordered also that Extract from these proceedings (para 1.) be furnished to the Petitioner on her application.-

Read Calendar of Cases Nos. 40. and 41 of 1849 on the file of the Sessions Court of Combaconum.-

(Here enter P.U. No. 1186 of 1849.)

Before passing final orders on

1.

these Cases the Court of Foujdaree Udalut resolve to direct that the two bonds referred to in the

indictments

indictments may be submitted for their consideration

2. The Sessions Judge will also be pleased to explain whether or not it appeared that the prisoner in Case No 10 had actually attested the bond executed by the Defendant, in the suit in the course of which the perjury charged is alleged to have been committed, and which is stated to have been returned to the Defendant previous to the trial of the suit.-

Ordered that Extract from these proceedings be forwarded 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 597)

Read again Calendar of Case No 9 of 1849 of the Sessions Court of Tanjore.-

(Here enter F.H. No 1066 of 1849)

Read also Return dated 11th June 1849 made by the Sessions Judge of Tanjore to the Precept of the Sunjdaree Udalut dated 26th May 1849 conveying their remarks on the Calendar of the above case.-

(Here enter F.H. No 1216 of 1849)

1. The Court of Sunjdaree Udalut

18th June 1849.-

comply with the recommendation made by the Sessions Judge in the foregoing Return, that the period of imprisonment awarded to the Prisoner on his conviction of "Highway Robbery" be mitigated to 4 years imprisonment with hard labor in irons.-

2. And the Sessions Judge is hereby authorized to issue his Warrant accordingly.-

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

(Sent in No 598)

Read letter dated the 21st Ultimo from the Sessions Judge of Salem - submitting for the final payment of the Sunjdaree Udalut the record of Cases Nos 10 and 11 of 1849 on the Calendar of the Sessions Court.-

(Here enter F.H. No 1207 of 1849)

The Court of Sunjdaree Udalut,

Mr G.S. Harper.
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, "Shanthanny Rawmen" is insufficient to convict him of the crime of leaving

18th June 1849.-

having escaped and returned without permission from Prince of Wales Island, to which he had been transported for life for the crime of Gang Robbery and wounding, in conformity with the sentence of the Sooydaree Udalut passed on him for the said offence, do accordingly convict him and under the provisions of Clause Second, Section IX Regulation XII of 1803 and Clause third Section III Regulation XIV 1825, sentence him to receive 195 lashes with a cat-o-nine tails and to be re-transported for life.-

(Sent following letter No. 599)

Read letter under date the 7th June 1849 from the Session Judge of Rajahmundry submitting for the final judgment of the Court of Sooydaree Udalut translations of the records of Case Nos. 45 of 1848 and of Case No. 4 of 1849 on the file of the Session Court.-

(Here enter P. 16. No. 1218 of 1849.)

1.

Before finally disposing of these cases the Court of Sooydaree Udalut deem it necessary that further information on the following points should be submitted.-

2.

The Sessions Judge will be pleased to explain what circumstances led to the apprehension

18th June 1849.-

apprehension of the 2d and 3d prisoners in the charge preferred against them in Case No. 45 of 1848. The Session Judge will state when these prisoners were first denounced to the Magistrate as being implicated in the crime charged and will submit translations of any depositions or reports connected with the points above averted to.-

In case No. 4 of 1849 the Court

3.

of Sooydaree Udalut direct that the Session Judge will state when the prisoners were first accused of being concerned in the robbery therein charged and submit translations of the reports first received by the Magistrate regarding the robbery in question.-

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 precept No. 600)

Read letter dated the 25th Ultimo from the Session Judge of Honore - forwarding with reference to his letter of the 14th Idem the Report B. received from the Magistrate for the months

18th June 1849.-

of April last.-

(Here enter F. C. No. 1143 of 1849.)

Read Calendar of Case No. 19 of 1849 submitted by the Sessions Judge of Rajahmundry under date the 28th Ultimo.-

(Here enter F. C. No. 1146 of 1849.-)

Read letter dated the 1st Instant from the Sessions Judge of Chingleput- reporting that no cases to be reported on as required by the Circular letters dated 10th October 1848 and 21st January 1845 were pending at the close of last month before the Sessions Court.-

(Here enter F. C. No. 1153 of 1849.)

Read Calendar of Case No. 14 of 1849 submitted by the Sessions Judge of Bellary under date the 30th Ultimo.-

(Here enter F. C. No. 1154 of 1849.)

