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Proceedings

Second Copy of

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Monday 2d July 1849

At a Court of the Sessions Judge's Adalut

Present

J. A. Hooper Esqr. ——— 1st Puisne Judge

C. P. Thompson Esqr. ——— 2d Puisne Judge

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

Read Miscellaneous Petition forwarded by the Sessions Judge of Tinnevelly from Vembar and others of that Talluk

(Here Enter Jdl. P. No 119 of 1849)

This is an application for the remission of a fine awarded to the Petitioners by the Magistrate of Tinnevelly and confirmed by the Sessions Judge in an order passed by that Officer under date the 5th March 1849.

Before finally disposing of this Petition the Court of Sudder Adalat resolved to direct that the Sessions Judge will forward for their consideration a copy of the order passed by him in the matter to which the Petitioners refer, and of the proceedings upon which that order was based, together with any further explanation he might think proper to afford.

Ordered that Extracts from these Proceedings be sent to the Sessions Judge of Tinnevelly

for his information and guidance by Precept returnable within five days from and after its receipt.

/Sent following precept No 641/

Read Miscellaneous Petition forwarded by the Sessions Judge of Tellicherry from Ramyadan Bavathy of that Tillah

/Here Enter Tm. P. No 96 of 1849/

1 This is an application for the reversal of a Sentence of three months' Imprisonment together with a fine of Rupees 15, which has been awarded to the Petitioner by the Principal Sudder Ameen of Tellicherry upon his conviction on a charge of Assault.

2. The Court of Sujdaree Adalut observe that the Petitioner should have appealed to the Sessions Judge from the sentence of which he complains.

3 If dissatisfied with the orders which might have been passed by the Sessions Judge upon his appeal, it would have been open to him to address the Court of Sujdaree Adalut.

4 This course the Petitioner is now at liberty to adopt.

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

Judge of Tellicherry for Communication to the Petitioner.

Sent in No (642)

Read Miscellaneous Petition presented on the 30th April 1849 by Ramakkan of Tillah Chettoor.

/Here Enter Tm. P. No 103 of 1849/

1 This is an application for the reversal of the sentence awarded to the prisoner in Case No 16 of 1849 on the file of the Sessions Court of Chettoor, who has been convicted of "Perjury" and sentenced by the Court of Sujdaree Adalut to Imprisonment with Hard labor in irons for three Calendar months.

2. The Court of Sujdaree Adalut observe that the sentence of which the Petitioner complains was passed upon a full consideration of the records which satisfied the Court of the Prisoner's guilt.

3 The Court accordingly resolve to reject this Petition.

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

Read Miscellaneous Petition presented on the 21st May 1849 by Veeratan

2d July 1849

of Zillah Combaconum

(Here Enter Tm. Rs. 115 of 1849)

The Court of Foujdaree Adalut observe that the matter contained in this Petition was finally disposed of by the Court in their Proceedings under date 16th April 1849, to which the Petitioner is accordingly now referred.-

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 2d June 1849 by J. Appiah Vakeel on behalf of Vythanatha Dikapa Nair of Zillah Calicut

(Here Enter Tm. P. No 120 of 1849)

1 The object of this Petition is to induce the Court of Foujdaree Adalut to issue Orders directing the restoration of the Petitioner to the situation of Police Goomastah of the Koorumbur Talook, from which, he states, he has been recently unjustly removed by the Magistrate of the District

2. The Court of Foujdaree Adalut cannot interfere in such cases and accordingly resolve to reject this Petition.-

Petitioner

F.W.

2d July 1849.

3. Petitioner should address the Revenue Board.

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

Read Miscellaneous Petition presented on the 18th June 1849 by Soobha Nayken of Zillah Chittoor.-

(Here Enter Tm. P. No 125 of 1849)

1 The object of this Petition is to induce the Court of Foujdaree Adalut to issue orders directing the restoration of the Petitioner to the Situation of Cutwal of Vellore, from which, he represents he has been recently disrespected by the Assistant Magistrate

2. The Court of Foujdaree Adalut observe that the Board of Revenue is the proper authority to whom the Petitioner should address himself on the subject of his alleged grievance.-

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

Read Miscellaneous Petition presented on the 8th June 1849 by Mr. Mary Cramer of St. Thomas' Mount.-

(Here Enter Tm. P. No 129 of 1849)

the

1

The Petitioner, ascertaining that a practice, which lately obtained in the Chingleput Jail of granting to European and East Indian Prisoners batta at the rate of 4 annas per diem, prays that this indulgence may be conferred on her son, an East Indian, who was sentenced in Case No 10 of 1849. of the Sessions Court of Chingleput to undergo 14 years imprisonment with hard labor in irons.-

2.

The Court of Fojdaree Adalut decline to interfere in the manner solicited by the Petitioner, and accordingly reject her Petition.-

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

Read Miscellaneous Petition presented on the 18th June 1849. by Sungapa Vellan of Lillah Nellore

(Here enter the P. No 131 of 1849.)

1

The Petitioner prays a reconsideration of the Court's orders dated 2d June last dismissing the Petitions presented by him on the 26th March and 6th April 1849.

2.

The Petitioner is informed that the orders already passed by the Court of Fojdaree Adalut in this matter of his Petition

No 75 and 84.

are final.-

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

Read again Miscellaneous Petition presented on the 10th April 1849. by Kovindasow of Lillah Chittoor.-

(Here enter the P. No 95 of 1849.)

Read also Return dated 1st June 1849 made by the Sessions Judge of Chittoor to the Precept of the Fojdaree Adalut dated 30th April 1849. requiring that officer to ascertain, and to report, the cause of the Petitioner's dismission from the situation of a Hangar in the Jail Establishment under the Commissariat Officer at Vellore.-

(Here enter Jail No 1151 of 1849.)

1.

From the above Return of the Sessions Judge, it is observed that the Petitioner was dismissed from his situation by the Commissariat Officer at Vellore for repeated disobedience of orders, and for conniving at breaches of the Jail rules by the Convicts.

2.

Under the above circumstances the Court of Fojdaree Adalut decline to interfere on the Petitioner's behalf.

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

Ordered

1

The Petitioner according to
procedure which lately obtained in the
just dail of proceeding to Conviction and Sen
Prisoners batta at the rate of 4 annas per
prays that this Mandamus may be expun
ction, as Each Indian, who was Sentenc
a Case No 10 of 1848 of the Sessions Court
thing apeak to undergo 4 years imprisonm
with Hards Labor in irons.

2

The Court of Foujdaree Ada
decline to interfere in the manner solici
by the Petitioner, and accordingly reject the
Petition.

Ordered that Extract for t
Proceedings be given to the Petitioner on h
application.

Read Miscellaneous Petition
presented on the 18th June 1849 by Sungapy
Caslin of Tellah Sellore

1 [Here enter No 8 P. No 810 of 1849]

The Petitioner prays a revisa
tion of the Court's orders dated 2 June last
dismissing the Petitions presented by him on t
26th March and 10th April 1849.

2.

The Petitioner is informed th
the orders already passed by the Court of Fou
daree Adaulut in the matter of his Petition
are

are final.

Ordered that Extract from these
Proceedings be given to the Petitioner on his applic
-cation.

Read again Miscellaneous Petition
presented on the 10th April 1849. by Govindasow of
Tellah Chittoor.

(Here enter the P. No 85 of 1849.)

Read also Return dated 1st June 1849
made by the Sessions Judge of Chittoor to the Precept of the
Foujdaree Adaulat dated 30th April 1849, requiring the
Officer to ascertain, and to report, the cause of the Pe
-titioner's dismission from the situation of a Hangar a
the Jail Establishments under the Commissariat Offic
at Vellore.

(Here enter Sec No 1151 of 1849)

1. From the above Return of the Sessions
Judge, it is observed that the Petitioner was dismissed
from his situation by the Commissariat Officer at
Vellore for repeated disobedience of Orders, and for
conniving at breaches of the Jail rules by the Convicts.

2. Under the above circumstances the
Court of Foujdaree Adaulat decline to interfere on the
Petitioner's behalf.

Ordered therefore, that the prayer
of the Petitioner be rejected and that Extract from
these Proceedings be given to the Petitioner on his
application

Read

2d July 1849.

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

(Sent a- No 643)

Read Miscellaneous Petition presented on the 2d June 1849 by Coorchala Narroo of Zillah Nellore.-

Here Enter F.R. P. No 123 of 1849

1 The Object of this Petition is to induce the Court of Foujdaree Adalat to direct the restoration of the Petitioner to the situation of Subject, from which he states that he has been unjustly dismissed by the Principal Sudder Ameen of Nellore. Petitioner states that he has appealed to the Sessn Judge but without success, and he therefore prays the interference of the Court of Foujdaree Adalat.

2. The Court of Foujdaree Adalat resolve to forward the English Translation of this Petition to the Sessn Judge who will be pleased to report under what circumstances the Petitioner was dismissed from his situation by the Principal Sudder Ameen

Ordered that Extract from these Proceedings be forwarded to the Sessn Judge of Nellore by precept returnable within VII days from and after its receipt.

(Sent following precept No 644)

Read again Calendar of Case No 22 of 1849 of the Sessn Court of Coimbatore

(Here Enter F.R. No 1022 of 1849)

F 16

2d July 1849.

Read also Miscellaneous Petition of Seroomoody and two others forwarded by the acting Sessn Judge of Coimbatore, and received on the Board on the 2d June 1849.

(Here Enter F.R. P. No 120 of 1849)

The above Petition is an application from the 1st 2d and 3d Prisoners in the above case for the reversal of the sentence of 14 years' imprisonment recorded against them by the acting Sessn Judge on their conviction of "Gang Robbery"

Before passing their final Orders

2. on the above Petition, the Court of Foujdaree Adalat request to be informed whether the Articles numbered 1, 4, 5, 6, 7 and 8. were susceptible of positive recognition; and what was the value of each article.-

3 The Sessn Judge will also be pleased to furnish a transcript of the Prisoners defence, and he will at the same time explain the nature — — — of the strong suspicion against the 1st Prisoner, whom he required to furnish security for two years under the third Section of Regulation II of 1824.-

Ordered that Extract from these Proceedings be forwarded to the acting Sessn Judge of Coimbatore by Precept returnable within ten days from and after its receipt.

(Sent following precept No 645)

Read

2d July 1849.

Rd Miscellaneous Petitions of Mondaru Vadivelu Saadatha Pydah. Vizagapatam forwarded by the Sessions Judge of Jellicherry, and filed in this Court on the 21st May 1849.

(Here enter Mr. Ps Nos 110, 111, 112, and 113 of 1849)

1. These are applications for the reversal of the sentence recorded by the Sessions Judge of Jellicherry against the Petitioners, who were convicted in Case No 6 of 1849 of the Sessions Court of Jellicherry of "Theft", and were adjudged to seven years imprisonment with hard labour in irons.

2. The Court of Sudder Adawlut see no reason to doubt the justness of the Prisoners' conviction, or the propriety of the sentence passed upon them. It is accordingly rejected as against the Petitioners.

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

(Seal) No 646

Read Miscellaneous Petition presented on the 7th May 1849, by Sundaramdoss of Vizagapatam.

(Here enter Mr. P No 109 of 1849)

The Petitioner complains of certain

2d July 1849.

certain acts of oppression and ill usage at the hands of the Zemindar of Vizianagaram, whom he further accuses of having unlawfully seized the whole of his property. Petitioner states that he fully established his case before the Assistant to the Agent, but was denied redress by the latter officer, to whom the case was subsequently referred for disposal. Petitioner further states that his servant who was seized by the Zemindar at the same time that he, the petitioner, was, has not been since forthcoming, and he suspects, therefore that the servant has either been murdered, or that he is still imprisoned by the Zemindar.

2 Before passing their final orders on this Petition, the Court of Sudder Adawlut to forward, to receive the English translation thereof to the Government Agent at Vizagapatam, who will be pleased to transmit a full report upon the several allegations which it contains.

Ordered that Extract from these Proceedings be forwarded to the Government Agent at Vizagapatam, for his information and guidance by precept returnable within the days from and after its receipt.

(Seal following precept No 647)

Veerasawmy

2d July 1849.

2d July 1849.

Veerasawmy late peish Dss of the Zillah of Nellore, moves the Court to restore the enclosures in his miscellaneous Petition No 89 of 1849.

Ordered accordingly.—

Read Letter dated 22d June 1849 from the Session Judge of Calicut referring for the final judgment of the Foujdaree Adalut the record of case No 25 of 1849 of the Calendar of the Sessions Court.

Here enter the No 1311 of 1849.

Mr E. P. Thompson and Mr W. Morehead.

The Court of Foujdaree Adalut, on a deliberate consideration of all the circumstances of the case as exhibited before them, being of opinion that the proof against the prisoner

"Payaporta Kowla, Koolly"

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.

Seal following letter No 648 to

2d Idem.

J. W.

Tuesday, 3rd July, 1849.

At a Court of the Foujdaree Adalut.

Present.

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

Read Criminal Reports submitted by the Sessions Judge of Tinnevelly for the month of May 1849.—

(Here enter J. W. No 1263 of 1849).

Report B. Case No 55.

1. The Court of Foujdaree Adalut desire to be informed upon what grounds this case was committed for trial to the Court of Session.—

Magistrate's Calendar Case No 10.

2. The Court of Foujdaree Adalut observe that with reference to the nature of the offence with which the prisoner in this case was charged the requisition of Security by the Head Assistant Magistrate was illegal, and that if suspicion was considered to exist, the case should have been committed under Clause Second Section XXIV Regulation IX of 1816 to the Subordinate Criminal Court.—

3. The period for which the requisition of Security has been made is moreover in excess of that which the Magistracy are competent to award in Cases coming within their jurisdiction.—

In

3rd July 1849.

4 In such cases where suspicion only exist, the Court of Foujdaree Udalut have ruled that the Magistracy are not competent to demand Security for any period exceeding six months.-

5 Under these circumstances the Court of Foujdaree Udalut direct that the requisition of Security in the case under notice be annulled.-

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

(Sent following Sirkept No. 650).

Read Calendar of Case No. 26 of 1849 on the file of the Sessions Court of Madura.-

(Here enter F: R: No. 1299 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 be reduced to one month; and they authorize the Sessions Judge to issue his warrant accordingly.-

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

(Sent in No. 651)

End 4th.

F.C.C.

Wednesday, 4th July, 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 Calendar of Case No. 17 of 1849 of the Sessions Court of Tellicherry.

(Here Enter F.C.C. No. 1295 of 1849.)

The Court of Foujdaree Udalut are of opinion that a further mitigation of the Prisoner's Sentence than that proposed by the Sessions Judge may in this case with propriety be allowed, and under the provisions of Clause third Section III Regulation I of 1825 the Court resolve to direct that the Sentence be reduced to six months' imprisonment with hard labor in irons.

2. The Sessions Judge will be

4th July, 1849.

be pleased to issue his Warrant in accordance with the foregoing resolution.—

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

/Sent in No. 652/

Read Calendar of Case No. 17 of 1849 of the Session Court of Salem.—

/Here Enter F.C. No. 1285 of 1849/

1. The Court of Foujdaree Udalut are disposed to consider that a sentence of one years' imprisonment will be adequate punishment for the offence of which the Prisoner in this case has been convicted, and on the recommendation of the Session Judge, the Court will be prepared to mitigate his sentence accordingly.—

2. Should, however, the Session Judge upon a reconsideration of the circumstances dissent from this view of the case, he will be pleased to

submit

4th July, 1849.

submit a translation of the entire Record with as little delay as possible.—

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

/Sent following Precept No. 653/

End III.

Sylr

F. C.

Tuesday 5th July 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 25th June 1849. from the Sessions Judge of Rajahmundry submitting the record of the trial in Case No. 18 on the Calendar of the Session Court for 1849.

(Here enter F. C. No. 1323 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 Prisoners,

1st Vytla Kanakiah.

and

2nd Makala Rungadoo.

is sufficient to convict them of the crimes charged, do convict them thereof, and sentence the prisoner,

1st Vytla Kanakiah.

to receive 195 lashes with a Cat o nine tails and to be imprisoned and kept to hard labor in irons on the public roads or other public works, for, and, during the period of (14) fourteen years, and the Prisoner,

2nd Makala Rungadoo

to

to receive 100 lashes with a Cat o Nine tails and to be imprisoned and kept to hard labor in irons on the public roads or other public Works for and during the period of (3) three years.—

(Sent following letter No. 655).

Read Calendar in Case No. 12 of 1849 submitted by the Sessions Judge of Honore under date the 1st Ultimo.—

(Here enter F: C: No. 1205 of 1849).

Read Criminal Report A dated the 5th Ultimo submitted by the Sessions Judge of Masulipatam for the Month of October 1848.—

(Here enter F: C: No. 1206 of 1849).

Read Calendar in Case No. 35 of 1849 submitted by the Sessions Judge of Combaconum under date the 9th Ultimo.—

(Here enter F: C: No. 1210 of 1849).

Read Calendars in Cases Nos. 15, 16 and 17 of 1849 submitted by the Sessions Judge of Bellary under dates the 7th and 11th Ultimo.—

(Here enter Nos. 1211, 1269 and 1270 of 1849).

Read return dated the 9th Ultimo from the Sessions Judge of Salem to the precept of the Foujdaree Adalut under date the 2nd idem calling for information regarding Case No. 33 on the Criminal file of the Subordinate Court Salem for 1849.

(Here enter F: C: No. 1212 of 1849).

5th July 1849.

Read Criminal Report A dated the 12th Ultimo submitted by the Sessions Judge of Guntoor for the Month of June 1849.—

(Here enter F: C: No. 1248 of 1849).

Read Criminal Report B dated the 15th Ultimo submitted by the Sessions Judge of Masulipatam for the Month of May 1849.—

(Here enter F: C: No. 1262 of 1849).

Read Criminal Report B dated the 15th Ultimo submitted by the Sessions Judge of Guntoor for the Month of May 1849.—

(Here enter F: C: No. 1265 of 1849).

Read Criminal Report Vizg. dated the 13th Ultimo submitted by the Agent to the Governor of Fort St. George at Kurnool for the Month of May 1849.—

(Here enter F: C: No. 1272 of 1849).

Read Criminal Report dated the 11th Ultimo, submitted by the Sessions Judge of Bellary for the Months of May 1849.—

(Here enter F: C: No. 1274 of 1849).