Read Calendar of Case No. 20 of 1849 submitted by the Sessions Judge of Mangalore under date the 28th Ultimo.-

(Here enter F. C. No. 1155 of 1849.)

Read Calendar of Case No. 32 of 1849 submitted by the Sessions Judge of Combaconum under date the 1st Instant.-

(Here enter F. C. No. 1161 of 1849.)

Read

18th June 1849.-

Read report dated the 1st Instant submitted by the Sessions Judge of Salem of Cases pending before him on the 31st Ultimo for a period in excess of 25 days calculated from the date of commitment.-

(Here enter F. C. No. 1163 of 1849.)

Read Calendar of Case No. 22 of 1849 submitted by the Sessions Judge of Rajahmundry under date the 7th Instant.-

(Here enter F. C. No. 1219 of 1849.)

Read Criminal Report B dated the 9th Instant submitted by the Sessions Judge of Calicut for May 1849.-

(Here enter F. C. No. 1229 of 1849.)

Read Calendar of Case No. 42 of 1849 submitted by the Sessions Judge of Combaconum under date the 12th Instant.-

(Here enter F. C. No. 1230 of 1849.)

Read Calendar of Case No. 11 of 1849 submitted by the Sessions Judge of Honore under date the 5th Instant.-

(Here enter F. C. No. 1231 of 1849.)

Read Calendar of Case No. 18 of 1849 submitted by the Sessions Judge of Mangalore under date the 9th Instant.-

(Here enter F. C. No. 1234 of 1849.)

Read

18th June 1849.—

Read Criminal report B dated the 13th Instant submitted by the acting Subordinate Judge in charge of the Sessions Court of Cuddapah for the Months of May 1849.

(Here enter J.U. No. 1235 of 1849.)

Read letter dated the 12th Instant from the Acting Subordinate Judge of Cuddapah informing that a party of 100 Convicts has on the 12th Instant, been despatched to the Subordinate Judge of Rajahmundry.—

(Here enter J.U. No. 1242 of 1849.)

Encl. 2

J. Vo.

Tuesday
19th June 1849.

At a Court of the Foujdaree Udalut.

Present:

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

Read Calendar of Case No. 23 of 1849 of the Sessions Court of Coimbatore.

(Here enter J. Vo. No. 1221 of 1849.)

Before passing their final Orders on this case the Court of Foujdaree Udalut deem it proper to call upon the Acting Sessions Judge to submit for their consideration translations of the depositions given by the 1st and 2nd Witnesses, who apprehended the Prisoners, together with a statement of the value of the property found.

2. The Acting Sessions Judge will also be pleased to submit translations of the deposition of the 3rd and 4th Witnesses, who identify the property as belonging to the Prosecutor, and to also of

the

19th June 1849.

the defence made by the Prisoners.-

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

/Sent following precept. No. 602/

Read Calendar of Case No. 20 of 1849 of the Sessions Court of Nellore.-

/Here enter F. C. No. 1220 of 1849./

Before passing their final Orders on this case, the Court of Foujdaree Udalut deem it proper to direct the Sessions Judge to submit a translation of the entire Record for their consideration.-

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

/Sent following precept No. 603/

Lt. Blew

by Jr

F.C.

Wednesday 20th June 1869

Act of Court of the Foujdaree Adalut

Present

Sir R. G.A. Macpherson Esqr. — 1st Puisne Judge

C.P. C.P. Thompson Esqr. — 2d Puisne Judge

H-de. W.A. Morehead Esqr. — 3d Puisne Judge

Read Letter dated 15th June 1869 from the Sessions Judge of Gunjam referring for the judgment of the Foujdaree Adalut the Records of Trial in the Calendar of the Calendar

(Here F.C. No 1266 of 1869.)

The Court of Foujdaree 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 Chentalapooty Veeramah is sufficient to convict her of the crime of Wilful Murder, do convict her thereof; and under the provisions of Section X Regulation VIII of 1802, sentence her to suffer death by being

being Ranged at the usual time and place of execution.

(Seals following Letter No 609)

Read Return dated 20th May 1849 from the Sessions Judge of Nellore to the precept of the Joydaree Adalat under date the 10th May 1849 containing their observations in Case No 15 of 1849 on the Calendar of the Sessions Court.