Read Criminal Reports dated the 14th Ultimo submitted by the Sessions Judge of Honore for the Month of May 1849.—

(Here enter F: C: No. 1280 of 1849).

End/ 14

F. 66

Friday
6th July 1849

At a Court of the Foujdaree Adalat

Present

J. S. Cooper Esqr —— 1st Puisne Judge
C. D. Thompson Esqr —— 2d Puisne Judge
W. A. Morehead Esqr —— 3d Puisne Judge

Read again Calendar of Cases Nos 40 and 41 of 1849 in the file of the Sessions Court of Cumbaconum.—

(Here Enter Fno Nos 1186 of 1849)

Read also return under date the 23d June 1849 from the Sessions Judge of Cumbaconum, to the precept of the Foujdaree Adalat dated the 18th June 1849, complying their orders in the foregoing Cases.—

(Here Enter Fno Nos 1306 of 1849)

The Court of Foujdaree Adalat approve of the recommendation made by the Sessions Judge in both of the foregoing Cases that the

the period of Imprisonment awarded to the prisoners respectively be reduced to two years, and the Court 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 pro Sr. 656/

Read Calendar of Case Nº 27 of 1849 on the file of the Sessions Court of Calicut.-

/Here enter Proc Nº 1313 of 1849/

Under all the circumstances of this case as stated in the Calendar and considering that the wound received by the Prosecutor was not inflicted by the 1st Prisoner the Court of Sessions Judge at Calicut are of opinion that the period of Imprisonment awarded to that individual may with propriety be reduced to six months, and

and they will be prepared to sanction a mitigation of the punishment awarded to that extent.

2. Should the Sessions Judge be unable to concur with the Foujdaree Adalut as to the propriety of the mitigated sentence now proposed, he will be pleased to submit an English Translation of the records for the consideration of the Court of Foujdaree Adalut.-

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

/Sent following Precept Nº 657/

Read Calendar of Case Nº (22) of 1849 submitted by the Sessions Judge of Tinnevelly under date the 21st June 1849.

/Here enter Proc Nº 1301 of 1849/

Read Letter dated 25th June

June 1849 from the Sessions Judge of Coimbatore
forwarding the transfer of a convict
named Cossul Mahommad to the
Zillah of Cuddapah.

/Here Enter File No. 1315 of 1849/

Read Calendar of Case No.
18 of 1849. submitted by the Sessions Judge
of Nellore, under date the 26th June 1849.

/Here Enter File No. 1310 of 1829/

Read Letter dated the
25th June 1849 from the Acting Sessions
Judge of Coimbatore forwarding a du-
plicate copy of a list of a convict
sent to the Head Assistant Magistrate
of Malabar at Palghaut.

/Here Enter File No. 1312 of 1829/

Read Calendar of Case No.
21 of 1849. submitted by the Sessions
Judge of Tinnevelly under date the 25th
June 1849.

/Here Enter File No. 1314 of 1829/

Read Calendar of Case No.
28 of 1849. submitted by the Sessions
Judge

Judge of Chittoor under date the 27th June
1849.

/Here Enter File No. 1316 of 1849/

Read Calendar of Case
No. 9 of 1849. submitted by the Sessions
Judge of Guntoor under date the 26th
June 1849.

/Here Enter File No. 1317 of 1829/

Read Letter dated the
27th June 1849 from the acting Sessions
Judge of Coimbatore, reporting the
execution of the Prisoner in Case No. 25
of 1849. on the Calendar of the Sessions
Court.

/Here Enter File No. 1321 of 1829/

Read Calendar of Case
No. 25 of 1849. submitted by the Sessions Judge
of Madura under date the 28th June 1849.

/Here Enter File No. 1324 of 1849/

Read Calendar of Case No.
20 of 1849. submitted by the Sessions Judge
of Bellary under date the 26th June 1849.

/Here Enter File No. 1327 of 1849./

Read

6th July 1849

Read Calendar of Case
No 29 of 1849 submitted by the Sessions Judge
of Calicut under date the 27th June 1849

/Here Enter Roc No 1332 of 1849/

Read Calendar of Case
No 25 of 1849 Submitted by the Sessions
Judge of Madura under date the
26th June 1849.-

/Here Enter Roc No 1333 of 1849/

Entd Vol.

F.C.

At a Court of the Foujdaree Udalut

Monday
9th July 1849

Present

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

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

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

Read again Calendard of Cases
Nos. 25, 26, 27, 28, 29 and 30 of 1849 on the file of
the Sessions Court of Combaconum.—
(Here enter F.C. No. 879 of 1849)

Read again also Miscellaneous
Petition presented on the 21st May 1849 by
Bahooddeen Alim Saib of Lillah Comba-
conum.—
(Here enter F.C. Mis. No. 118 of 1849)

Read also return under date the
20th June 1849 from the Sessions Judge of Comba-
conum to the precept of the Foujdaree Udalut
dated the 11th June 1849 conveying their orders
on the foregoing Petition.—
(Here enter F.C. No. 1318 of 1849)

On perusal of the documents
Submitted

Submitted by the Sessions Judge with his return the Court of Foujdaree Udalut see no reason to question the propriety of the Sentences awarded to the prisoners in the foregoing Cases, and they accordingly resolve to reject the Petitioners' application.-

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

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

(Sent in No. 661

Read Miscellaneous Petition of one Naurain Chetty of Zillah Tinnevelly forwarded by the Sessions Judge and filed in the Court of Foujdaree Udalut on the 18th June 1849.-

(Here enter F.M. P. Dr. 124 of 1849)

1. The object of this Petition is to induce the Court of Foujdaree Udalut to set aside certain Proceedings of the Assistant Magistrate of Tinnevelly, requiring the Petitioner

Petitioner to furnish security for his good conduct for one year in two Sureties for the sum of Rupees 25 each.-

2. Petitioner complains of the injustice of the above requisition, and states that he has appealed to both the Magistrate and Sessions Judge, but without being able to obtain redress: he, therefore prays the interference of the Court of Foujdaree Udalut.-

3. The Court of Foujdaree Udalut see no reason to interfere with the orders complained against, having no doubt that they were necessary for the maintenance of the public peace.-

4 The Court observe that the leaders of both parties were required to give Security.-

Ordered that the prayer of this Petition be rejected and that Extract from these Proceedings be forwarded to the Sessions Judge of Tinnevelly for communication to the Petitioners.-

(Sent in No. 662

End

F.U.

Tuesday 10th July 1849.

At a Court of the Foujdaree Udalut.

Present

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

Read again Criminal Reports submitted by the Session Judge of Tinnevelly for the month of April 1849

(Here enter F.U. No. 1078 of 1849.)

Read also return under date the 8th June 1849 from the Session Judge of Tinnevelly to the precept of the Foujdaree Udalut dated the 29th May 1849 calling for explanation with reference to the Sentence passed in Case No. 38 of 1849 on the file of the Criminal Court

(Here enter F.U. No. 1228 of 1849).

Under the explanation submitted with the foregoing return the Court of Foujdaree Udalut observe that the Case referred to has been correctly disposed of by the Criminal Court.

Ordered that Extract from these Proceedings be forwarded to the Session

F. U.

Tuesday 10th July 1849.

At a Court of the Foujdaree Udalut.

Present

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

Read again Criminal Reports submitted by the Sessions Judge of Tinnevelly for the month of April 1849 (Here enter F.U. No. 1078 of 1849.)

Read also return under date the 8th June 1849 from the Sessions Judge of Tinnevelly to the precept of the Foujdaree Udalut dated the 29th May 1849 calling for explanation with reference to the Sentence passed in Case No. 38 of 1849 on the file of the Criminal Court. (Here enter F.U. No. 1228 of 1849).

Under the explanation submitted with the foregoing return the Court of Foujdaree Udalut observe that the case referred to has been correctly disposed of by the Criminal Court.

Ordered that Extract from these Proceedings be forwarded to the Sessions

10th July 1849

Session Judge of Tinnevelly for his information and for communication to the Principal Sudder Ameen

(Sent in No. 666)

Read again Calendar of Case No. 23 of 1849 on the file of the Sessions Court of Coimbatore

(Here enter F.U. No. 1321 of 1849)

Read also returns under date the 24th June 1849 from the acting Sessions Judge of Coimbatore to the precept of the Tanjore Udalut dated the 19th June 1849 calling for translations of certain depositions connected with the foregoing Case

(Here enter F.U. No. 1322 of 1849)

The Court of Tanjore Udalut approve of the recommendation made by the Sessions Judge in this Case that the period of Imprisonment awarded to the prisoners be reduced to eight 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 Coimbatore for his information and guidance.

(Sent in No. 667)

Read

10th July 1849.

Read Calendar of Case No. 16 of 1849 on the file of the Sessions Court of Masulipatam

(Here enter F.U. No. 1325 of 1849)

The Court of Tanjore Udalut approve of the recommendation made by the Sessions Judge in this case that the period of Imprisonment awarded to the 2nd prisoner be reduced to 18 months; and they authorize the Sessions Judge to issue his warrant accordingly.

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

(Sent in No. 668)

End H.

H. H.

F U

Wednesday 11th July 1849

At a Court of the Foujdaree Udalut

Present

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

Circular

The Court of Foujdaree Udalut resolve to direct the Judicial Officers in the Provinces, to send up with every case they may report under the Provisions of Act IV of 1849 - a Certificate of the Medical Officer respecting the State of Mind of the party reported on; and it is to be understood that the opinion which this Certificate is intended to convey, must be distinct and positive.

2. The Court further direct that all references or Reports under the Act abovementioned, be made not direct to Government, but through the Court of Foujdaree Udalut only.

Ordered that Extract from these Proceedings be forwarded to the

Session

11th July 1849.

Session Judges and Agents for their information and guidance and for communication to the Subordinate Judges and Principal Sudder Ameens.

(Sent following Circular N° 670)

Read letter dated the 2nd Instant, from the Session Judge of Calicut, submitting for the final judgment of the Foujdaree Udalut the Record of Case N°30 of 1849 of the Calendar of the Session Court.

(Hereenter N° 1371 of 1849)

The Court of Foujdaree

M.C.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 Prisoner,

"Kaarovayil Khoonhoony
Vakad Nair"

is sufficient to convict him of the crime of severe wounding with intent to Kill, for which, according to Futwas of their Law Officers, discretionary Punishment is awardable under the Mohummedan Law, do convict him thereof; and in conformity with the provisions of Clause third, Section VII and Clause third Section VIII Regulation XV of 1803, and Section

11th July 1849.

Section XXXIV Act VII of 1843, Sentence him to be banished to the District of Coimbatore, 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 Ten (10) Years.

The Court of Foujdaree Udalut observe that in all cases wherein a Prisoner confesses his guilt before a Subordinate Court, it is incumbent upon the Criminal Judge to require that such confession should be verbally given in detail. The simple acknowledgment by the Prisoner of the truth of his Talook Statement is not deemed sufficient.

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

(Sentence N° 671)

Ent'd

F. Ud.

Thursday,
12th July, 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 again Calendar of
Case No. 19 of 1849 of the Sessions
Court of Coimbatore.—
Vide Enter F. Ud. No. 1098 of 1849.

Read also Return dated
30th June 1849 made by the Acting
Sessions Judge of Coimbatore to the
Precept of the Foujdaree Udalut dated
23d June 1849 calling for certain
additional documents and information
connected with the above case.—
Vide Enter F. Ud. No. 1339 of 1849.

The Court of Foujdaree
Udalut being satisfied from a perusal
of the documents now submitted for
their consideration of the correctness

of

of the disposal of the above case, the sentence recorded by the Acting Sessions Judge against the 2d, 3d and 5th Prisoners will remain undisturbed.—

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

/Sent in No. 672/

Read Calendar of Case No. 17 of 1849 of the Session Court of Cuddalore.—

/Here Enter F.C. No. 1113 of 1849/-

The Court of Fouzdaree Udalut resolve to direct that a translation of the entire Record of this case be submitted for their consideration with as little delay as possible.—

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

/Sent following Precept. No. 673/-

Read again Calendar of Case No. 14 of 1849 of the Session Court of Cuddalore.—

/Here Enter F.C. No. 1116 of 1849/-

Read also Return dated 16th June 1849 made by the Acting Session Judge of Cuddalore to the Precept of the Fouzdaree Udalut dated 6th June 1849 calling for further information and documents connected with the above case.—

/Here Enter F.C. No. 1267 of 1849/-

After a careful consideration of the documents which accompanied the above Return of the Acting Session Judge the Court of Fouzdaree Udalut are of opinion that the evidence is sufficient to convict the first and third Prisoners of the crime charged. The sentence recorded against these Prisoners will accordingly remain undisturbed.—

But before passing their final Orders in respect to the 4th Prisoner

12th July, 1849.

Prisoner the Court deem it proper to call upon the Acting Sessions Judge to state for their information the value of articles Nos. 2 and 4 which, it is alleged, were discovered in the house of this Prisoner.

3.

The Acting Sessions Judge will at the same time be pleased to submit the List of the stolen property given in by the Prosecutor, together with translations of the depositions of the witnesses who deposed to the said articles Nos. 2 and 4 being the property of that individual.

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

/Sent following Prest. No. 674/-

Read Calendar of Case No. 18 of 1849 on the file of the Sessions Court of Masulipatam.

/Here enter F.C. No. 1326 of 1849/-

The Court of Foujdaree Udalut

F.C.

12th July, 1849.

Udalut approve of the recommendation made by the Sessions Judge in this case that the sentence awarded to the 2d prisoner be reduced to four 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 Masulipatam for his information and guidance.

/Sent in. No. 675/-

Read letter under date the 28th June 1849 from the Sessions Judge of Rajahmundry forwarding copy of a report from the Acting Subordinate Judge of the escape of a prisoner from the Jail and of the orders passed by the Sessions Judge thereon.

/Here Enter F.C. No. 1330 of 1849/-

The Court of Foujdaree

1.

Udalut observe that the prisoner referred to who was under confinement on a charge of Murder, the trial having been referred for the final judgment

judgment of the Foujdaree Udalut was re-apprehended immediately after having effected his escape from the Jail and has been sentenced for the escape to four months Imprisonment with hard labor in irons.—

2. The Court of Foujdaree Udalut direct that the prisoner be exempted from labor pending the result of the reference of the trial for murder which he has undergone.—

3. It is observed that a prisoner in custody on a charge of murder should not be put to labor on the roads nor in such cases should any sentence for an Escape be carried into execution until the trial has been disposed of by the Court of Foujdaree Udalut.—

4. The prisoner however should be confined in irons pending the result of the reference to prevent any further attempt at escape.—

Ordered, that Extract from

from these Proceedings be forwarded to the Session Judge of Rajahmundry for his information and guidance and for communication to the Acting Subordinate Judge.—

Sent in No. 676/-

Read again Calender of Case No. 16 of 1849 of the Session Court of Cuddalore.—

/Here enter F.C. No. 1114 of 1849/-

Read also Return dated 12th June 1849 made by the Acting Session Judge of Cuddalore to the Precept of the Foujdaree Udalut dated 6th June 1849, calling for certain additional information and documents connected with the above Case.—

/Here enter F.C. No. 1222 of 1849/-

The Court of Foujdaree Udalut, after a careful consideration of the documents now submitted by the Acting Session Judge, are of opinion that the evidence is insufficient to warrant the conviction of

J. 12. July, 1849.

of the 1st 4th and 5th Prisoners of the charge preferred against them in the number, in respect to which the Court accordingly direct that they be unconditionally released.

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

Sent following Precept No 679/50

End 14

Monday 16th July 1849

J. 16.

A Cap. Court of the Fouzdaree Adalut

Present

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

Nil.

Read Miscellaneous Petition presented on the 19th March 1849 by S. Appiah Vakeel on behalf of Rajah Vyseeraddy Lutchmapathy Naidoo Bahadoor.

(Here Enter F.R. P. No 67 of 1849.)

Read also Miscellaneous Petition presented on the 19th March 1849 by R. Seeramalaw Vakeel on behalf of S. Venkata Kristna Row of Lillaka Gentoo

(Here Enter F.R. P. No 68 of 1849.)

These Petitions have reference to certain property belonging to the Vyseeraddy Estate, placed in deposit with the Collector and Magistrate of Guntoor under the orders of the Court of Fouzdaree Adalut dated 23d March 1848.—

The Petitioner Venkata Kristna Row in No 68 lays claim to the property in question under a Mortgage Bond dated 15th March 1849, executed

succeeded in favor of his demand to Claim by the late Rajah Vaseereddy Jaggannadha Rabo Bahadoor, and the this Claim is admitted as valid by the present Rajah, Petitioner in No 67, who supports the request of the said Venkata Krishna Row that the property in question may now be transferred into his possession.

3

Before acceding to the request preferred in these Petitions, the Court of Foujdaree Adalut deem it proper to direct that a public Notice be issued by the Magistrate of Guntoor calling upon all parties, who may deem themselves in any way entitled to the property in question to put forth their claims within six Weeks from the date of such Notice.

4

If at the expiration of the above mentioned period no other claimants to the property appear, the Magistrate will proceed without further instructions from the Court of Foujdaree Adalut to deliver the same into the possession of the Petitioner Venkata Krishna Row

Ordered that Extract from these Proceedings be forwarded to the Magistrate of Guntoor for his information and guidance

(Seat a. Rs 679)

Ordered also that Extract from these

these Proceedings be given to the Petitioners respectively Vakeels on their applications.

Read Miscellaneous Petition of Patrick Donohoe, Private in the 2nd Madras European Regiment forwarded by the Principal Sudder Ameen in charge of the Sessions Court of Nellore, and filed in the Court of Foujdaree Adalut on the 2nd July 1849.

(Here enter Fm. P. No 153 of 1849.)

The object of this Petition is to induce the Court of Foujdaree Adalut to reverse Orders directing the reinvestigation of Case No 108 of 1848 on the file of the Sessions Court of Nellore, which Case, the Petitioner avers, was improperly examined by the acting Sessions Judge in the absence of the principal

Witness.

2

The Court of Foujdaree Adalut observe that the Case, to which the Petitioner refers, was tried, and disposed of by the acquittal of the Prisoner nearly 18 Months ago and the Court cannot, therefore, now comply with the prayer of this Petition to have it reinvestigated.

The Court further observe that

3

the Principal Sudder Ameen erred in forwarding this

15th July 1869

this Petition to the Court of Sujdarree Adalat
Circular order No 162 did not contemplate
the transmission of any Petitions but from
parties tried and sentenced by the Local
Courts.-

Ordered that Extract for
these Proceedings be forwarded to the Prin-
cipal Sudder Ameen in charge of the Sessions
Court of Trichinopoly for his information and
for communication to the Petitioner.-

(Extract No 680)

Read Miscellaneous Petition
presented on the 16th June 1869 by Ramasawmy
Naiken of Lallah Chinglepat.-

(Here Enter Jdl P. No 127 of 1869)

This is an application for the
interference of the Court of Sujdarree Adalat
to order the investigation of a charge of Mal-
which the Petitioner alleges to have been pre-
ferred by the Heads of Police of Tydapet
Taluk in the Zillah Chinglepat

2

The Petitioner states that having
been unable to obtain the investigation of
the charges preferred by him, by the Magis-
trate of Chinglepat he applied to the
Sessions Judge for the proceedings of the

F.D.

15th July 1869

officer and that his appeal has been dismissed.

The Court of Sujdarree Adalat

2.

can pass no orders on the matter of this Petition
until the petitioner shall present for their con-
sideration an attested copy of the order passed
by the Sessions Judge dismissing the appeal
preferred by him.-

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

Read again Calendar of Case No
of 1869 of the Sessions Court of Masulipatam.-

(Here Enter Jdl No 1567 of 1869)

Read also Miscellaneous Petition
of Mahomed Gaub and 10 others of Zillah Masu-
lipatam forwarded by the Sessions Judge and filed
in this Court on the 18th June 1869.-

(Here Enter Jdl No 125 of 1869)

This is an application for the re-
peral of the sentence recorded against the
Petitioner's relatives, who were convicted on the above
case of "Rioting assembly", and adjudged to the
mitigated punishment of one years imprisonment
with hard labor in irons.-

The Court of Sujdarree Adalat

2.

see no reason to question the justness of the
Prisoners conviction on the propriety of the sentence

passed

15th July 1869

passed upon them. The Court accordingly resolve to reject this Petition.—

Ordered that Extract from these Proceedings be forwarded to the Superintendent of Maralipatam for communication to the Petitioners.

(Seat in Rs 681 / 5

Ext Th.

F. U.

Tuesday,
17th July, 1849.

At a Court of the Foujdaree Udalut.

Present

G/H/A G. S. Hooper, Esquire - 1st Puisne Judge -

C.P.T C. P. Thompson, Esquire - 2d Puisne Judge -

W-A. W. A. Morehead, Esquire - 3d Puisne Judge -

Read letter dated the 9th Instant, from the Session Judge of Chittoor, submitting for the final Judgement of the Foujdaree Udalut the Record of Case No. 22 of 1849 of the Calendar of the Session Court.

Have Enter No. 1403/-

The Court of Foujdaree

Mr. C. P. Thompson and Mr. W. A. Morehead - Udalut, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the Prisoners

1st. Moottoosawmy

2d. Auchee gaudoo

and

3rd. Andee -

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 Prisoner,

2d. Auchegaudoo

be set at liberty.—

But considering that
strong suspicion tho' not amounting to
conviction attaches to the Prisoners,

1st. Mootoosawmy

and

3d. Andee

the Court direct that they be severally
required under Clause sixth Section II
Regulation XV of 1803, to find Two sure-
ties in (50) Rupees each surety, for
their good behaviour and appearance
when required within Two years, or in
default thereof, that they be detained
for Two years in confinement.

1. The Court of Foujdaree
Udalut cannot convict on the evidence
set forth in this case.

2. It is not proved that
Govindeen, the person alleged to be
murdered, is dead. Neither the dead
body nor the clothes have been satis-
factorily identified. On these importan
points, the evidence is contradictory
and wholly insufficient.—

3. The main circumstance
which makes against the 1st and 3rd
Prisoners, is the 1st Prisoner having partly
in detail, confessed; and the 3d Prisoner
having pleaded guilty before the Subo
ordinate Court.—

4. But the Foujdaree Udalut
cannot, under the circumstances, view
these confessions as sufficient for convic
tion. The Prisoners were apprehended o
the 1st and 2d June—The Peshkar, on th
spot, on the 2d June, held an inquiry
and in his Report to the Head of Police
states that the Prisoners made no co
fessions. Their confessions are then
alleged to have been given by them
before the Jemadar on the 5th June

at least two days after they had been in charge of the Poms. On the 9th June they arrived at the Court, and were immediately called upon by the Subordinate Judge to plead to the charge. No other part of the Trial being gone into by him before the 12th.

5.

This proceeding was both hasty and irregular and the Court has no confidence that those Statements were made freely and voluntarily and without the influence of fear. To comment upon them is out of the question and all that the Court can do is to hold the prisoners to security.

6.

The Court observe that the Trial has not been well got up. Homicide is stated to have been murdered in one place and the body carried away and put in a Tank situated elsewhere. The distance between the two places should have been stated: and a Plan of the locality should have accompanied the Record.

The

The Court further observe

7.

that the 3d Prisoner's confession should have been recorded in detail.

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

(Sent following letter. No. 689/-

Read letter dated the 7th Instant from the Session Judge of Masulipatam submitting for the final Judgment of the Foujdaree Udalut the Record of Case No. 24 of the Calendar of the Session Court of 1849.

(Here Enter No. 1407/-

Mr. G. L. Hooper.

The Court of Foujdaree Udalut, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the prisoner, "Akkalah Venkadoo" is sufficient to convict him of the crime of Highway Robbery, do convict him thereof; and under the provisions

of

of Section XXI. Regulation VII. of 1802 and Clause second Section VI. Regulation I of 1825, 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 (5) five years.

The Court of Foujdaree Udalut observe that the usual Police Report as to the previous character of the Prisoner, is not to be found in the Record.

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

/Sent following letter No. 688/-

Read again Calendar of Case No. 6 of 1849, of the Sessions Court of Guntoor.—

/Here enter F.C. No. 1232 of 1849/

Read also Return dated the 4th instant from the Sessions Judge of Guntoor, to the Precept of the Court of

of Foujdaree Udalut under date the 23d June 1849 - calling for a Translation of the Record of Case No. 6 of 1849 of the Calendar of the Sessions Court of Guntoor—

/Here Enter F.C. No. 1370 of 1849/-

In this case, four prisoners

1. were charged with Housebreaking and the theft of Property valued at about Rupees 170—

They were all convicted,

2. and severally sentenced to seven years' Imprisonment, under Section XXI. Regulation VII of 1802.

The case was called up

3. by the Foujdaree Udalut in their proceedings of the 23d June 1849.—

The Court of Foujdaree

4. Udalut observe that against the Prisoners

1st Jonnalagudda Atchegandoo

and

3d —— Do. —— Rosegandoo.

there is no evidence whatever.—

The

17th July, 1849

5. The identification of the Property is very unsatisfactory.

6. The Court resolve to direct that these two prisoners be immediately and unconditionally released.

7. The Court further resolve to reduce the sentence passed upon the Prisoners

2d Jonnalagedda Chinna Ramoodoo

and

4th Caulahastry Sekadoo

to Imprisonment with hard labour in Irons for four (4) years.

8. The Sessions Judge will be pleased to issue a revised Warrant to the above effect.

9. The Court observe that the List of Stolen Property, required by the Circular Order of the 27th September 1824 - was not forwarded with the Record and it does not appear that it has been even prepared.

Ordered, that Extract from these Proceedings be forwarded to the

F.C.

17th July, 1849.

the Sessions Judge of Guntoor, by a Precept returnable within three days from and after its receipt.

Sent following Precept No. 689/

Read Criminal Reports of the Sessions Court of Coimbatore for June 1849.

Have Enter F.C. No. 1372 of 1849/

The Court of Tanjore

Magistrate's Report.

Case No. 17. B.

Udalut require to be informed of the result of the inquiry made by the Acting Magistrate in respect to the disposal of this case, as it is observed that the offence committed by the Prisoner was one of "Snatching" and as such was not cognizable by the Magistracy.

The Court direct that

2. the Acting Magistrate be instructed to observe that an appropriate heading is prefixed to the Statement of charge in each case disposed of by himself or his Assistants: the Report now under consideration is wanting in this particular.

Ordered,

17th July, 1849.

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

Sent following Precept No. 690/-

Read letter under date the 3d July 1849 from the Acting Sessions Judge of Coimbatore.

Here Enter F.C. No. 1363 of 1849/-

1. With the forgoing communication the Sessions Judge has submitted copy of a letter from the Civil Surgeon regarding seven prisoners confined in the Jail who were sentenced to 15 months Imprisonment in Case No. 252 of 1848 on the file of the Subordinate Criminal Court on a charge of cattle-stealing and two of whom have already died of Diarrhea at the advanced ages of 74 and 66.-

2. The ages of the surviving prisoners two of whom are in Hospital suffering from the same disease are represented

17th July, 1849.

represented to be 56, 60, 65, and 70 and under these circumstances the Civil Surgeon represents that the only chance of their living will be afforded by their speedy release.

3. In this recommendation the Sessions Judge concurs and states that he considers with reference to the ages of the prisoners that the period of Imprisonment they have already undergone will be a sufficient warning for their future good conduct.

4. Under the circumstances represented the Court of Foujdaree Udalut are of opinion that the sentences awarded to the prisoners referred to were unnecessarily severe, and considering the period of imprisonment that the surviving prisoners have already undergone to be sufficient, the Court direct that they may be now released.-

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

Sent in No. 691/- Read

17th July, 1849.

Read letter dated the 7th Instant, from the Sessions Judge of Mangalore, submitting for the final Judgment of the Foujdaree Udalut the Record of Case No. 17 of 1849 of the Calendar of the Sessions Court.

/Here enter F.C. No. 1417 of 1849/-

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

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

1st. Coruggo

and

2d. Pammady (female).

is sufficient to convict them of the crime charged, do convict them thereof; and sentence the prisoner,

1st. Coruggo

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

F.C.

17th July, 1849.

for and during the period of his natural life, and the Prisoner,

2d. Pammady (female).

to be imprisoned and kept to labour suitable to her Sex for and during the period of (14) fourteen years.—

/Sent following letter No. 692/-

Read again Calendar of Case No. 12 of 1849 of the Sessions Court of Salem.—

/Here enter F.C. No. 1158 of 1849/-

Read also Return dated the 3d. instant from the Sessions Judge of Salem to the Precept of the Court of Foujdaree Udalut under date the 11th June 1849 - calling for an English Translation of the Record of Case No. 12 of the Calendar of the Sessions Court, of 1849.

/Here enter F.C. No. 1362 of 1849/-

In this case, five prisoners were charged with Culpable Homicide - of whom the 1st - 2d - and 5th were convicted and sentenced to three years' Imprisonment with hard labour in

Irons.

17th July, 1849.

Irons - and the 3d. and 4th. were released.-

2.

The Foujdaree Udalut, seeing reason to doubt the sufficiency of the evidence gainst the 1st. 2d. and 5th. prisoners, called up the case.-

3.

The Court have now considered the case, and are of opinion that the evidence is insufficient for the conviction of the 1st. 3d. and 5th. Prisoners. The Court cannot, indeed, make out from the Sessions Judge's remarks in the Calendar, upon what evidence they have been convicted; but, perhaps, it was, partly, on the evidence of the 1st. witness and partly on the Prisoners' Talook confessions.-

4.

But these appear to the Foujdaree Udalut to be irreconcileable with each other.-

5.

And generally speaking, the evidence is unsatisfactory and inconclusive.

6.

The strongest point in the case, is the pointing out by the 5th. prisoner of a spot where a corpse said to be that

of the missing Perriannen, was buried.- but this circumstance can affect only that particular prisoner: as it is clear that the other prisoners were not parties to this pointing out.-

The Court of Foujdaree

7.

Udalut resolve to direct the immediate and unconditional release of the Prisoners

1st. Vencatareddy or Peddavaden,

and

2d. Nullavaden.-

The Court further direct

8.

that the Prisoner

5th. Parah Chinnapien

be set at liberty, upon his producing two sureties in twenty five Rupees each surety, for his good behaviour and appearance, when required, for two years.-

The Sessions Judge will

9.

be pleased to issue revised Warrants in accordance with the foregoing Resolutions.-

Ordered,

17th July, 1849.

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

/Sent following Precept. No. 693/-

Read the following Letter dated the 22d. ultimo - from the Principal Sudder Ameen of Trichinopoly - then in charge of the Sessions Court.

/Here enter F.C. No. 1294 of 1849/-

1. The Principal Sudder Ameen, adverting to the Letter from the Foujdaree Adalut of the 14th ultimo, calling for a report of the Enquiry into the circumstances under which the escape of two Convicts reported in his letter of the 5th ultimo - was effected - submits Translations of the Depositions taken in regard to the matter.

2. The Principal Sudder Ameen observes that the fugitives, with two other Convicts, were sent out, in charge of a Peon, to cut switches in a Jungle on

F.C.

17th July, 1849.

the North Bank of the Coleroon River - a distance of about five miles from the Jail - and from the facts elicited on the Examination, it appears that the Jungle is so thick as to render it impossible for the whole four Convicts to work together in one spot, under the eye of the Peon, and that the Convicts, therefore, generally, cut their switches apart from each other, while the Peon remained on the Bank of the River, occasionally calling out to them to know that they were present.

The Court of Foujdaree

3. Adalut have carefully considered the Depositions now forwarded.

It seems to the Court that

4. the evidence is clear to the fact that the Deputy Jailor insisted on despatching the Convicts to the Jungles, notwithstanding the remonstrances of the Peon: and from this fact it is impossible to avoid deducing an inference unfavorable to the Deputy Jailor.

The Court resolve to direct

5. the

17th July, 1849.-

the suspension of the Deputy Jailor from his Office for one year from the date of this Order. At the expiration of that period, he may be again employed in the Public Service - but only in an inferior situation, for the Court are satisfied that he is not fit to be entrusted with the duties of a Deputy Jailor.-

6. The Court do not think that the proof of the Duffadar Mallapeeranaick's participation in the misconduct of the Deputy Jailor, is substantiated - chiefly in consequence of the alleged ill-will of the witnesses who deposed against him: but they resolve to direct the Session Judge to warn that person that but for this circumstance, he to would have been suspended from his situation - and that for any future misconduct or neglect of duty, he will be liable to be dismissed from his Office.-

Ordered, that Extract from these Proceedings be forwarded to the

17th July, 1849.

the Session Judge of Trichinopoly for his information and guidance.-

/Sent in No. 694/-

Read letter dated the 15th ultimo, from the Principal Assistant Agent in charge of Ganjam submitting Report B Vizg from the Assistant Agent for the month of May 1849.-

/Here enter F.C. No. 1283 of 1849/-

Read report B dated the 15th ultimo, submitted by the Agent to the Governor of Vizagapatam of Persons apprehended in the separate Tracts of Vizagapatam and delivered to the Agency in the month of May 1849.-

/Here enter F.C. No. 1284 of 1849/-

Read letter dated the 23d ultimo, from the Session Judge of Chingleput reporting the execution of the Prisoners Veerapillay and Appavoo 2d in case No. 7 of 1849 of the Calendar of the Sessions Court.-

/Here enter F.C. No. 1286 of 1849/-

Read return dated the 21st ultimo

th July, 1849.

ultimo, from the Acting Sessions Judge of Cuddalore to the precept of the Foujdaree Adalut under date the 8th idem Directing that an explanation of the detention of the 1st Prisoner in Case No. 20 of 1849 in the Talook previous to his transmission to the Criminal Court may be submitted together with a more detailed State-ment than the Calendar contains of the circumstances which led to the Prisoner's apprehension and an account of the value of the property found and also a list of the articles stolen.—

(Here enter F.C. No. 1288 of 1849.)

Read Calendar in Case No. 18 of 1849 submitted by the Sessions Judge of Ballary under date the 20th ultimo.—

(Here enter F.C. No. 1292 of 1849.)

Read Calendar in Case No. 25 of 1849 submitted by the Sessions Judge of Rajahmundry under date the 21st ultimo.—

(Here enter F.C. No. 1296 of 1849.)

F.C.

17th July, 1849.

Read letter dated the 18th ultimo, from the Sessions Judge of Chicacole forwarding the Criminal Reports of his and the Subordinate Courts for the month of May last.—

(Here enter F.C. No. 1308 of 1849.)

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

(Here enter F.C. No. 1336 of 1849.)

Read letter dated the 2d Instant, from the Acting Sessions Judge of Cuddalore reporting that no case was pending trial before the Sessions Court for a period exceeding 25 days calculated from the date of commitment during the month of June 1849.—

(Here enter F.C. No. 1337 of 1849.)

Ed W.

F: U:

Friday 20th July 1849.

At a Court of the Fouzdaree Adalut.

Present.

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

Read again Criminal Reports of the Session Court of Tellicherry for May 1849.—
(Here enter F: 66: No: 1253 of 1849).

Read also Return dated 5th July 1849. made by the Session Judge of Tellicherry to the Precept of the Fouzdaree Adalut dated 20th June 1849, requiring, with reference to cases Nos: 57-59 and 66. of 1849. entered in the above Reports, information as to whether it was clearly established against the Prisoners, that the articles of Military Clothing found in their possession had been unlawfully, or improperly obtained, as well as particulars which led to the detection of the Prisoners.—
(Here enter F: 66: No: 1391 of 1849).

1. The explanation afforded in the above Return of the Session Judge being deemed sufficient, the sentences recorded against the Prisoners will remain undisturbed.—

Ordered that Extract from these Proceedings

20th July 1849.

Proceedings be forwarded to the Sessions Judge of Tellicherry for his information.-

(Sent in No. 695).

Read Calendar of Case No. 1430 of the Sessions Court of Combaconum.-

(Here enter F. C. No. 1396 of 1849).

1. The Court of Foujdaree Adalut recommend to comply with the recommendation made by the Sessions Judge in this case, that the punishment awarded to the 2nd Prisoner on his conviction of Gang Robbery be mitigated to 7 years imprisonment with hard labor in irons.-

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 Combaconum for his information and guidance.-

(Sent in No. 696).