(Here Enter the No 1103 of 1849)

Read Letter dated 21st May 1849 from the Sessions Judge of Bangalore forwarding the Warrant issued by Him for the execution of the Prisoner in Case No 19 of 1849 of his Calendar duly executed.

(Here Enter Flw No 1107 of 1849)

Read Calendar of Case No 13 of 1849 submitted by the Sessions Judge of Bellary under date the 22d May 1849.

(Here Enter Flw No 1111 of 1849)

Read Calendar of Case No 23 of 1849 submitted by the Sessions Judge of Madura under date the 23d May 1849.

(Here Enter Flw No 1119 of 1849)

Read

Read Return dated 21st May 1849 from the Sessions Judge of Chicacole to the Precept of the Joydaree Adalat under date the 21st May 1849 requiring an explanation of the omission on the part of the Governments Agent in the Statements of Cases disposed of by Him since August 1847.

(Here Enter Flw No 1121 of 1849)

Read Calendar of Case No 19 of 1849 Submitted by the Sessions Judge of Nellore under date the 26th May 1849.

(Here Enter Flw No 1122 of 1849)

Read Calendar of Case No 38 of 1849 Submitted by the Sessions Judge of Combaconum under date the 26th May 1849.

(Here Enter Flw No 1124 of 1849)

Read Return dated 23d May 1849 from the Sessions Judge of Tellicherry to the precept of the Joydaree Adalat under date the 12th May 1849 conveying their

20th June 1849

their decision in the case of Semayet Ally Khan the Moorfty attached Moulvie of the Civil and Sessions Court

(Here enter the No 1270 of 1849)

Read Return dated 26 May 1849 from the Sessions Judge of Trichinopoly in the precept of the Tonjadaree Adalut under date the 21st May 1849 on review of the Calendar of Case No 1 of 1849 on the file of the Sessions Court of Trichinopoly directing Lis, with reference to his Return of the 4th May 1849 to their precept of the 30th March, to reduce the period of imprisonment, with hard labor in irons awarded to the Prisoner from 6 to 3 years to date from the Original Close of the trial and to issue his warrant accordingly.-

(Here take the No 1820 of 1849)/-

Encl 1 W

F. W

Thursday
21 June 1849 } At a Court of the Tonjadaree Adalut

Present

G.S. Hooper Esqre —— 1st Puisne Judge

E. P. Thompson Esqre — 2d Puisne Judge

W. A Morehead Esqre — 3d Puisne Judge

Read Criminal Reports of the Sessions Court of Chittoor for May 1849

(Here enters F.W No 1236 of 1849)

Magistrates Report B. Case No 1. }

1. The Court of Tonjadaree Adalut observe that in all Cases of Theft tried by the Magistracy under the extended powers conferred upon them by Section LIV Act VII of 1843, Section VIII Regulation X of 1816 should be cited as well as the former enactment in support of the Sentence awarded.-

2. The Court request that the Magistrate may be instructed to prefix a Heading to the Statement of the charge in all Cases in future tried by him; the Case now under consideration it is observed is wanting in this particular.-

Ordered that Extract from these

21th June 1849.-

these Proceedings be forwarded to the Sessions
Judge of Chittoor for his information and for
communication to the Magistrate.-

(Sent in N° 611)

End th.

tyh

VII

LIV

F. C.

Saturday, 23d. June, 1849.

At a Court of the Foujdaree Udalut

Present.

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

Read again Calendar of Case. No. 19 of 1849 of the Sessions Court of Coimbatore.

/Here Enter F. C. No. 1098 of 1849/

Read also Return dated 16th. June 1849 made by the Acting Sessions Judge of Coimbatore to the Precept of the Foujdaree Udalut dated 4th. June 1849, calling for certain documents connected with the Proceedings held in the above case.—

/Here enter F. C. No. 1268 of 1849/

The information afforded in the documents submitted with the foregoing Return being still too incomplete

to

23d. June, 1849.

to enable the Court of Foujdaree Udalut finally to dispose of this case, it is resolved to call upon the Acting Sessions Judge to submit for the further consideration of the Court translations of the following documents.—

1st. The first Report made by the Police of the Palghaut Talook in Malabar to the Police in Coimbatore regarding the confessions made by the Prisoners before the former authorities, and,

2d. 3d. and 5th. Prisoners before the Session Court, together with the depositions of the witnesses who gave evidence on their behalf before that tribunal.