Read Calendar of Case No. 19 of 1849 of the Sessions Court of Masulipatam.-

(Here enter F. C. No. 1399 of 1849)

1 Before passing their final orders on this case, the Court of Foujdaree Adalut deem it proper to direct that a translation of the entire Proceedings be submitted for their consideration.-

Ordered that Extract from these Proceedings

20th July 1849.

Proceedings be forwarded to the Sessions Judge of Masulipatam by Precept returnable within XXV days from and after its receipt.-

(Sent following Precept No. 697).-

End. III.

F. C.

Saturday 21st July, 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 again Calendar of Case No. 30 of 1849 on the file of the Sessions Court of Vellore.

(Here enter F. C. No. 1220 of 1849).

Read also return under date the 13th July 1849. from the Sessions Judge of Vellore, to the precept of the Foujdaree Adalut dated the 19th June 1849. directing the submission of an English Translation of the Calendar of the foregoing Case.

(Here enter F. C. No. 1127 of 1849).

1. The prisoner in this Case was charged with having set fire to a straw heap belonging to the Prosecutor valued at Rupees 20; and having been convicted by the Sessions Judge in concurrence with the Mahommedan Law Officer has been sentenced to two years Imprisonment with hard labor in irons.

2. On an attentive consideration of the record the Court of Foujdaree Adalut see reason to question the sufficiency of the evidence upon which the conviction of the prisoner is based.

The

3. The Statements of the 1st and 3d witnesses appear to the Court of Foujdaree Udalut to be improbable. The Court can discover no satisfactory reason for them having omitted to alarm the village when the efforts to quench the fire proved unsuccessful.

4 The conduct of the Prosecutor when informed by the 2d witness that his stack was on fire appears to the Court extremely unaccountable, and his omission in the morning to denounce the prisoner to the Peons as the incendiary, until after they had visited the spot where the fire took place impresses the Court with the belief that the complaint against the prisoner was unfounded.

5. The evidence of the prisoner's witnesses appear to the Court of Foujdaree Udalut more conclusive to his innocence than that adduced by the Prosecutor to his guilt.

6. The Court of Foujdaree Udalut accordingly resolve to direct that the Prisoner be unconditionally released.

Ordered that Calendar from these proceedings be sent to the Sessions Judge of Nellore for his information and guidance by first practicable conveyance within 11 days from and after its receipt.

(Sent following Reports No. 900).

Read report dated the 3d instant submitted by the Sessions Judge of Honore of cases pending before him for a period exceeding 25 days during the months of June 1849.

(Here enter F. C. No. 1377 of 1849).

Read Statement dated the 5th instant submitted by the Sessions Judge of Madura of Batta paid to Prosecutors and witnesses attending before him during the 1st half year of 1849.

(Here enter F. C. No. 1378 of 1849)

Read Calendar in Case No. 27 of 1849 submitted by the Sessions Judge of Rajahmundry under date the 6th instant.

(Here enter F. C. No. 1381 of 1849).

Read report dated the 2d instant submitted by the Sessions Judge of Tellicherry of cases pending on the 30th June 1849 and committed for trial during the months of December 1848 and June 1849 before him.

(Here enter F. C. No. 1382 of 1849).

Read Calendar in Case No. XXXI of 1849 submitted by the Sessions Judge of Calicut under date the 26th Ultimo.

(Here enter F. C. No. 1383 of 1849).

Read Calendar in Case No. 24 of 1849 submitted by the Sessions Judge of Chittoor under date the 6th instant.

(Here enter F. C. No. 1387 of 1849).

Read

21st July 1849

Read Calendar in Case No 85
submitted by the Sessions Judge of Hambantota
dated the 3d instant.

(Here enter F. 16. No 1385 of 1849)

Read letter dated the 3d instant from
the Sessions Judge of Matale forwarding Statement
and State Prisoners in the Jail at Matale

(Here enter F. 16. No 1393 of 1849)

Read Calendar in Case No 201 of
1849 submitted by the Sessions Judge of Colombo
dated the 5th instant.

(Here enter F. 16. No 1394 of 1849)

Read Calendar in Case No 91 of 1849
submitted by the Sessions Judge of Batticaloa
dated the 7th instant.

(Here enter F. 16. No 1397 of 1849)

H. Bl.

F. 16.

Monday
23d July 1849

At a Court of the Provincial Adalut.

Present

G. L. Hooper Esqr ——— 1st Puisne Judge.
C. P. Thompson Esqr ——— 2d Puisne Judge
F. J. Morehead Esqr ——— 3d Puisne Judge

Read Miscellaneous Petition
presented on the 18th June 1849 by Tappeal
Vakeels on behalf of Moorpanas Togoolas of
Jillah Kanjans.

(See Calendar F. 16. No 1260 of 1849)

The object of this Petition is to
induce the Court of Provincial Adalat to review
and amend the Proceedings held by the Governor
Agent in Kanjam in cases Nos 5 and 6 of 1849,
in the former of which cases this Petitioner
was fined in the sum of Rupees 100, com-
mutable if not paid to imprisonment for
3 months for "Resistance to Legal Process"

Petitioner also seeks to obtain
the cancellation of an order issued by the
Agent granting permission to the people of the
Kanja boundy Caste to go in procession with
Palanquins &c on the celebration of their marriages
and other festivals.

Before

23d July 1849

Before finally disposing of this
Petition the Court of Sudder Adalat resolve
to forward the English Translation thereof to
the Governors Agent with a Precept requiring
that Officer to afford explanation with regard
to the orders which have been lately passed
allowing the Cavaty Caste people to use palanq
on occasion of their feasts and to enquire
with reference to the Petitioners allegation
that the same had been forbidden by an order
of the Assistant Agent (confirmed by the Agent)
in 1846, as being contrary to the usage of the
Country.

Ordered that Extract from these
Proceedings be forwarded to the Governors Agent
at Ganjam by Precept returnable within 30 days
from and after its receipt.

(Sent following precept No 703)

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

Read Miscellaneous Petition pre-
sented on the 2d July 1849 by Solaty Narainah and
another of Gillah Vaddapah

(Have Entered No 131 of 1849)

The Petitioners appeal from an
order of the Sessions Court of Vaddapah dated 21st
March 1849 declining to interfere with the proceed

23d July 1849

by the Magistrate on the grounds that the Petitioners
appeals therefrom was not presented within the pre-
scribed time.

2. The Court of Sudder Adalat
see no grounds for their interference with the
order of the Sessions Court appealed from, and are
accordingly resolved to reject this Petition

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

Read again Calendar of Cases No
19 of 1849 on the file of the Sessions Court of Vizagapatam

(Have Entered No 1300 of 1849)

Read also Miscellaneous Petition
forwarded by the Sessions Judge of Vizagapatam
forwarded by the Sessions of that Zillah
Veeramah and 2 others of that Zillah

(Have Entered No 132 of 1849)

This is an application for the re-
mission of the sentences awarded to the 1st 2d and
3d Prisoners in the foregoing case who have been
respectively convicted of House breaking and
theft, and have been sentenced to Imprisonment
with hard labor in irons for the periods of four
years, the 1st Prisoner having been adjudged to
receive 150 Lashes in addition.

2. Before finally disposing of this
Petition the Court of Sudder Adalat resolve
to direct that an English Translation of the record
of

23rd July 1849.

of the case may be entertained for their enlargement

Ordered that Copies of the Proceedings be sent to the Superior Courts of the Islands by prompt steamers with the usual Despatches.

(Here follows prompt Despatch)

Read upon Petition of Bhaee Pirbhoo filed in the Office of the Superior Court of Bombay this 14th day of July 1849

Read also miscellaneous Petition presented on the 21st July 1849 by Bhaee Pirbhoo Bhaeeadoo Pirbhoo, Goolla Pirbhoo and Allaghee of Dilkah praying as therein stated.

1

That Petitioners have referred to the sentences awarded to the 2nd 3rd and 5th Prisoners in the foregoing case when the Petitioners allege to have been convicted of the offences of which they have been convicted and for which they have been severally sentenced to 14 years' Imprisonment with Hard Labor in irons and to receive 150 lashes.

2.

That sentences the Petitioners pray the Court of Bombay would be pleased to remove

3

Petitioners the Court of Bombay would be pleased to direct that the acting Superior Judge will give for their information what

23rd July 1849.

which are to the apprehension of the Petitioners, and to transmit an English translation of the first examinations made by the Prosecutors regarding the Robbery, of which the Prisoners have been convicted and also of the first Report made by the Head of the Village in which it occurred.

The acting Superior Judge will also be pleased to submit a translation of the whole of the evidence affecting the 5th Prisoner and to state the age of that individual.

Ordered that Extract from these Proceedings be sent to the acting Superior Judge of Bombay by Prompt Steamer with the Despatches from and after the receipt

(Here follows prompt Despatch)

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

Read miscellaneous Petitions presented on the 21st July 1849 by Bhaee Pirbhoo Bhaeeadoo Pirbhoo and Allaghee of Dilkah Chetoo

(Here enter Petn No 134 of 1849)

These Petitions have referred to the sentences awarded to the 1st 2nd 3rd and 5th Prisoners in Cases Nos 14 and 15 of 1849 in the Court of the Superior Court of Bombay which the Petitioners from the Court of Bombay

6

23rd July 1849

23rd July 1849

Report &c.

base At 90

Proceeding to the Note appended to the foot of this case, the Court of Inquiry adjourned, that, unless some peculiar circumstances exist, which are not manifest in the statement of charge, the transmission of the Records is unnecessary.

Ordered that Extract from these Proceedings be forwarded to the Superintendent of Police for his information and guidance.

(Sent in At 707)

On a Petition of Chinglepat moving the Court to return his enclosures in his Miscellaneous Petition No 36 of 1848.

Ordered accordingly &c.

Ex'd

lyk

23rd July 1849

Petitioner, the Court of Inquiry having recorded that the witness ... before finally disposing of their charge with regard to them ... whether the witnesses ... whether they were ... defence making other ... of the Prisoners ... of the Petition

Proceedings ... for his information ... able within three days from and after the receipt ... (Sent following Procedt No 706)

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

Read Monthly Returns of the Superintendent of Police for June 1849

(Fine Cases Nos 1402 of 1848)

Tuesday
24th July 1849

At a Court of the Foujdaree Udalut

—Present—

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

Read letter under date the 10th July 1849 from the Sessions Judge of Rajahmundry submitting a recommendation from the Magistrate of Rajahmundry that he may be authorized to expend the sum of Rupees 150 in addition to the sum of Rupees 100, already disbursed by him in rewards for the capture of Gangavarola Somundaram Prisoner in Case No. 33 of 1848 on the file of the Sessions Court

(Vide letter No. 162 of 1849)

Before deciding as to the propriety of the disbursement recommended in the foregoing letter, the Court of Foujdaree Udalut desire to be informed under what Regulation the sum of Rupees 100 already expended by the Magistrate in granting rewards for the capture of the individual referred to was disbursed

Ordered

24th July 1849.-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Tangail and by Precept returnable within 8 days from date after the receipt

(Sent following Precept No 309)

Read again Calendar of Cases No 17 of 1849 on the file of the Sessions Court of Salem

(Here enter No. No 1285 of 1849)

Read also return under date the 7th July 1849 from the Sessions Judge of Salem to the Precept of the Foujdaree Adawlut dated the 5th July 1849 annexing their orders on the following Case -

(Here enter No No 1379 of 1849)

The Court of Foujdaree Adawlut observe that the Commitment in the Sessions Judge in this case that the period of Imprisonment awarded the prisoner should be passed to some gaol and they authorize the Sessions Judge to issue such warrant accordingly -

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

24th July 1849

Read letter dated the 27th June 1849 from the Sessions Judge of Salem, submitting for the final judgment of the Foujdaree Adawlut the record in Case No. 19 on the Calendar for 1849.-

(Here enter No. 1490 of 1849)

Mr. F. Macnaghten

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

"Abdool Rahman"

is sufficient to convict him of the crime of severe wounding, for which according to the Mahomedan Law, as declared in futwas of their Law officers, discretionary punishment is awardable, do convict him thereof; and under the provisions of Clause third Section VII Regulation XV of 1803, and Section XXXIV Act VII of 1843, 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 711)

Re

25th July 1849.

Here [illegible] of 1849 on the file of the Sessions Court.

[illegible] Sessions Judge [illegible] of 1849

The Court of Sessions [illegible] are of opinion that a sentence of [illegible] imprisonment with hard labour [illegible] the demands of justice in that case, [illegible] on the recommendation of the Sessions [illegible] the Court will be presumed to indicate [illegible] sentence awarded to the prisoner [illegible] by the Sessions Judge.

2

Should the Sessions Judge [illegible] unable to concur in the foregoing opinion [illegible] he will be [illegible] to submit a [illegible] from [illegible] the Court for the consideration [illegible] of the Foujdaree Udalut.

Ordered that Extract [illegible] these Proceedings be forwarded to the Acting Sessions Judge of Cuddalore for information and guidance by Parcel [illegible] returnable within [illegible] after its receipt.

Ordered that the following Precedent No. 912

Regd 1849

F. No.

Wednesday. 25th July 1849. At a Court of the Foujdaree Udalut

Present

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

C. P. J. — C. L. Thompson Esqre — 2d Puisne Judge

W. Morehead Esqre — 3d Puisne Judge

W. All.

Read the following Letter dated the 10th instant from the Sessions Judge of Rajahmundry

[Here enter F. No. 1415 of 1849.]

The Sessions Judge refers the question whether the Local Courts can Sentence women to Imprisonment "in Irons"

2. The Court of Foujdaree Udalut observe that excepting in any particular case in which "Irons" might be considered requisite for the safe custody of a female convict, it is not proper that they should be ordered.

3. There is nothing in the Regulations to preclude a Judge from ordering Irons should circumstances (as for instance, extreme violence) appear to require it, but as a general Rule, it is desirable that they should be dispensed

dispensed with in the case of Females.

Ordered that by extract from these proceedings be sent to the Sessions Judge of Rajahmundry for his information and guidance

(Sent in No 715)

Read Criminal Reports of the Sessions Court of Cuttack for June 1849.

(Here enter F.C. No 1451 of 1849)

Magistrates Report
B
Case No 16

The Proceedings held by the Sessions Judge in this case not having accompanied the above Reports, it is resolved to call upon the Sessions Judge to forward the same for the consideration of the Court of Foujdaree Udalut without delay.

Ordered that by extract from these proceedings be forwarded to the Sessions Judge of Cuttack by Cowpt returnable within three days from and after its receipt.

(Sent following Cowpt No 716)

Read Criminal Reports of the Sessions Court of Cuddalore for June 1849.

(Here enter F.C. No 1457 of 1849)

Report B
Case No 69

The Court of Foujdaree Udalut observe

25th July 1849.

observe that the offence committed by the Prisoner in this Case was one of "Snatching" and was not, therefore, cognizable by the Criminal Court.-

2. The Court direct that the Magistrate may be desired in future to prefix a Heading to the Statement of charge in cases disposed of by himself or his Assistants: the Report now under consideration it is observed is wanting in this particular.

Ordered that by extract from these Proceedings be forwarded to the Acting Sessions Judge of Cuddalore for his information and for communication to the Magistrate and to the Principal Sudder Ameen for the future guidance of those officers respectively.-

(Sent in No 707)

Read Criminal Reports of the Sessions Court of Combaconum for June 1849.

(Here enter F.C. No 1488 of 1849)

Magistrates Report
B
Case No 4

Before passing final Orders upon this Case, the Court of Foujdaree Udalut require an explanation of the circumstances which led the Acting Special Assistant Magistrate

25th July 1849 Magistrate to consider the apparently severe sentence recorded against the Prisoner to be called for—

Ordered that Extract from the Proceedings be forwarded to the Sessions Judge of Cuddapah by Dawk & returned within ten days from and after its receipt

(Sent following dawk No 918) JS

Ent HH

JL

Thursday 25th July 1849

J.U.

At a Court of the Foujdaree Adalat—

Present—

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

C. P. Thompson Esqr. ——— 2d Puisne Judge

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

Read Calendar of Cases No 25

of the Sessions Court of Mangalore—

(Vide Letter Dis No 1164 of 1849)

The Prisoner in this Case was charged with Arson "in having set fire to the roof of the Prosecutor's house in consequence of which a small part of the roof was discharged."

2. The Futwa of the Law Officer acquitted the Prisoner on the grounds that he was insane, and the Sessions Judge also considering him to be decidedly of weak mind, but not so much so as not to have a sort of distinctive idea of doing wrong in cases where the right or wrong is very evident," has assented to his acquittal—

3. The Court of Foujdaree Adalat observe that the Sessions Judge in passing the above sentence of acquittal appears to have overlooked the general provisions of Act IV

of

of 1849. the remarks contained of which respectively
that it behooves a person charged with
offences shall be regarded, known to another
complete case by the foregoing Section of the
enactment, the Court or Jury shall give a
present or verdict, that he did the act
charged against him, being there of sound
mind, so as to become liable according to law

The Court of Sessions Cannanore
accordingly resolve to return the Calendar of
this case to the Sessions Judge, who is hereby
a fresh reference, with the grounds of the
provisions of the
foregoing enactment.

Should the Prisoner be ac-
quitted on the grounds of insanity the
Sessions Judge will be pleased to direct the
detention pending the orders of Government
be made to Government in respect to his disposal

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

(Sealed No 731)

Read Sessions Judge's Return dated
29th May 1849 from the Session Judge of Canara
to the precepts of the Sessions Calendar dated the

1st May 1849 requiring an explanation of the reason
on the part of the Coroners Agent at the Hill
Ports of Cossipa to forward the usual reports of
Cases disposed of by them

(Here taken File No 1157 of 1849)

Read Cahadar Letter No 210 of 1849
submitted by the Session Judge of Cuddalore under
date the 5th June 1849

(Here taken File No 1191 of 1849)

Read letter dated the 6th June 1849
from the Sessions Judge of Honore, reporting that
during the last Month no cases were pending
before the Sessions Court for more than 25 days

(Here taken File No 1196 of 1849/S)

Lt Blue

JR

F. W.

Friday ... 27th July 1849 } At a Court of the Foujdaree Udalut

Present

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

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

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

Read again Calendar of Case No. 27 of 1849 of the Sessions Court of Calicut.—

(Here enter F. W. No. 1313 of 1849)

Read also Return dated 11th July — made by the Sessions Judge of Calicut to the Precept of the Foujdaree Udalut dated 5th July 1849 — stating that the Judge will be prepared to sanction a reduction of the period of imprisonment — awarded to the 1st Prisoner in the above Case to — six months.—

(Here enters F. W. No. 1445 of 1849)

The Court of Foujdaree Udalut sanction the mitigated sentence of six months imprisonment proposed to be passed upon the first Prisoner in the above Case, 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 Calicut for his information and guidance.—

(Sent on No. 923

Read

Read Calendar of Case N.o 29 of 1849 of the Sessions Court of Mangalore.