2. The Court also observe a singular feature connected with the confessions of the Prisoners in this case, which is, that the said confessions appear to have been all made previous to any accusation having been preferred against the Prisoners of having been concerned in the Robbery in question: if the Acting Sessions Judge is in possession of any explanation upon this point he will be pleased to afford it, and he will at the same time be pleased to state the distance between the Village where the Robbery occurred in the Talook of Pollachy in the Coimbatore District, and the place where the confessions are stated to have been made by the Prisoners before the Police authorities in the Talook of Palghaut.—

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

(Sent following precept No. 618)

Read Calendar of case No. 6 of 1849 on the file of the Session Court of Guntoor.—

(Here Enter F. 66. No. 1232 of 1849)

The Court of Foujdaree Udalut

23rd June, 1849.

Udalut resolve to direct that an English Translation of the record of this case may be submitted for their consideration.

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

Sent following precept No. 619/S

End 11

F. U.

Tuesday 26th June, 1849.

At a Court of the Foujdaree Udalut

Present

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

Read again Calendar of Cases No. 25 of 1849 of the Session Court of Calicut.

(Here enter F. U. No. 1112 of 1849).

Read also Return dated 11th June 1849 made by the Session Judge of Calicut to the Precept of the Foujdaree Udalut dated 6th June 1849, conveying their observations on the above Case.

(Here enter F. U. No. 1239 of 1849).

The Court of Foujdaree Udalut resolve

1. to confirm the mitigated sentence of seven years imprisonment with hard labor in irons, proposed to be passed upon the first Prisoner in this Case.

2nd And the Session Judge is hereby authorised to issue his warrant accordingly.

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

(Sent in No. 623)

Read

Read Criminal Reports of the Sessions Court of Mangalore for the Month of May 1849.

(Here enter F: C: No. 1249 of 1849).

Report B. Case No. 80.

1. From the nature of the Charge as stated in the Report, the Case noted in the Margin appears to the Court of Foujdaree Adalut to be one of "Theft", rather than "Fraud", and with reference to the value of the property stolen the Court consider that it should have been disposed of under clause fourth Section III Regulation VII of 1822.

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

(Sent in No. 624).

Read Criminal Reports of the Sessions Court of Tellicherry for the Month of May 1849.

(Here enter F: C: No. 1253 of 1849).

Report B. Cases Nos. 57, 59 and 66.

1. Before passing their finals Orders on these Cases, the Court of Foujdaree Adalut require to be informed whether it was clearly established against the Prisoners that the articles of Military Clothing found in their possession had been unlawfully or improperly obtained.

2. The Sessions Judge will also be pleased to state the particulars which led to the detection of the Prisoners.

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

(Sent following Precept No. 625).

Read Calendar of Case No. 16 of 1849.

of the Sessions Court of Salem.

(Here enter F: C: No. 1256 of 1849).

The Court of Foujdaree Adalut

1. approve the recommendation made by the Sessions Judge in this Case, that the sentence recorded against the first Prisoner on her conviction of "Housebreaking by night and Theft", be mitigated to three (3) years imprisonment with labor suited to her sex.

2. And the Sessions Judge is hereby authorised to issue his warrant accordingly.

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

(Sent in No. 626).

Read Calendar of Case No. 15 of 1849.

of the Sessions Court of Honore.

(Here enter F: C: No. 1258 of 1849).

The Court of Foujdaree Adalut

1. Decree

deem it proper to point out to the Sessions Judge the inutility of the examination of the 3rd Witness in this case, who is represented to be "a little girl unable to understand the meaning of an Oath", and whose deposition consequently could not have been received as evidence against the Prisoner.—

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

(Sent in No. 627)

Read Criminal Reports of the Sessions Court of Cuddalore for the month of May 1849.—

(Here enter F: R: No. 1246 of 1849)

The Court of Foujdaree Adalut observe that in the statement shewing the instances in which the powers of punishment created by Regulation X of 1832. have been exercised, the acting Sessions Judge has entered the case of a Peon punished for permitting a Security Prisoner to effect his escape. The Court observe that this case should have been submitted for their consideration in a separate Calendar, and they request the acting Sessions Judge for the future to observe this course.—

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

(Sent in No. 628)

Read

F: R:

26th June 1849.

Read letter dated the 9th Instant from the Sessions Judge of Chingleput reporting the arrival of a Convict under Sentence of transportation from Rajahmundry.—

(Here enter F: R: No. 1197 of 1849).

Read Calendar in Case No. 20 of 1849. submitted by the Sessions Judge of Rajahmundry under date the 5th Instant.—

(Here enter F: R: No. 1201 of 1849).

Read Calendars in Cases Nos. 13 and 14 of 1849. submitted by the Sessions Judge of Salem under date the 1st Instant.—

(Here enter F: R: No. 1208 of 1849).

Read Statement dated the 8th Instant, submitted by the Acting Subordinate Judge in charge of the Sessions Court of Cuddapah of Batta paid to Prosecutors and Witnesses in attendance before the Sessions Court of Cuddapah from 1st July to 31st December 1848.—

(Here enter F: R: No. 1209 of 1849).

Read Criminal Report dated the 15th Instant submitted by the Sessions Judge of Chingleput for the month of May 1849.—

(Here enter F: R: No. 1245 of 1849).

Read Criminal Reports dated the 13th Instant submitted by the Sessions Judge of Madura

Madura for the month of May 1849.-

(Here enter F: 86: No: 1250 of 1849).

Read Criminal Reports B. dated the 15th Instant. submitted by the Sessions Judge of Nellore for the month of May 1849.-

(Here enter F: 86: No: 1251 of 1849).

Read Calendar in Case No: 32 of 1849 submitted by the Sessions Judge of Combaconum under date the 14th Instant.-

(Here enter F: 86: No: 1254 of 1849).

Read Calendar in Case No: 24 of 1849. submitted by the Acting Sessions Judge of Coimbatore under date the 2nd Instant.-

(Here enter F: 86: No: 1255 of 1849).

Read Calendar in Case No: 15 of 1849 submitted by the Sessions Judge of Salem under date the 11th Instant.-

(Here enter F: 86: No: 1259 of 1849).

Read Calendar in Case No: 15 of 1849 submitted by the Sessions Judge of Tellicherry under date the 4th Instant.-

(Here enter F: 86: No: 1260 of 1849).

Ent

S. R.

Wednesday
27th June 1849. At a Court of the Foujdaree Adalut.

Present.

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

Read Criminal Reports of the Sessions Courts of Rajahmundry for the month of May 1849.—

(Here Enter S.R. No 1275 of 1849)

Report A
Case No 44.

The sentence passed by the Mahomedan Judge Ameen Rahim in this case, having been in no way affected by the Sessions Judge in his proceedings held on this date, the transmission of Report A, the Court observe, was unnecessary.

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

(Sent in Do. 630

Read letter dated the 11th instant, from the Sessions Judge of Chicacole, referring for the final judgment of the Foujdaree

Court

Resolved, the Record of case No 5 of the Calendar of the Session Court of 1849:-

(Here Enter F.R. No 1277 of 1849)

1. The Court of Tonjaree resolved, before passing sentence in this case, to direct the Session Judge to take measures to obtain evidence as to the general habits and conduct of the Prisoner.-

2. The main points on which the Session Judge is required to examine the witnesses who may be forthcoming, and who, it is obvious to remark, ought to be persons who have resided in the same village with the Prisoner and to whom he has been long known, are whether, or not, the Prisoner be an habitual drunkard, or whether, when in a state of Intoxication, he commits acts of Grossoutrage or violence, whether, in short, when under the influence of Liquor, he loses all command of himself, and becomes virtually, for the time, a

3. The Session Judge will instruct the Head of Police to summon persons who may be able to depose from their own knowledge touching these points. They will be examined in

in the presence of the prisoner who will be allowed to Cross examine them and to put any questions that may occur to him: and also to offer any thing further in his defence at the close of the examination.-

4. The Session Judge will submit English Translations of the additional Evidence which may be taken pursuant to these instructions, for the consideration and final judgment of the Tonjaree Court.-

Ordered that Extract from these proceedings be sent to the Session Judge of Chittagong by precept returnable within three weeks from and after its receipt.-

Sent following Precepts No. 631

Read Report dated the 1st instant submitted by the Session Judge of Dacca Jelalpore of Cases pending on the 31st March, and committed for trial during the month of April 1849 before him.

(Here Enter F.R. No 967 of 1849)-

Ent'd

F.H.

Saturday.