(Herewith F.C. N.o 162 of 1849)

1 Before passing their final Orders on this Case, the Court of Foujdaree Udalut require to be informed of the value of the articles numbered 1. 2. 3 and 4 stated to have been found in the Prisoners' house, and also whether the said articles had been entered in any Petition given in by the Prosecutor previous to the search made in the Prisoner's house.

2 The Sessions Judge will also be pleased to explain the delay which has occurred in the transmission of the Calendar of the Case to the Court of Foujdaree Udalut, as it is observed that the Calendar was not dispatched until the 12th of July, while the trial was closed on the 26th and Sentence passed on the 31st of May.

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

(Sent following Precept N.o 926

Read Calendar in Case N.o 34 of 1849 of the Sessions Court of Mangalore

(Herewith F.C. N.o 162 of 1849)

1 The Court of Foujdaree Udalut are of opinion that the evidence in this Case is not sufficient to justify the requisition for security under which the first and second Prisoners have been placed, and the Court accordingly direct their immediate and unconditional release.

2 The Court observe that the trial of this Case was closed on the 26th and the Sentence was passed on the 31st of May, but the Calendar of the Case was not despatched from the Sessions Court until the 12th July following. The Court of Foujdaree Udalut require an explanation of this great delay in the transmission of the Calendar, and they further request the Sessions Judge to explain the reason of its being dated from the Subordinate Court on the 4th of June, four days subsequent to the date of the Sentence by the Sessions Court.

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

(Sent following Precept N.o 926

Read Calendar in Case N.o 26 of 1849 Submitted by the Acting Sessions Judge

of

of Combatore under date the 26th June 1849

(Here enter F.W. No. 1340 of 1849)

Read Report dated 2d Instant submitted by the Sessions Judge of Salem of Cases pending before him, on the 30th June 1849 for a period of 25 days calculated from the date of commencement.—

(Here enter F.W. No. 1345 of 1849)

Read Calendar of Case No. XXXII of 1849 submitted by the Sessions Judge of Salem under date the 28th Ultimo.—

(Here enter F.W. No. 1346 of 1849)

Read Report dated the 2d Instant submitted by the Sessions Judge of Salem of Cases pending before him for the month of June 1849.—

(Here enter F.W. No. 1348 of 1849)

Read Return dated the 2d Instant from the Sessions Judge of Combaconum to the Precept of the Foujdaree Adalut under date the 30th June 1849 directing that the proceedings held by him under date the 11th May 1849 directing the amendment of the Sentence passed by the Acting Special Assistant Magistrate in the Case disposed of by that Officer may

be submitted for the consideration of the Judges of the Foujdaree Adalut.—

(Here enter F.W. No. 1350 of 1849)

Read Calendar of Cases No. 44 of 1849 submitted by the Sessions Judge of Combaconum under date the 3d Instant.—

(Here enter F.W. No. 1354 of 1849)

Read letter dated 3d Instant from the Sessions Judge of Guntoor, furnishing the information required by the Circular Order of the Court of Foujdaree Adalut under date the 3d May 1830, on the occasions of the executions of the death sentences in Cases No. 7 of 1849 on the file of the Sessions Court of Guntoor.—

(Here enter F.W. No. 1351 of 1849)

Read Communication under date the 3d Instant from the Sessions Judge of Guntoor, certifying the execution of the sentence of death in Case No. 7 of 1849 on the file of the Sessions Court of Guntoor.—

(Here enter F.W. No. 1352 of 1849)

Read Calendars of Cases No. 13 and 14 of 1849 submitted by the Sessions Judge of Honore

under

under date the 27th Ultimo.-

(Here enter Fl. No. 1361 of 1849)

Read communication under date the 2d Instant from the Sessions Judge of Madura reporting that there are no Criminal Cases pending beyond 2 days between 31st May and 30th June 1849.-

(Here enter Fl. No. 1362 of 1849)

Read return dated 3d Instant from the Sessions Judge of Salem to the Register of the Foujdaree Adawlut under date the 30th June 1849 no return of monthly Criminal Reports for May 1849 and reducing to six months the period of Imprisonment awarded by the Subordinate Judges to the prisoner in Sr. No.

(Here enter Fl. No. 1363 of 1849)

Read Calendar of Cases No. 33 of 1849 submitted by the Sessions Judge of Tinnevelly under date the 2d Instant.-

(Here enter Fl. No. 1364 of 1849)

Read Report dated 3d Instant submitted by the Sessions Judge of Trichinopoly of Cases pending on the 31st May and committed for trial during the month of June 1849 before the Sessions Judge of Trichinopoly.-

(Here enter Fl. No. 1365 of 1849)

Read Calendar of Cases No. XXVII of 1849 submitted by the Sessions Judge of Madura under date the 5th Instant.-

(Here enter Fl. No. 1373 of 1849)

Read Report dated the 2d Instant submitted by the Sessions Judge of Calicut of Cases pending on the 31st May and committed for trial during the month of June 1849 before the Sessions Judge of Calicut.-

(Here enter Fl. No. 1374 of 1849)

Ent. W.

F. U.

Saturday 28th July 1849. } At a Court of the Foujdaree Adalut.

Present

G.S. Cooper Esquire 1st Puisne Judge

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

W. A. W.A. Morehead Esquire 3d Puisne Judge

Read Calendar of Case No. 28 of 1849 on the file of the Sessions Court of Rajahmundry.

/Here Enter F.U. No. 1455 of 1849./

The Court of Foujdaree Adalut are of opinion that the period of Imprisonment awarded to the 1st prisoner in this case may with propriety be reduced to two years and that awarded to the 2d and 3d Prisoners to one year; and they will be prepared to Sanction a mitigation of punishment to this extent:

Should the Sessions Judge be unable to concur in the above opinion he will be pleased to submit a translation of the record for the consideration of the Foujdaree Adalut.

Ordered

Ordered, that Extract be
these Proceedings be sent to the Sessions
Judge of Rajahmundry by precept ad-
-dressable within 7 days from and after its
receipt.-

/Sent following precept No 739/

Read Report A of Cases
of 1849 of the Sessions Court of Masulipatam

/Here enter F. H. No 1582 of 1849/

The Prisoner in this case
charged with preferring a false charge
consideration has been sentenced by the
Sessions Judge to two months' imprisonment
with hard labor in irons under Section 8
Regulation IX of 1832.

2. The Court of Foujdaree Adalut
observe that the awards of irons is not warranted
by the Regulation cited in support of
the sentence passed in this case, the Sessions
Judge will accordingly be directed to alter
their sentence.

Ordered, that Extract from
Proceedings be forwarded to the Sessions
of Masulipatam by Precept Nº 740

28th July 1849.

within III days from and after its receipt.

/Sent following Precept No 739/

Read Return dated 5th Instant
from the Sessions Judge of Rajahmundry
to the Precept of the Foujdaree Adalut
under date the 18th June 1849 requiring him
to state what circumstances led to the
apprehension of the 2d and 3d Prisoners in Case
No 256 of 1848 on the Calendar and when they
were first denounced as being implicated in
the Crime charged.

/Here Enter F. H. No 1580 of 1849/

Read Calendar of Cases No 23
of 1849 Submitted by the Sessions Judge of
Bellary under date the 18th July 1849.

/Here Enter F. H. No 1558 of 1849/

Read Letter dated 11th Instant
from the Acting Agent to the Governor in
Ganjam submitting Criminal Report No 2
of the Agents Court, together with the Report
B No 2 from Lieutenant Frye Assistant Agent
for last month.

/Here Enter F. H. No 1559 of 1849/

Read

Reads Criminal Reports B dated 18th Instant submitted by the Acting Subordinate Criminal Judge in charge of Cuddapah for the month of June 1849.

/Here Enter F. H. No. 1467 of 1849/

Reads Report B dated 7th Instant submitted by the Sessions Judge of Mangalore of Persons apprehended in his Zillah and delivered to the Subordinate Judge and tried in the Month of June 1849.

/Here Enter F. H. No. 1468 of 1849/

Reads Criminal Report B dated 14th Instant submitted by the Sessions Judge of Bellary for the month of June 1849.

/Here Enter F. H. No. 1469 of 1849/

Reads Report dated 18th Instant submitted by the Sessions Judge of Canara of Persons apprehended in his Zillah and delivered to the Joint Magistrate in the month of June 1849.

/Here Enter F. H. No. 1470 of 1849/

Reads Statement dated 15th Instant submitted by the Sessions Judge of Malabar of amounts realized by the Labor of the Prisoners

in the 2d Quarter of 1849.

/Here Enter F. H. No. 1483 of 1849/

Reads Statement dated 21st Instant submitted by the Sessions Judge of Guntoor required by Circular Order No. 4 of the Court of Foujdaree Adalut of the trials referred during the 1st Half of 1849.

/Here Enter F. H. No. 1499 of 1849/

Reads Criminal Reports dated 30th Ultimo submitted by the Sessions Judge of Chicacole for the month of June 1849.

/Here Enter F. H. No. 1503 of 1849/

Reads Return dated 21st Instant from the Sessions Judge of Salem to the precept of the Foujdaree Adalut under date the 17th July 1849 directing the unconditional release of the 1st and 2d Prisoners in Case No. 12 of the Calendar of his Court for 1849 as also that of the 5th Prisoner on his furnishing the Security required.

/Here Enter F. H. No. 1512 of 1849/

LTR

F.W.

Monday
30th July 1849.

At a Court of the Foujdaree Adalut.

Present

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

Read Miscellaneous Petition presented on the 2d July 1849 by James Cuckerlong Esqr. Vakeel on behalf of Pottum Reddy Ragavah Reddy of Zillah Cuddapah.

(Here enter F.R. No. 135 of 1849)

This is a further application for the interference of the Court of Foujdaree Adalut to reverse the sentence awarded to the 2d Prisoner in Case No. 34 of 1848. on the file of the Sessions Court of Cuddapah.—

1

The Petitioner reiterates the arguments contained in the Petition presented on his behalf on the 30th April last, and has submitted a list of the jewels and clothes alleged to the house of the 3d Prisoner drawn out in a comparative with the description and value given by the Prosecutor of the property lost by him at the time of the Robbery by which he endeavours to show that there is a difference between the articles either in weight value or particularity of description.—

2

He

3.

The Court of Inquiry does not
nothing in this Petition which would war-
to question the correctness of the finding
in this proceedings of the 2d April last
the recovery of the property from the accused
or the grounds attached to the 2d Prose-
lower with that stolen from the house of
Prosecutor, has been fully and satisfactorily
established.-

4

The Court of Inquiry does not
accordingly receive to dismiss this Petition.

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

Read Miscellaneous Petition
presented on the 2d July 1849 by Kuthy Chetty
wife of Zekiah Chetty.

(Here enter Petn. No 157 of 1849)

1

Petitioner prays the release of
her son, who was convicted in Case No 2 of
of the file of the Sessions Court of Chittoor
of "Murder" and sentenced to imprisonment
for life.-

2.

The Court of Inquiry does not
decline to interfere in the manner which
and accordingly reject this Petition

Ordered that Extract from

these Proceedings be given to the Petitioner on her
application.-

Read Letter under date the 16th
instant from the Sessions Judge of Coimbatore.

(Here enter Ltr. No 1474 of 1849)

Adverting to the proceedings
of the Court of Inquiry dated the 10th
instant held upon a review of the Calendar
of Case No 23 of 1849 on the file of the Sessions
Court, the Sessions Judge observes that the recom-
mendation made by him of a mitigation of
the punishment awarded in the case as to
question was confined to the 1st Prisoner, and
states that he has issued his warrant
accordingly.-

The Court of Inquiry does not
2.
observe that owing to a clerical error the term
"prisoners" instead of "1st Prisoner" was inadvertent-
ly entered in the proceedings to which the
Sessions Judge refers.-

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

(Sent 21 No 733)

Read Letter dated 18th Instant
from the Sessions Judge of Tinnevelly referring
for

30 July 1849

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

for the final payment of the Zeydaree Addalat
Records of case No 24 of the Calendar thereof

(Here take Fee No 102 of 1849)

The Court of Zeydaree Addalat
on a deliberate consideration of all the circumstances
of the case as evidence before them, being of opinion
that the proof against the Prisoner

Karrayaram

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
hanging at the usual time and place of execution

The Court of Zeydaree Addalat
observe that the conduct of the Principal
Sudder Ameen in regard to this Trial, was very
irregular.-

2

He took a verbal confession from
the Prisoner, at his own house, and afterwards
merely took a written deposition from the
in the Court, as to whether he wishes to call
witnesses in his defence. Nor did this man ask
per. and any questions as to the guilt or in-
nocence of the Prisoner, with what the per-
-sons was charged, should have been put
to him, in open Court, and not taken down in
writing.-

Fee
30 July 1849

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

Sent in No 734

Read Calendar of Case No 25 of 1849

of the Sessions Court of Chittoor.-

(Here take Fee No 1507 of 1849)

The Court of Zeydaree Addalat

1

are of opinion that the punishment awarded to
the Prisoners in this case is unnecessarily severe, and
that a sentence of one year's imprisonment for the first
Prisoner, and of six months for the second, will adequately
meet the demands of justice.-

Should the Sessions Judge, upon
2
reconsideration, concur in this view of the case, he
will be pleased to submit his recommendation
for mitigation accordingly; but if he be of opinion
that the circumstances of the case demands
a severer sentence than that now proposed, he
will be pleased to forward an English translation
of the Records with as little delay as possible.-

Ordered that Extract from these
Proceedings be forwarded to the Sessions Judge of
Chittoor by Dawk returnable within five days

From

30th July 1849

from and after the receipt

/Sent following precept No 7357

Tadasaday Peday of Vedasty

moves the Court to order the enclosures of his Petition

Recd Allowed Petition No 240 of 1847

Ordered accordingly. S

End 11th

Read Semestral Reports submitted

by the Superintendent of Cuddalore under date the

15th May 1850. for the month of April 1849.

/Here Enter the No 1068 of 1849/

Read Semestral Reports submitted

by the Subordinate Judge of Mayaveram under date the

15th May 1849. for the month of April 1849.

/Here Enter the No 1063 of 1849/

Read Semestral Reports submitted

by the Superintendent of Trichinopoly under date the 15th

May 1849 for the month of April 1849.

/Here Enter the No 1054 of 1849/

Read Semestral Reports, submitted

by the Agent to the Governor at Ganjam under date

the 15th May 1849 for the months of March and April

1849

/Here Enter the No 1095 of 1849/

Read Return dated 15th May 1849

from the Acting Magistrate of Bellary to the Superintendent of the Forty three Thousand under date the 2nd

March 1849 requesting him to furnish him with information setting forth the services rendered by each

21st July 1849

in a case of Gang Robbery and to exhort the people

of the District generally to follow the good example

set of resisting Robbers to the utmost.

/Here Enter the No 1081 of 1849/

Read letter dated 21st May 1849

from the Superintendent of Government Roads

forwarding a memo shewing the number of cases

of sickness in the Gundy Jails during the year

1848.

/Here Enter the No 1084 of 1849/

Read Letter dated the 14th May 1849

from the Sessions Judge of Salem, submitting Criminal

Reports for the month of April 1849.

/Here Enter the No 1087 of 1849/

Read Calendar of Cases No 207 of

1849 submitted by the Sessions Judge of Tinnevelly

under date the 18th May 1849

/Here Enter the No 1086 of 1849/

Read report submitted by the

Agent to the Governor of Fort Saint George at Viza-

-gapatam under date the 15th May 1849 of persons admit-

-ted in the separate Wards of Vizagapatam and

delivered to the Agency in the month of April

1849.

/Here Enter the No 1095 of 1849/

Read Letter dated 23rd May 1849

from the Acting Subordinate Judge in charge of

Cuddapah, reporting the escape of a Prisoner under

commitment

/Here Enter the No 1090 of 1849./ S.

F. W.

Tuesday 31st July 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 Criminal Reports submitted by the Sessions Judge of Chingleput for the month of June 1849.—

(Here enter F. W. No. 1448 of 1849).

The Court of Foujdaree Adalut infer that that part of the indictment preferred against the prisoners in this case in which they were charged with having "Stabbed the prosecutor, with a dagger and severely wounded him on his head and foot and robbed him also of a head cloth valued at 95 Rupees and a silk girdle valued at 12 Rupees," was not proved.—

Magistrate's Calendar 1.
Case No. 10.

On this point the Court direct that
2.
the requisite information may be now submitted.—

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. 737)

Read Calendar in Case No. 19 of 1849.

submitted

submitted by the Sessions Judge of Bellary under date
the 4th instant.—

(Here enter F: G: No. 1398 of 1849)

Read Calendar in Case No. 17 of 1849
submitted by the Sessions Judge of Honore under date
the 30th Ultimo.—

(Here enter F: G: No. 1400 of 1849).

Read return dated the 11th instant from
the Sessions Judge of Trichinopoly, to the precept of the
Foujdaree Adawlut under date the 30th Ultimo, calling upon
him for explanations in Cases Nos. 40 and 41 of 1849
on review of Report B for the Month of May 1849.—

(Here enter F: G: No. 1413 of 1849).

Read Calendar in Case No. 23 of 1849
submitted by the Sessions Judge of Masulipatam under
date the 30th Ultimo.—

(Here enter F: G: No. 1418 of 1849).

Read Calendar in Case No. 26 of 1849
submitted by the Sessions Judge of Rajahmundry under
date the 9th instant.—

(Here enter F: G: No. 1419 of 1849).

Read Calendar in Case No. 19 of 1849
submitted by the Sessions Judge of Tellicherry under
date the 2nd instant.—

(Here enter F: G: No. 1420 of 1849).

Read Statement dated the 30th Ultimo,
submitted

submitted by the Acting Sessions Judge of Coimbatore
of Batta paid to the Prosecutors and Witnesses attending
before him during the 1st Half of 1849.—

(Here enter F: G: No. 1421 of 1849).

Read return dated the 11th instant,
from the Acting Sessions Judge of Cuddalore, to the
precept of the Foujdaree Adawlut under date the 12th
idem, directing that the 1st 4th and 5th Prisoners in
Sessions Case No. 16 of 1849 be unconditionally released.

(Here enter F: G: No. 1424 of 1849).

Read Criminal Report A dated
the 10th instant, submitted by the Agent to the
Governor of Fort St. George at Kurnool for the Month
of May (Supplemental) and June 1849.—

(Here enter F: G: No. 1425 of 1849).

Read Criminal Report A dated the
9th instant submitted by the Sessions Judge of
Masulipatam, for the Month of June 1849.—

(Here enter F: G: No. 1428 of 1849).

Read Calendar in Case No. 20 of
1849 submitted by the Sessions Judge of Tellicherry
under date the 5th instant.—

(Here enter F: G: No. 1429 of 1849).

Read Calendar in Case No. 26 of 1849
submitted by the Sessions Judge of Chittoor under date
the 11th instant.—

(Here enter F: G: No. 1431 of 1849)

Read

31st July 1849.

Read Criminal Report B dated the instant, submitted by the Sessions Judge of Guntoor for the Month of June 1849.

(Here enter F: D: No: 1435 of 1849)

Read Calendar in Case No: 11 of 1849 submitted by the Sessions Judge of Guntoor under date the 11th instant.

(Here enter F: D: No: 1444 of 1849)

2d Sheet

F: D:

Wednesday 1st August, 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 letter dated the 20th Ultimo, from the Sessions Judge of Mangalore submitting the record of the trial in Case No: 16 on the Calendar of the Sessions Court for 1849.-

(Here enter F: D: No: 1510 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,

"Teampoo"

is sufficient to convict him of culpable Homicide, for which the penalty of Deyut is awardable under the Mookummudan Law as declared in Futwas of their Law Officers, do convict him thereof, and under the provisions of Clause Second, Section XV Regulation VII of 1802, and Section XXXIV Act VII of 1843, sentence him to be imprisoned and kept to hard labor in irons on the public roads or other

Mr W. A. Morehead

public

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

(Sent following letter No. 720).

Read Calendar in Case No. 45 of 184
submitted by the Session Judge of Combaconum
under date the 9th Ultimo.-

(Here enter F. C. No. 1395 of 1849).

Read Statement dated 9th Ultimo,
submitted by the Session Judge of Calicut, required
by Circular Order No. 4. for the 1st half of 1849.-

(Here enter F. C. No. 1433 of 1849).

Read Statement dated the 9th Ultimo
submitted by the Session Judge of Calicut of Bata
paid to Prosecutors and Witnesses during the 1st half
of 1849.-

(Here enter F. C. No. 1434 of 1849).

Read Convict Labor Report under da
the 14th Ultimo submitted by the Session Judge of
Guntoor for the month of June 1849.-

(Here enter F. C. No. 1437 of 1849).

Read Report dated the 14th Ultimo,
submitted by the Acting Subordinate Criminal Judg
in charge of Cuddapah of Persons apprehended in the
Zillah of Cuddapah and delivered to the Joint Magistr
in the Month of May 1849.-

(Here enter F. C. No. 1466 of 1849)

Read

Read Calendar in Case No. 23 of 1848.
submitted by the Session Judge of Tellicherry under
date the 21st December 1848.-

(Here enter F. C. No. 1473 of 1849).

Read Statement dated the 14th Ultimo
submitted by the Session Judge of Mangalore of
the actual produce of the labor of the Prisoners
and the application of the Funds arising therefrom
from 1st April to 30th June 1849.-

(Here enter F. C. No. 1475 of 1849)

Read Statement dated the 1st Ultimo
submitted by the Session Judge of Nellore of
Batta paid to witnesses &c. before him for the
1st Half year 1849.-

(Here enter F. C. No. 1477 of 1849).

Read Statement dated the 16th Ultimo,
submitted by the Session Judge of Trichinopoly of
the amount realized by the labor of Prisoners in the 2nd
Quarter of 1849.-

(Here enter F. C. No. 1478 of 1849).

Read Report dated the 1st Ultimo,
submitted by the Session Judge of Rajahmundry
of Persons apprehended in the Zillah of Rajahmundry
and delivered to the Criminal Judge in the Months
of June 1849.-

(Here enter F. C. No. 1489 of 1849).

Read

1st Augst 1849.

Read Calendar in Case No. XXX of 1849. submitted by the Sessions Judge of Mal. under date the 18th Ultimo.—

(Here enter F: C: No. 1495 of 1849).

Read return dated the 20th Ultimo from the Sessions Judge of Guntoor to the Sudder Adalut of the Foujdaree Adalut under date the 17th idem, directing the release of the 1st and 3d Prisoners and reducing the sentence of the 2d and 4th Prisoners in Case No. 6 of 1849. on the file of the Sessions Court of Guntoor.—

2d 1849.

(Here enter F: C: No. 1498 of 1849).

Thursday,
2d August 1849

At a Court of the Foujdaree Adalut.

Present.

W.K. G.S. Hooper Esqre — 1st Puisne Judge
D.R. E.P. Thompson Esqre — 2d Puisne Judge
W.A. Morehead Esqre — 3d Puisne Judge

Read Miscellaneous Petition presented on the 9th July 1849 by Cotta Booranoodoo of Zillah Cuddapah.—

(Here Enter F. M. P. No. 150 of 1849)

The Petitioner having been already informed that the matter mooted in this Petition was finally disposed of in the Proceedings of the Court of Foujdaree Adalut under date the 21st of February 1848, the Court decline to take his present address into consideration.—

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

Read communications received from the several Sessions Judges forwarding the Criminal Statements for the 1st Half of 1848.—

(Here Enter F. C. Nos. 1642, 1785, 1824, 1906, 1917, 1924, 1947, 1975, 1989, 2001, 2040, 2045, 2057, 2078, 2104, 2109, 2112, 2122, 2127, 2128, 2196, 2253, 2448, 2632, 2654, 2672, 2680, 2681, 2730 of 1848.—

The

1. The Register lays before the Court the following statements drawn up in his Office, from the Returns received thro' the Session Courts, exhibiting the operations of the Village and District Police and the Magistracy, and of the subordinate Criminal Courts and the Courts of Session respectively. He also submits an abstract of the operations of the Foujdaree Adawlut from the 1st of January to the 30th June 1848, prepared according to the forms approved by Government.-

(Here Enter Nos. 1 to 9)

Statements Nos 1 & 2

2. Statement No 1, with the details in No 2, exhibits the number of persons summoned before the Village and District Police and Magistracy for Petty offences punishable by themselves, together with the number of acquittals and convictions, and the nature of the punishments inflicted.-

3. The total number of persons brought before the Village Police, together with the number acquitted or convicted of Petty offences, as compared with the preceding half year, or from the 1st of July to the 31st December 1847, is as follows.-

	Persons summoned.	Persons acquitted		Convicted & punished
		After investigation	Without investigation upon Razeenamah &c.	
From the 1st of July to the 31st December 1847-	5904	1215	1464	3225
From the 1st of January to the 30th June 1848-	5518	1190	1285	3043

4. Of the 3043 persons punished by the Village Police 2314 were confined in the Village Choultry, and 729 in the Stocks.-

5. Out of 5518 persons brought before them, 4642 were for Petty Assaults or affrays and 865 for Petty thefts; of the former 2308 were punished, of the latter 731.

District Police. 6. The total number of persons brought before the District Police from the 1st January to the 30th June 1848, for Petty offences, punishable by themselves, was 6066, besides whom, there were also 763 persons whose cases were not disposed of at the close of the previous report.-

7. In the preceding half year the number of persons summoned before the District Police, was 6907.-

8. The subjoined is a comparative statement of the acquittals and convictions by the District Police during the period under review and the last six months of the year 1847.-

	Total summoned and under examination at the commencement of the half year.	Acquitted after investigation.	Discharged on Razeenamah or without investigation for default of complainant & under Para 4 Sec 2 Reg 17 of 1816.	Punished without reference to the Magistrate.	Punished after reference to the Magistrate.	Total number of persons disposed of by the District Police.	Died of or by the Magistrate.	Number of persons under examination at the close of the half year.
From 1st July to 31st Dec 1847	7092	2491	2346	2012	161	7011	35	772
" 1st January to 30th June 1848	6142	2194	2061	1605	158	6021	12	1202
								430
Increase				406	3	990	23	
Decrease	950	297	285					

In

9

In the number of persons acquitted as shewn above, are included those against whom the complaints preferred was considered to be wilfully false and malicious, amounting to 274, a decrease compared with the preceding half year, of 27 persons declared to have been falsely and maliciously accused before the District Police, of petty offences.

10.

The following statement exhibits the number of persons punished, and the nature of their punishment, by the District Police for the two periods above referred to, inclusive of those punished after reference to the Magistracy.

Punishment	Half year ending 31st December 47	Half year ending 30th June 1848
Fined	16345	12971
Confined in the Choultry with or without labor	5101	4341
Confined in the stocks	96	178
Flogged	198	156

11.

In regard to the 156 persons entered as having been flogged by the District Police, it is necessary to explain, with reference to Clause first Section V. Regulation XIII of 1816, that those persons were subjected to corporal punishment by order of the Magistrate upon reference made to that authority under the provisions

provisions of Clause second Section IV Regulation IV of 1821.

Magistracy

12

Before the Magistracy there were brought during the half year under review 4899 persons for petty offences, besides whom there were 28 persons whose cases had not been disposed of at the close of the previous six months, making a total of 4927 persons. In the preceding half year the total number was 5030.

*5030
+4927
103 Decrease

13.

The following is a statement of the number of persons acquitted and convicted by the Magistracy; and subjoined to it is a statement of the nature of the punishments inflicted by the Magistracy, during the 1st half of the year 1848.

	Persons summoned and under examination	Acquitted	Discharged upon Razeenamah or dismissed for default or other cause	Convicted	Total disposed of	Persons under examination at the close of the report	Total
From 1st of January to 30th June 1848	4927	2126	1087	1671	4884	43	4927

Statement shewing the manner in which the persons convicted before the Magistracy were punished.

	Fined	Imprisoned	Flogged	Total punished
From 1st of January to 30th June 1848	1219	400	52	1671

14

Of the 2126 persons acquitted by the

the Magistracy, there were 27 persons against whom the accusations preferred were considered to be wilfully false and malicious: the number of persons regarded as having been falsely and maliciously accused before the Magistracy during the previous half year, was 12.-

15

Of the 4927 persons charged with petty offences, 3455 persons were brought up for petty assaults, 305 persons for Resistance to the process of a Magistrate unattended with aggravating circumstances, 249 persons for petty Theft, 247 persons for abuse of authority as Police officers, 171 persons for breaches of certain Revenue Laws, 135 persons for cattle stealing, or killing cattle, (petty cases of) 107 persons for Breach of the peace. Of the 247 persons charged with abuse of authority, only 95 were convicted and punished, 93 by fine and 2 by imprisonments.

16.

The following is a General statement in which the number of persons as brought before the Village and District Police and the Magistracy for Petty offences with the number acquitted and punished during the last half of the year 1847, and that half

of

of the year 1848, have been contrasted.-

	During the half year ending 31st December 1847-				During the half year ending 30th June 1848-			
	Summoned and depending	acquitted	discharged upon Razeenamah &c	Punished	Summoned and depending	acquitted	discharged upon Razeenamah &c	Punished
Village Police	5904	1215	1464	3225	5518	1190	1285	3043
District Police	70927	24916	23463	21740	61425	21949	20616	17646
Magistracy	5030	2393	852	1757	4927	2126	1087	1671
	81861	28524	25779	26722	71870	25265	22988	22360

The above statement exhibits a

17

decrease as compared with the preceding half year of 9991 persons brought before the Native Police officers and Magistracy.

The sums remitted to the Magistrates

18.

by the District Police officers on account of the 12971 persons who were fined by them, amount in the aggregate to Rupees 12,985-8-8.-

Crimes and Misdemeanors

Statements Nos 3 & 4. 19.

The total number of Crimes and Misdemeanors committed during the half year ending on the 30th June 1848, including those not disposed of at its commencement, as exhibited in the statement No 3 with its details in No 4, amounts to 2685, in which it is calculated that 7002 persons were concerned, being 433 cases and 936 persons less than in the preceding Police months.-

Of

2d August 1849

20.

Of the 1742 persons supposed to have taken part in the offences ascertained to have occurred during the period embraced in this report, 1826 appear to have escaped apprehension, while persons less than are believed to have eluded apprehension during the previous half year.

21.

The following Statement exhibits the nature of the heinous crimes committed during the 1st half of the year 1848.—

	Half year ended 30th June 1848.	
	Cases	Persons
Abortion - Procuring		
Arson	21	67
Branding	152	260
Child's exposure	1	2
Cattle stealing killing or wounding	1	1
Forgery	446	994
Fraud (extensive)	44	94
Gang Robbery attended with and without aggravating circumstances	70	122
Homicide - Culpable	662	5957
Housebreaking { By day	27	81
{ By night	79	140
Maiming or wounding	1751	4117
Murder	136	287
Murder and Robbery	110	353
Perjury	29	291
Perjury or Forgery - Subornation of	1	1
Poisoning	2	4
Proselytism	9	21
Rape	2	2
Robbery by a single individual	27	45
Sorcery	32	34
Suicide attempt at	1	3
Theft	26	26
	1061	2401

F.K.

2d August 1849.

It will be seen that the number

22.

of cases brought before the Magistracy during the half year under review, is 364, including 900 persons, of which 63 cases and 133 persons were disposed of by the Magistrates under the provisions of Section LIV Act VII of 1843.—

In the Districts of

23.

Bellary

Chittoor

Masulipatam and

Vizagapatam

no cases were disposed of by the Magistracy under the authority vested in them by the Act abovementioned.—

Statements Nos 1 to 24.

Statement No 5 with the details

Subordinate Criminal Courts.

—inate Courts from the 1st of January to 30th June 1848.—

The total number of cases brought

25.

before the Subordinate Courts during the above period, together with those not disposed of at the close of the preceding report, is 1826 including 3587 prisoners.—

In the preceding half year the

26.

total number of cases was 2291 including 4557 prisoners

prisoners, being a decrease in the half year
under review of 465 cases and 964 prisoners.

27. Of the cases brought and depending
before the Subordinate Courts, 7 were cases of
Procuring abortion, 4 of Abduction, 2 of Abstracting
of Judicial records, 7 of Adultery, 000 of Arson 17
Branding, 162 of Cattle stealing Killing or wounding
26 of Forgery, 66 of Gang Robbery attended with
aggravating circumstances, 110 of Gang Robbery,
without aggravating circumstances, 40 of Culpable
Homicide, 38 of House breaking by day, 257 of House
breaking by night, 76 of Manslaughter, 23 of Murder, 23 of Murder and Robbery, 15 of Perjury
4 of Subornation of Perjury or forgery, 6 of Poisoning,
2 of Prosetytism, 12 of Rape, 88 of Receiving stolen
goods, 91 of Breaches of Revenue laws, 18 of Robbery
by a single individual, 273 of Theft &c &c

28. Of the 3587 persons brought before
the Subordinate Courts

771 Were released unconditionally
against 3 of whom the charge was considered wilfully false
and Malicious.

36. Were released on security.

74 Were detained on a demand of Security

961. Were convicted and punished in cases cognizable by the
Subordinate Courts.-

In

In cases cognizable by the Sessions Courts

29.

443 Were released by the Subordinate Courts
against whom the charge was considered wilfully
false and Malicious.

28 Were released on security.

46 Were detained on demand of Security

1035 Were committed for trial.

181. Were under examination

6. Were sent to the Magistrate.

1 Was returned to the Police.

1 Was concerned in another case.

4 Died.

3587.

30. Of the 961 persons who were convicted and punished by the Subordinate Courts

668 were imprisoned

192 were fined

9 were flagged

26 were imprisoned and fined

66 were imprisoned and flagged.

961.

31. The number of persons convicted and punished in the preceding half year was 1391, the number committed was 1183 and the number unconditionally

unconditionally released in cases either punished by themselves or by the Courts of Session were 1874.
In the half year under review this number as shewn above, was 1214.-

32. The reports required in para 4 of the Minutes of Consultation under date the 24th October 1839 No 853, and submitted by the Sessions Judges regarding the manner in which the subordinate Judges have exercised the Criminal Jurisdiction conferred upon them by Regulation III of 1833, shew that generally those officers have exercised their duties as Criminal Judges satisfactorily.-

Statements Nos 7 & 8. 33. The statements Nos 7 and 8 exhibit the operations of the Session Courts from the 1st of January to 30th June 1848.-

34. The cases of every description which came before those Courts during the six months under review, together with those not disposed of at the close of the preceding report, were 4794 including 1209 persons; being 155 persons less than were brought before the Session Courts during the 2d half of the year 1847.-

35. Of the 1209 persons who were committed for trial, 488 were released unconditionally,

unconditionally, of whom 6 were considered to have been falsely and maliciously accused, 63 were released on security and 388 were convicted and punished.-

Of these latter

36.

4 Were flogged and imprisoned for a term exceeding 7 years
26 Do do not exceeding 7 years
122 Were imprisoned for a term exceeding 7 years without flogging
226. Were imprisoned for 7 years and under without flogging
1 Was fined and imprisoned.
9 Were fined and discharged.-
388.

There were 69 cases including 122

37. Prisoners referred to the Foujdaree Adawlut; 36 cases containing 93 Prisoners remained to be disposed of by the Session Courts at the close of the half year; 19 Prisoners were sent back to the subordinate Courts to be disposed of by those tribunals; 12 Prisoners were sent back to the Subordinate Court for further enquiry; 18 Prisoners were discharged from the bar, and 6 Prisoners died.-

The greatest number

38. of cases brought before the Session Courts

Courts were at

Cuddalore 40- of which 2 cases were referred to the Tonjavanlet
Mangalore-39 " 5 do do
Salem 39 " 9 do do
Cuddapah 34 " 9 do do
Calicut 33 " 7 do do
Madura 30 " 4 do do
Coimbatore-29 " 3 do do
Chingleput-25 " 2 do do
Guntoor 25 " 6 do do
Rajahmundry 22 " 3 do do
Tinnevelly 22 " none was referred do do

39.