30th June 1849. At a Court of the Fouzdaree Adalut

Present:-

J.H.R. G.S. Hooper Esqre 1st Puisne Judge

C.P.S. E.P. Thompson Esqre 2d Puisne Judge

B-dd. W.A. Morehead Esqre 3d Puisne Judge

Read again Calendar of case No 9 of 1849 on the file of the Sessions Court of Masulipatam:-

(Here Enter F.H. No 1147 of 1849)

Read also return under date the 16th June 1849 from the Sessions Judge of Masulipatam to the Precept of the Fouzdaree Adalut dated the 11th June 1849 conveying their orders upon the foregoing case:-

(Here Enter F.H. No 1276 of 1849)

The Court of Fouzdaree Adalut authorize the reduction of the period of Imprisonment awarded to the prisoners in the foregoing case to one year, and they direct that the Sessions Judge will issue his warrant accordingly.

The Court observe that the delay

2 adverted

30th June 1849.

adverted to in the proceedings of the Sessions Court of the 11th Instant have been satisfactorily explained.-

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

(Sent in No 637

Read Criminal Reports submitted by the Sessions Judge of Salem for the month of May 1849.-

(Here Enter F & P No 1250 of 1849)

Report B
Case No 84.

The Court of Sessions Court resolve to direct that the period of Imprisonment awarded to the prisoner in this case be reduced to Nine months which they consider will be sufficient to meet the demands of justice.-

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

(Sent following Precept No 638

Read

30th June 1849.

Read Criminal Reports submitted by the Sessions Judge of Combaconum for the month of May 1849.-

(Here Enter F & P No 1247 of 1849)

The Court of Sessions Court direct that the proceedings held by the Sessions Judge under date the 14th May 1849 directing the amendment of the sentence passed by the Acting Special Assistant Magistrate in the case disposed of by that officer during the period under review may be submitted for their consideration.-

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 639

Read Criminal Reports submitted by the Principal Sudder ameen in charge of the Sessions Court of Tuticorin for the month of May 1849.-

(Here Enter F & P No 1264 of 1849)

Report D
Case No 46.

The Court of Sessions Court direct that it may be explained upon what grounds

the Session Court of Combaconum.

(Here enter F. C. No. 879 of 1849)

Read also Miscellaneous

Petition presented on the 21st May 1849 by

Bahoodeen Alim Saib of Tillah Combaconum.

(Here enter F. C. M. P. No. 118 of 1849.)

1. This is an application for the reversal of the sentences awarded to the Prisoners in Cases Nos. 25 and 30 of 1849 on the file of the Session Court of Combaconum who have been convicted of perjury and sentenced respectively to Imprisonment with hard Labor in irons for the period of one year.

2. The Prisoners were charged respectively with having when examined as witnesses before the Subordinate Judge of Combaconum in Case No. 53 of 1849 on the file of the Subordinate Criminal Court deposed upon Oath that one Sawmy Pillay was present and taking part in an assault which formed the subject of the charge in the Cases in question whereas the said Sawmy Pillay on the occasion referred to was shown to have been at the Tahseeldar's Cutcherry at a distance of two miles and a half from

from the spot where the assault took place.

The Petitioner contends that

3. the alleged absence of Sawmy Pillay on the occasion of the assault with which he was charged has not been proved, and he refers to a report of the Tahseeldar wherein he states that that Officer denies any knowledge of Sawmy Pillay's presence at his Cutcherry on the day on the assault or that he was summoned by him to attend there on that day, as was asserted by Sawmy Pillay.

The Court of Fouzdaree Udalut

4. resolve to direct that the Session Judge will examine the Tahseeldar of Tanjanapeem and some of the servants of that Officer's Cutcherry in regard to the alleged presence of Sawmy Pillay at that place on the day upon which the assault referred to occurred.

5. Should it appear from the evidence of those examined that Sawmy Pillay really attended at the Tahseeldar's Cutcherry on the day referred to, the Session Judge will endeavour to ascertain the exact hour of his arrival and also of his departure and will be pleased to submit the depositions for the

consideration

11th June 1849

consideration of the Tonjdaree Udalut, as well as the original report made by the Tahseldar

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

(Sent following Precept No. 569

Read Calendar of Case No. 9 of 1849 of the Session Court of Masulipatam

(Here enter F. C. No. 1147 of 1849)

1 After a careful consideration of the evidence set forth in the Calendar of this Case, the Court of Tonjdaree Udalut are disposed to consider that a sentence of one years imprisonment would be adequate punishment for the offence of which the Prisoners have been convicted, and, on the recommendation of the Session Judge, the Court will be prepared to mitigate their sentences accordingly.