Tonjavare Statute by the Session Courts, the Judges
delivered by their Law Officers and the reasons
given by the Assessors, were concurred in by the
Session Judges in 39 Trials, but the nature of
the Offences made the Trials referrible, and 30 cases
were referred because the Session Judges did not
approve of the Sentences of their Law Officers.

Statement No. 40.

Tonjavare Statute.

Statement No 9 exhibits the operations of the Tonjavare Statute during the 1st half of the year 1848.

41.

It shews that at the date of the last

last report there were 5 cases including 15 Prisoners which had not been disposed of and that there were received during the half year under observation 77 Trials including 161 Prisoners; making together 82 Trials and 176 Prisoners, whereof 1 was tried for abuse of authority, 1 case of severe assault, 1 case of Forgery and Subornation of Forgery, 1 case of Fraudulently destroying a Bond, 3 cases of Gang Robbery, attended with aggravating circumstances, 5 cases of Gang Robbery without aggravating circumstances, 5 cases of Culpable Homicide, 38 cases of Murder, 1 case of accessary after the fact in Murder, and Gross abuse of Police authority, 16 cases of Murder and Robbery, 3 cases of Perjury, 1 case of Poisoning, 1 case of Rape, 1 case of Receiving stolen goods, 1 case of Robbery by a single individual and attempt at wounding, 1 case of Robbery and attempt to kill, 1 case of severe wounding with intent to kill, and 1 case of Treason and Rebellion.

Of the 82 Trials, 79 were disposed
42.
of within the half year under review, leaving
3 cases undisposed of at the close of the report.

Of

43. Of the 79 cases containing 172 prisoners in which the Court of Foujdaree Cloautt proceeded to Judgment-

59 Prisoners were released unconditionally
3 Were ordered to be released on security
} of whom 49 were considered convicted by the Sessions Judges

106. Were convicted and sentenced to punishment
2 Were returned to the Sessions Judges to be disposed of by them
2 Died-
} of whom 5 were considered not convicted by the Sessions Judges

172

44. Of the 106 Prisoners convicted

16 Were sentenced to suffer death.
19 Transported without flogging-
5 Imprisoned for life without flogging
7 Imprisoned for more than 7 and not more than 14 years without flogging
3. Flogged and imprisoned for 7 years and under-
57. Imprisoned for 7 years and under without flogging-
4 Released in consideration of the imprisonment already undergone
1 Released on considering that the prisoner has committed the act when affected by temporary alienation of Mind-

106.

45. The Judges of the Foujdaree Cloautt likewise disposed of 367 Calendars during the 1st half of 1848-

46. In conformity to the instructions contained in the 22d Para of the Extract from the

T.K.
2 August 1849-

the Minutes of Consultation under date the 8th August 1834, the Judges observed that out of the 38 cases referred to the Foujdaree Cloautt, because the presiding Judge disapproved of the Futwa of the Law Officer, or the finding of the Assessors, the decision of the Session Judges was confirmed by the Foujdaree Cloautt in 19 cases-

47- The subjoined statement exhibits the information required by the Honorable the Court of Directors in the 41st Para of their General Letter under date the 20th March 1833 as to the "number of sentences passed by each "Judge of the Foujdaree Cloautt whether sitting singly or whether more than one Judge be present" singly-conjointly-Attached to the Court.

J.S. Hooper Esqre. 1st Judge	6	43.- During the whole period	Do
C.P. Thompson Esqre. 2d Judge	9	39	Do
W.A. Morehead Esqre. 3d Judge	7	46-	Do

48 Shewing the number of trials disposed of by the Foujdaree Cloautt within the period under review and the number of days delay in the disposal of those trials, as required by the 33d Para of the General Letter from the Honorable

Honorable the Court of Directors dated 20th March 1833, together with the additional information shewing the number of days occupied from the date of apprehension to the final disposal of the case as well as the number of days from the date of commitment as required by Government in Para 23 of the Extract from the Minutes of Consultation under date the 7th April 1848.-

49. 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 forward two statements marked A and B shewing the extent to which the Magistrates have themselves discharged their Police duties and how far it has been delegated by them to their Assistants, and, in accordance with the Honorable Court's further instructions conveyed in Para 2 of their letter dated 30th December 1842, the Judges also forward a statement marked C shewing the extent and degree of supervision and control exercised by the Magistrates over the proceedings of their Assistants.-

The

The statement marked D shewing

50. 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 207 the Extract from the Minutes of Consultation date the 30th June 1845.-

A comparative statement marked F

57 shewing the more heinous crimes committed in each District such as are of frequent occurrence, entering all others of a casual or incidental nature in one column under the head of minor offences, is also submitted as required by the Extract from the Minutes of Consultation under date the 27th June 1848.-

Accompanying the statements

52 submitted for the consideration of Government, will be found statements in abstract reflecting the state of crime during the 1st half of 1848, in the separate tracts of the Ganjam and Vizagapatam Districts and in the District of Khurnool placed under the jurisdiction of the Government Agents.-

The statement marked E Exhibiting the

53.

2d August 1849

the labours incumbent upon the Judges of this Court during the period under mention.

Ordered that Extract from these proceedings, together with copies in triplicate of all statements connected therewith be forwarded to the Secretary to Government for the purpose of being laid before the Right Honorable the Governor in Council.

Vide in No. 942.

Read Statement dated 2d Instant submitted by the Superintendant of Government Roads at Guindy shewing from time to time the Escaped Convicts of the Guindy Gang during the 1st half of 1849.

(Here Enter F.R. No 1341 of 1849)

Read Criminal Reports submitted by the Acting Subordinate Judge of Chittoor under date the 2d Instant for the month of June 1849.

(Here Enter F.R. No 1402 of 1849)

Read Calendar of Case No 46 of 1849 submitted by the Sessions Judge of Combaconum under date the 10th Instant.

(Here Enter F.R. No 1410 of 1849)

Read Calendar of Case No 10 of 1849 submitted by the Sessions Judge of Guntoor under date the 9th Instant.

(Here Enter F.R. No 1411 of 1849)

Ent W.

Tuesday, 3d August 1849.

F.R.

C.J.

P.C.

F.R.

At a Court of the Foujdaree Adalut.

Present,

G. L. Harper Esqre. — 1st Puisne Judge,
E. P. Thompson Esqre. — 2nd Puisne Judge,
H. A. Morehead Esqre. — 3d Puisne Judge,

Read again Letter under date the 11th June 1849 from the Sessions Judge of Chicacole referring for the final judgement of the Foujdaree Adalut the record of the Case No 5 of the Calendar of the Sessions Court for 1849.

(Here enter F.R. No 1277 of 1849)

Read also return under date the 21st July 1849 from the Sessions Judge of Chicacole to the precept of the Foujdaree Adalut dated the 21st July 1849 calling for further evidence in the foregoing Case.

(Here enter F.R. No 1549 of 1849)

Mr E. P. Thompson and Mr H. 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, Dundasya Narayadoo is

3rd August 1849

is sufficient to convict him of the crime of culpable Homicide & convict him thereof; and under the provisions of Section XI Regulation VIII of 1802, sentence him to be imprisoned with hard labor in irons on the public roads or other public works, for and during the period of ten years.

Under all the circumstances of this Case the Court of Zemindaree Utsahut are of opinion that a sentence of ten Years Imprisonment with hard labor in irons will be sufficient to meet the demands of justice.

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

Sent in a/c 744 5

Exd

F. U.

Saturday
4th August 1849

At a Court of the Foujdaree Udalut

Present

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

Read Letter dated the 27th Ultimo from the Sessions Judge of Calicut submitting for the final Sentence of the Foujdaree Udalut the Proceedings in Case No 37 of 1849.

(Here enter F. U. No 573 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 Prisoner, " Edoovayeel Veroonil Chalien Cuttian alias Chembagen Kelloo "

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

receipt of this warrant, at a spot to be selected by the Superior Judge of Calcutta, in the immediate vicinity of the place where the Murder was committed.

Sent following letter No 7

Ex W

by L

F.U6.

Monday
6th August, 1849. At a Court of the Foujdaree Udalut

Present.

G.L. Hooper, Esquire 1st Puisne Judge
E.P. Thompson, Esquire 2d Puisne Judge
W.A. Morehead, Esquire 3d Puisne Judge

Read again Calendar of Case No. 22 of 1849 on the file of the Session Court of Cuddalore.—

(Here Enter F.U6. No. 1384 of 1849)—

Read also return under date the 26th July 1849 from the Acting Session Judge of Cuddalore to the precept of the Foujdaree Udalut — dated the 24th July 1849 conveying their orders on the foregoing case.—

(Here Enter F.U6. No. 1527 of 1849)—

The Court of Foujdaree Udalut approve of the recommendation made by the Acting Session Judge in this case that the period of Imprisonment awarded to the Prisoner "Moonien"

be reduced to seven years, and they authorize the Acting Sessions Judge to amend 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. 750/-

Read Calendar of Case No. 35 of 1849 on the file of the Sessions Court of Calicut.

/Here enter F.C. No. 1544 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 1st. prisoner "Mottentodil Chery" to the 2d. prisoner "Pallachatilwalla" to the 4th. Prisoner "Kolanthen Athen" and to the 5th Prisoner "Pelakparambil Athen" be reduced to five years and that that adjudged to the 3d. Prisoner "Mottentodil Kellen" be reduced to three years.

2. And the Court authorize the

the Sessions Judge to issue amended warrants for the Imprisonment of the prisoners in question for the respective periods above specified.—

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

/Sent in No. 751/-

Read Calendar of Case No. 33 of 1849 of the Sessions Court of Madura.—

/Here enter F.C. No. 1545 of 1849/-

1 The Court of Foujdaree Udalut approve the recommendation made by the Sessions Judge in this case, that the punishment due to the 1st. 2d. and 5th. Prisoners on their conviction of "Housebreaking and Theft" be mitigated to 4 years imprisonment with hard labor in irons.—

2. And the Sessions Judge is hereby authorised to issue his warrant accordingly.—

Ordered,

6th August, 1849

Ordered, that Extract
from these Proceedings be forwarded to
Sessions Judge of Madura for his no-
tice and guidance.

/Sentence No. 732/

Read Miscellaneous Petition
presented on the 16th July 1849 by Mada-
sawmy of Zillah Coimbatore.

/Here enter F. M. P. No. 151 of 1849/

1. The Court of Foujdaree
Adalut observe that the matter now
in this Petition received their consider-
and was finally disposed of in their
Proceedings under date 18th June last
passed on the Petition presented by the
Petitioner to the Court on the 30th Ap
last. No. 100.

2. In these Proceedings the
Petitioner is accordingly referred.

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

Read

F. M.

6th August, 1849

Read Miscellaneous Petition
presented on the 9th July 1849 by Samy
Naiken of Zillah Madura.

/Here enter F. M. P. No. 149 of 1849/

1. The Petitioner prays to be
furnished with a copy of the Proceedings
of the Court of Foujdaree Adalut direct-
ing a mitigation of the sentence awarded
to the first Prisoner in Case No. 2 of
1849 of the Sessions Court of Madura.

2. The Court of Foujdaree
Adalut decline to comply with the
prayer of this Petition, as they observe
that the case referred to was finally
disposed of by the Court on a perusal
of the record, and the sentence of
the Sessions Judge was confirmed.

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

F.C.

Tuesday
7th August, 1849.

At a Court of the Foujdaree Udalut.

Present

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

Read again Criminal Reports submitted by the Session Judge of Coimbatore for the month of June 1849.

(Here enter F.C. No. 1372 of 1849.)

Read also return under date the 26th July 1849 from the Session Judge of Coimbatore to the precept of the Foujdaree Udalut dated the 17th July 1849 requiring information in regard to the disposal of case No. 17 of the Magistrate's Calendar of 1849.—

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

The Court of Foujdaree Udalut observe that with reference to the nature of the offence with which the prisoner in this case was charged

the

the Magistrate was not competent to order the requisition of security under which the prisoner has been placed; and the Court accordingly direct that the security be annulled and that the prisoner be committed for trial to the Criminal Court.—

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Coimbatore for his information and guidance and for communication to the Acting Magistrate of Coimbatore by precept returnable within 10 days from and after its receipt.—

/Sent following Precept No. 753/-

Read Calendar of Case No. 21 of 1849 on the file of the Sessions Court of Honore.

/Returned File No. 1553 of 1849/-

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

awarded to the prisoner "Narain Naick" who has been convicted of "Housebreaking" and 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.—

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

/Sent in No. 754/-S

Ed H.

F. U.

Wednesday ....
8th August 1849

At a Court of the Foujdaree Udalut.

Present

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

Read letter under date the 24th July 1849 from the Acting Agent to the Governor in Ganjam, submitting for the final judgment of the Foujdaree Udalut, a Summary of the evidence in Criminal Case No. 12 of 1849 on the file of the Agent's Court.

(Here enter F.U. No. 1562 of 1849)

1. The Prisoners in this Case four in number were charged with Robbery by open violence in having in company with 40 other persons not apprehended, armed with bows and arrows hatchets and other offensive weapons broken into the Prosecutors houses on the night of the 27th May 1849, and plundered them of property valued at Rupees 630-2—0.

2 The prisoners were further charged with having caused the death of one Eswara Naik by shooting him with an arrow.—

3. The Acting Agent considers that there is no evidence to show that the death of Eswara Naik was caused by any one of the prisoners; but being of

of opinion that they have been clearly convicted of the robbery laid to their charge, recommends that they be severally sentenced to Seven years' Imprisonment with hard labor in irons and to receive 96 lashes.-

4 On consideration of the abstract of the evidence submitted by the Acting Agent the Court of Foujdaree Udalut concur with that officer in the conviction of the prisoners in this case

1 Bala Naick.
2 Rama Naick.
3 Doondeya Naick.
4 Darma Naick.

of the offence of Robbery by open violence unattended with any aggravating circumstances; and the Court of Foujdaree Udalut according by sentence on the said prisoners severally to be imprisoned with hard labor in irons for the period of Seven years and to receive 96 lashes with a Cat o. nine tails under the provisions of Clauses third and fifth, Section IV Regulation XV of 1803, and Regulation VIII of 1828.-

Ordered that Extract from these Proceedings be sent to the Agent to the Governor in Ganjam for his information and guidance.-

(Sent in No. 756

Read Calendar of Case No. 16 of 1849 on the file of the Sessions Court of Honore

(Here enter Fee Rs. 15-1 1849)

8th August 1849

1 The Court of Foujdaree Udalut consider that the evidence in this Case is insufficient to justify the requisition of security under which the prisoners 2 to 6 have been placed. and they accordingly direct that it be annulled.-

2 It is observed that the 1st prisoner had died in jail since the sentence awarded to him was passed.-

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

(Sent following precept No. 757

Fee Rs.

Thursday, 9th August, 1849. At a Court of the Foujdaree Udalut

Present

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

Read Miscellaneous Petition presented on the 15th January last, by Narumba Nadawan of Trichinopoly.

/Here enter F. M. P. No. 13 of 1849/

As the above address refers to matter of a civil nature the Court of Foujdaree Udalut decline to bring it under consideration.—

Ordered, accordingly that it be removed from the file of the Court.—

Read Miscellaneous Petition presented on the 12th February last by Cundada Sreenewasa Varada Charryar of Chittoor.—

/Here enter F. M. P. No. 38 of 1849/—

As

9th. August, 1849.

As the above address refers to matter of a civil nature the Court of Foujdaree Udalut declined bring it under consideration.—

Ordered, accordingly that it be removed from the file of the Court.—

Read Miscellaneous Petition presented on the 23d. July 1849 by Vakeel Sam Esquire Vakeel on behalf of Bahoovaleen Alwan Lala of Zillah Combaconum.—

Here Enter F. M. P. No. 161 of 1849.

1. The Petitioner, adverting to the former Petition presented by him to the Court of Foujdaree Udalut under date 21st. May last, now adduces certain additional circumstances to prove that his son was not guilty of the charge preferred against him in Cases Nos. 25 and 27 of 1849 of the Sessions Court of Combaconum, and prays that the Court of Foujdaree Udalut on consideration of these circumstances will render him justice by directing his son's release.—

2. Before disposing of this Petition the Court of Foujdaree Udalut resolve to forward the same to the Sessions Judge of Combaconum who will be pleased to submit a report upon the allegations which it contains.—

3. The Sessions Judge will more particularly be pleased to state whether the assertion made by the Petitioner respecting the dates of the Curnum and Pottah Mooigars depositions be correct, or not.—

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

Sent following Precept No. 758.

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

Ent'd [illegible]

F 16

Friday
10th August 1849

At a Court of the Fojdaree Adalut

—Present—

Sylt R G. S. Hooper Esqr. ——— 1st Puisne Judge
C P. C. D. Thompson Esqr. ——— 2d Puisne Judge
W. A. Morehead Esqr. ——— 3d Puisne Judge

Read Calendar of Case No. 31 of 1849 on the file of the Sessions Court of Mangalore.

/Here enter F. No. 1537 of 1849./

The Court of Fojdaree Adalut discover upon what grounds "strong suspicion" has been considered to attach to the 2d prisoner in this case, and they accordingly direct that further information on this point than is contained in the Calendar may be submitted.—

The Court observe that in all cases in which the Sessions Judge may deem it proper to place prisoners under requisitions of security for the grounds upon which such requisitions are based, should be fully set forth in the Column of the Calendar in which the sentence is recorded.

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

6

by precept returnable within three days from and after its receipt.-

/Seal following precept No 759/

Read letter dated the 5th Inst and from the Sessions Judge of Chingleput, forwarding certified accounts of transportation charges incurred for other Zillahs up to the 31st June 1849

/Here Enter the No 1535 of 1849/

Read Calendar of Case No 37 of 1849 submitted by the Sessions Judge of Tellicherry under date the 27th July 1849.