2 Should, however, the Session Judge after a reconsideration of the circumstances of the Case be of opinion that the nature of the offence committed by the Prisoners does not justify

F. C.

11th June 1849

a reduction of their sentences to the extent now proposed, he will be pleased to submit a translation of the entire Record, together with his notes of the trial, with as little delays as possible

3. The Court observe that this trial was commenced on the 21st March and not closed until the 30th March. The Futwa was given on the 2d April and the date of the sentence is the 24th May. Of all these great delays, the Court require a full explanation.

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

(Sent following Precept No. 570

Read Letter dated the 5th Instant from the Session Judge of Combaconum submitting for the final sentence of the Tonjdaree Udalut, the Record of Case No. 37 on the file of the Session Court for 1849.

(Here enter F. C. No. 1185 of 1849)

The Court of Tonjdaree Udalut,

Mr. E. P. Thompson and Mr. H. A. Morehead

on a deliberate consideration of all the circumstances

11th June 1849

circumstances of the case in evidence before them,
being of opinion that the Prisoner,

"Ramapadiachy"

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; but being of opinion that strong
suspicion though not amounting to conviction
attaches to him, the Court direct that under
the Provisions of Clause sixth Section iv
Regulation xx of 1803, he be required to find two
sureties in (50) fifty Rupees each Surety for
his good behaviour and appearance when
required within three years and that in default
thereof he be detained for three years in confinement

Sent following Letter No 571 to

Dr 1820.

Tuesday
12th June 1849.

F. Up.

At a Court of the Tongalanee Udalut.

Present.

W.S.H. — Hy. S. Cooper Esqre. — 1st Puisne Judge.
E.P.T. — E. P. Thompson Esqre. — 2nd Puisne Judge.
W.N.M. — W. N. Morehead Esqre. — 3rd Puisne Judge.

Read a letter dated the 31st Ultimo, from the Sessions Judge of Chicacole, submitting for the final Judgment of the Tongalanee Udalut the Record of Case No. 4 of 1849 of the Calendar of the Sessions Court.

/Here enter No. 1200 of 1849./

Mr. E. P. Thompson

The Court of Tongalanee 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,

"Damary Iyapah"

is sufficient to convict him of the crime charged, do convict him thereof; and under the provisions of Section XXXIV. Act. VII of 1843, and Clauses Second and fifth,

Section

12th June 1849.

Section IV 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 [5] Five years.-

1. The Court conclude that the Magistracy have taken measures for the apprehension of "Sadiah", who was implicated by the Prisoner as being a party to the assault and robbery, and whose Mother delivered up from the house in which he lived a portion of the stolen property.-

2. The conduct of the 7th and 8th Witnesses, the Police Duffadar and Peon, who allowed the said Sadiah to escape after communicating with him in his house, is discreditable to their vigilance and activity.-

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

Sent following Letter. [illegible] / 5

[illegible]

Wednesday
13th June 1849

F. C.

At a Court of the Foujdaree Adalat

Present

J. S. Hooper Esqr 1st Russee Judge

C. P. Thompson Esqr 2d Russee Judge

W. A. Morehead Esqr 3d Russee Judge

Read letter dated 7th Instant from the Sessions Judge of Chittagong submitting for the final Judgment of the Foujdaree Adalat the records of trial in case No 7 of 1849 on the file of the Sessions Court

Here enter Order No 1893 of 1849

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

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

1st Kerapetia

and

2d Apporvee

is sufficient to convict them of the crime

30th June 1849.

grounds the sentence of five months Imprison-
=ment awarded in this case was deemed
necessary as a punishment for the assault laid
to the prisoners charge.

Case No 41. 2. The sentence awarded in this case
requires explanation with reference to the
nature of the offence stated in the indictment,
which if proved would have placed the case
beyond the jurisdiction of the Subordinate
Criminal Court.

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

(Sent following Precept No. 640)

Read Calendars Nos 12 and 13 of 1849
submitted by the Sessions Judge of Madura stating
under date the 21st May 1849.-

(Here Enter F.R. Nos 1117 and 1118 of 1849)

Read return dated the 29th Ultimo
from the Sessions Judge of Chingleput to the Precept
of the 30th ultimo under date the 28th May 1849
requiring an explanation as to the causes of three
persons being returned in respect of the Prisoner
(Here Enter F.R. No 1133 of 1849)