/Here Enter The No 1560 of 1849/

Read letter dated the 1st Instant from the Sessions Judge of Chingleput in the precept of the Joydarees dated under date the 31st July 1849 stating that it is informed that that part of the Calendar prepared against the Prisoners in the criminal report No 30 of 1849 submitted by the Magistrate for the month of June 1849 in which they were charged with having stabbed the Prosecutor with a dagger and severely wounded him in his head and foot and robbed him also of a Rs 3 cloth valued at Rs 3 and also a silk girdle valued at 12 Rupees and requesting the same may be now submitted.-

/Here Enter The No 1570 of 1849/

Read

Read Calendars of Cases Nos 35 36 37 and 38 of 1849 from the Sessions Judge of Madura under date the 2d Instant.-

/Here Enter the Nos 1590 and 1597 of 1849/

Read Calendar of Case No 30 of 1849 submitted by the Sessions Judge of Rajahmundry under date the 20th July 1849.

/Here Enter the No 1590 of 1849./

Read Calendar of Case No 27 of 1849 submitted by the Sessions Judge of Masulipatam under date the 25th July 1849.-

/Here Enter The No 1599 of 1849/

Read Calendar of Case No 27 of 1849 submitted by the Sessions Judge of Mangalore under date the 30 July 1849.-

/Here Enter the No 1594 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 Joydarees Court's Circular letter of the 15th October 1844

/Here Enter The No 1600 of 1849/

Read Report dated the 1st Instant submitted by the Sessions Judge of Masulipatam of cases pending on the 30 June and committed for trial during the Month of July, before him.-

/Here Enter The No 1602 of 1849./

Read

11th August 1849

Read Calendar of Cases
1849 Submitted by the Sessions Judge of Chittoor
dated the 1st Instant

(Here Enter No 1503 of 1849)

Read Calendar of Cases
submitted by the Sessions Judge of Cuddapah dated
the 3d Instant

(Here Enter Nos 1504 of 1849)

Read Letter dated the 6th Instant
from the Sessions Judge of Cuddapah stating the
Criminal Reports for the 1st Half 1849 will be for-
warded as soon as those due by the Magistrates
received from them

(Here Enter No 1505 of 1849)

Read Return under date the 6th Instant
from the Sessions Judge of Cuddapah in
pursuance of the Foujdaree Adalut order dated
28th July 1849 containing the observations made
upon the Report of the Sessions Court for June
of 1849 on its files

(Here Enter No 1506 of 1849)

Read Calendar of Cases tried
1849 submitted by the Sessions Judge of Nellore
under date the 6th Instant

(Here Enter No 1507 of 1849)

Entd 1849

Saturday
11th August 1849

F. C.

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 again Letter dated the
2d June 1849 from the Sessions Judge of Chittoor
submitting copy of a letter from the Magistrate
of North Arcot, objecting to the acquittal of
the Prisoner in Case No 19 of the Calendar of
the Sessions Court of 1849.-

(Here Enter Fd No 1183 of 1849)

Read also Return dated the 9th
and Supplemental Return dated the 25th July
1849 from the Sessions Judge of Chittoor to
the Precept of the Court of Foujdaree Adalut
under date the 15th June 1849 requiring him
to send up an English Translation of the
Entire Records of Case No 19 of the Calendar
of the Sessions Court of Chittoor of 1849.-

(Here Enter Fd Nos 1401 and 1529 of 1849)

The Court of Foujdaree Adalut
observe that in this case, the 4th witness is
the

the only one who was subjected to any cross-examination

2.

The whole case rests on the fact of the spot where the Bangles were found and whether this was done by the Peons voluntarily and under his own instructions.

3.

But barely a question to elicit the truth of, and particulars on this point was put to any of the witnesses by the Sessions Court.

4.

No evidence to the surrender of the Bangles was not until further more evidence was forthcoming, which should have been the prisoner ought to have been called upon to explain his statements to before the Subordinate Court where he said that he had given up the Bangles.

5.

The case has not been satisfactorily conducted by either the Sessions or the Subordinate Judge the examination by the former was singularly brief and no attempt seems to have been made by cross examination to elicit the real facts of the case.

6.

The Subordinate Judge's proceedings are also liable to the imputation of

carelessness. The answer to the 4th Question to the Prisoner, may, as it now stands, be taken as an admission that he buried the Bangles this and other ambiguities contained in the same answer, ought to have been cleared up by other questions.

The Court of Foujdaree Adalut

7.

deem it their duty to remark that they have had frequent occasion to observe a want of detail and care in the examination of cases coming before Mr Lovell in his capacity of Sessions Judge - and they trust that this notice will have the effect of inducing him to pay a greater attention to his duties in this department.

Ordered that Extract from these proceedings be sent to the Sessions Judge of Chittoor for his information and that of the Magistrate of North Arcot.

Sent in Ro. 761

Read return dated the 31st July 1849 from the Sessions Judge of Chittoor, to the precept of the Foujdaree Adalut under date the 23d July 1849 requiring the Sessions Judge to report the

the value of the several articles of stolen property stated to have been found in the possession of the 1st 2d 3d 4th and 5th Prisoners in cases 14 and 15 of the Calendar of 1849; upon which Prisoner the articles in question were respectively found, whether they were capable of positive identification, and whether the Prisoner either on their defence or at any other time before the trial closed, complained of ill treatment at the hands of the police.

(Here Enter I.R. No 1576 of 1849)

In the Calendar No 14 the Sessions Judge states as follows "The evidence therefore against the 1st 2d and 3d Prisoners consists of the discovery of the goods No 1 to 25 in their possession which are identified as the property of the

2.

In an Enclosure to the above return showing the property found upon each prisoner in No 14, it is distinctly shown that fifteen out of the 25 articles were not identified and that from 1 to 18 were not as stated in the Calendar discovered "in their possession" but were delivered up from their mothers charge"

3.

In the same Calendar it is recorded

4th August 1849

"recorded "the evidence against the 4th Prisoner is the discovery of the articles Nos 26 to 29 in "his house"

4.

But from the same Enclosure it appears that No 29 was obtained up "from his sisters house"

5.

The evidence against the 5th Prisoner, the Sessions Judge states in the Calendar "is the discovery of the articles 36 to 42 in his possession" inducing the belief that they were articles stolen from the Prosecutor, but from the same Enclosure it is shewn that articles from 36 to 41 were new ornaments made from gold, the Prisoner had purchased from the 1st 2d and 3d Prisoners.

6.

In the same Calendar it is recorded that No 42 was identified as the property of the Prosecutor" In the Enclosure it is shewn that it was not identified.

Calendar No 15.

7.

The Session Judge records in this Calendar that the evidence against the 1st 2d and 3d Prisoners consists of the discovery of the articles No 1 2 and 3 in their possession at Pondicherry" in another Enclosure

11

enclosure to the above return it is stated that the articles in question were delivered up by the prisoners from their mothers charge".

8. This latter statement is however irreconciliable with another entry in the same enclosure, that Nos 1 and 2 were found on the 1st and 3d prisoners - No 3 on the 3d Prisoner, and nothing on the 2d Prisoner -

9. The Sessions Judge committed the 4th Prisoner in this number, but on what grounds he did so, is not stated -

10. The Court of Sonpore request before passing their opinion on the proceedings of the Sessions Judge, require him to give such explanation on the subject as he may be able to afford -

11. He will also state his reasons for committing the 4th Prisoner in No 15 -

12. He will also submit a translation of all the evidence which has reference to the 4th and 5th Prisoners in No 14 -

13. The Court in their Proceedings of the 25th July required the Sessions Judge to report "whether the articles were capable of positive identification" - This he has not done

done - He has against some articles entered "identified" and against others "not identified" - This possibly means that the Prosecutor and his witnesses spoke to some of the property being that of the Prosecutor and that some they did not identify as his — The Court require more than this - They wish to know if the property deposed to as that belonging to the prosecutor was "capable of positive identification" - The Sessions Judge will give his reasons for thinking the articles capable of positive identification.

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

Sent following Precept No 762

G. W.

Monday

F. D.

13th August 1849 At a Court of the Forjdaree Idaalut

Present.

W.K. G.L. Hooper Esqre ——— 1st Puisne Judge.

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

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

Read letter dated 13th instant from the Sessions Judge of Salem submitting for the final Judgment of the Forjdaree Idaalut the Record of Case No 21 of 1849 of the Calendar of the Sessions Court.

(Here Enter No 16 of 1849)

Mr C.P. Thompson and Mr W.A. Morehead

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

"Kaloy Dadar"

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

13th August 1849.

the Provisions of clause sixth Section th
=lation XV of 1803, he be required to find two
Sureties in (25) Twenty five Rupees each fo
for his good behaviour and appearance wh
required within three years and that in def
thereof, he be detained for three years in
confinement.-

The Court do not concur in the
conviction of the prisoner. He is simply con
solely convicted by the Sessions Court on her
confession before the Head Assistant Magi
=trate, that he was a party concerned in the
robbery. The Court do not think this is enou
There is not an iota of evidence of any kind
support his confession and, therefore the C
cannot convict him: although they think
are sufficient grounds of suspicion to
=rize a requisition of security.

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

(Sent in, No. 764)

Read Miscellaneous Petition
presented on the 16th and 30th July 1849 by Ko
=mab of Ezillah Combaconum
(Here Enter F. in Pro No 165 of 184

13th August 1849.

1 This is an application for the
release of the Petitioners husband prisoner
in case No 32 of 1849 on the file of the Sessions
Court of Combaconum who has been sentenced
to four years Imprisonment with hard labo
in irons upon his conviction on a charge of
"Forgery."-

2 The Court of Foujdaree Adalut
are satisfied of the justice of the sentence
of which the Petitioner complains, and they
accordingly resolve to dismiss these Petitions.

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

Read Miscellaneous Petition
presented on the 30th July 1849 by Vurdaro
and Chengiah of Zillah Chittoor.

(Here Enter F. in Pro No 165 of 1849)

1. The Petitioners complain of the
release of the prisoner in case No 26 of 1849
on the file of the Sessions Court of Chittoor who
was charged with having broken the 1st
Petitioners thigh.-

2 The Court of Foujdaree Adalut

direct

13th August 1849

directs that an English Translation of the record
this case be submitted for their consideration

Ordered that Extract from the
proceedings be sent to the Session Judge of
for his information and guidance by post
returnable within X days from and after
its receipt.-

(Sent following receipt of P

Ordered also, that Extract
these proceedings be granted to the Petition
on their application.-

Read Miscellaneous Petition
forwarded by the Session Judge of Tinnevelly
from Ramasamiah Pillay of that Zillah.-

(Here Enter S. D. No 1620 of 1849)

1. The Petitioner complains of an
order passed by the Session Judge under
the 17th April last, confirming certain pro-
-ceedings held by the Head Assistant Magi
-strate and Magistrate of Tinnevelly sup
-pressing the Petitioner to the Civil Court in
respect to a charge preferred by him
against certain individuals.

2. The Court of Foujdaree Adawlut

see

S.K.

13th August 1849.

see no necessity for their interference in the matter
to which the Petitioner refers and which appears
to have been properly disposed of by the Lower
Court, and the Court of Foujdaree Adawlut accord-
-ingly resolve to dismiss this Petition.-

Ordered that Extract from these
proceedings be sent to the Session Judge of
Tinnevelly for communication to Petitioner.-

(Sent in A. No 766)

Read Calendar of Case No 20 of 1849
on the file of the Session Court of Masulipatam

(Here Enter S. R. No 1408 of 1849)

Read also Miscellaneous Petition
presented on the 16th July 1849 by Lutchmidass
and three others of Zillah Masulipatam.-

(Here Enter S. D. No 1540 of 1849)

1. The Petitioners pray the Court of
Foujdaree Adawlut to order the release of the
Prisoners in the foregoing case, who have been
respectively sentenced to 14 years Imprisonment,
with hard labor in irons upon their conviction
on a charge of Highway Robbery.-

2. The Petitioners assert that the
prisoners in question are innocent of the offence
laid to their charge.-

On

11

13th August 1849.

3. On reference to the Calendar of this case the Court of Foujdaree Udalut see no reason to doubt the justice of the conviction of the prisoners charged, but they are of opinion that the period of Imprisonment awarded may with propriety be reduced.-

4 The Court of Foujdaree Udalut will accordingly be prepared to sanction a mitigation of the sentences passed by the reduction of the period of Imprisonment in case of the 1st and 2d prisoners to eight years and in that of 3d and 4th prisoners to five years.-

5. Should the Sessions Judge be unable to concur in the foregoing opinion he will be pleased to submit an English Translation of the record for the consideration of the Foujdaree Udalut.-

Ordered that Extract from the proceedings be sent to the Sessions Judge of Masulipatam for his information and guidance by precept returnable within ten days from the date after its receipt.-

Sent following Proceedings

Ordered also, that Extracts of these proceedings be granted to the Petitioners on their application.-

Ex 180.

F. C.

Tuesday 14th August 1849.

At a Court of the Foujdaree Adalut.

Present.

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

Read again letter under date the 10th July 1849. from the Sessions Judge of Rajahmundry submitting a recommendation from the Magistrate of Rajahmundry that he may be authorized to expend the sum of Rupees 150 in addition to the sum of Rupees 100 already disbursed by him in rewards for the capture of Ganoomoola Sommadora Prisoner in Case No. 33 of 1848. on the file of the Sessions Court.—

(Here enter F. C. No. 1416 of 1849).

Read also return under date the 1st August 1849. from the Sessions Judge of Rajahmundry to the precept of the Foujdaree Adalut dated the 24th July 1849. calling for certain information with reference to the recommendation conveyed in the foregoing letter.—

(Here enter F. C. No. 1592 of 1849).

The Court of Foujdaree Adalut observe that the sum of Rupees 100 referred to in the foregoing

foregoing Papers has been properly disbursed
Magistrate; such disbursement being sanctio
the provisions of Section X. Regulation XIII
and under the circumstances represented by th
the Court of Foujdaree Udalut authorize him
a further sum of Rupees 150 in rewards for
of the individuals referred to.-

Ordered that Extract from the
be sent to the Sessions Judge of Rajahmu
his information and for communication to the
of that Zillah.-

(Sent in No. 768).

Read Statement dated the 2[nd]
submitted by the Sessions Judge of Guntoo
paid to Prosecutors and Witnesses attending
him during the 1st half of 1849.-

(Here enter F: C: No. 1500 of 18

Read Letter dated the 18th Inst
the Sessions Judge of Honore forwarding with
to his Letter of the 14th Idem the Nos. for 18
from the Magistrate of Canara for June 18

(Here enter F: C: No. 1501 of 18

Read Letter dated the 11th Inst
the Sessions Judge of Honore forwarding the
Reports for the month of June 1849.-

(Here enter F: C: No. 1504 of 18

14th August 1849.

Read Calendar in Case No. 22 of
1849. submitted by the Sessions Judge of Bellary
under date the 19th Ultimo.-

(Here enter F: C: No. 1505 of 1849).

Read Calendar in Case No. 29
of 1849. submitted by the Sessions Judge of
Rajahmundry under date the 19th Ultimo.-

(Here enter F: C: No. 1508 of 1849).

Read Statement dated the 18th Ultimo
submitted by the Sessions Judge of Honore shewing
the amount realised by the labor of the Prisoners
in the Jail at Honore in the 2nd quarter of 1849.-

(Here enter F: C: No. 1516 of 1849).

Read Statement dated the 1st Ultimo
submitted by the Sessions Judge of Combaconum
of Batta paid to Prosecutors and Witnesses during
the 1st half of the year 1849.-

(Here enter F: C: No. 1517 of 1849).

Read Calendar in Case No. XXX of
1849. submitted by the Sessions Judge of Madura
under date the 22nd Ultimo.-

(Here enter F: C: No. 1519 of 1849).

Read Calendar in Case No. XXXVI
of 1849. submitted by the Sessions Judge of Calicut
under date the 20th Ultimo.-

(Here enter F: C: No. 1520 of 1849)

Read

14th August 1849.

Read return dated the 24th Ultimo from the Sessions Judge of Nellore to the precept of the Foujdaree Adalut under date the 21st idem directing the unconditional release of the Prisoner in Calendar No. 20 of 1849.—

(Here enter F. A: No. 1522 of 1849).

Read Calendar in Case No. XXXII of 1849 submitted by the Sessions Judge of Madura under date the 23d Ultimo.—

(Here enter F. A: No. 1524 of 1849).

Read Calendar in Case No. XXXIII of 1849 submitted by the Sessions Judge of Cuddapah under date the 11th Ultimo.—

(Here enter F. A: No. 1526 of 1849).

End F. A.

Wednesday 15th August 1849.

F. A.

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 Letter dated the 9th Instant, from the Sessions Judge of Trichinopoly, submitting the record of the trial in Case No. 15 on the Calendar of the Sessions Court for 1849.—

(Here enter F. A: No. 1646 of 1849).

The Court of Foujdaree Adalut, on

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

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

"1st Rungew"

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, 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. 770)

Read

Read statement dated the 21st Ultimo, submitted by the Sessions Judge of Tellicherry, of Batta paid to Prosecutors and Witnesses attending before the Sessions Court during the 1st half year of 1849.-

(Here enter F: C: No. 1531 of 1849).

Read statement dated the 1st Ultimo, submitted by the Sessions Judge of Chittoor, of Batta paid to the Prosecutors and Witnesses attended before the Sessions Court from 1st January to 30th June 1849.

(Here enter F: C: No. 1535 of 1849).

Read Calendars in Cases Nos. 27 and 28 of 1849. submitted by the Sessions Judge of Chittoor under date the 24th Ultimo.-

(Here enter F: C: No. 1536 of 1849).

Read Calendar in Case No. 25 of 1849. submitted by the Sessions Judge of Masulipatam under date the 23rd Ultimo.-

(Here enter F: C: No. 1542 of 1849).

Read Calendar in Case No. 16 of 1849 submitted by the Sessions Judge of Trichinopoly under date the 26th Ultimo.-

(Here enter F: C: No. 1543 of 1849).

Read statement dated the 1st Instant, submitted by the Sessions Judge of Tinnevelly, of Batta paid to Prosecutors and witnesses attended before the Sessions Court from 1st January to 30th June 1849.

(Here enter F: C: No. 1544 of 1849).

15th Augst 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 1844 and 21st January 1845 were pending during last month before the Sessions Court.-

(Here enter F: C: No. 1580 of 1849).

Read letter dated the 27th Ultimo, from the Civil and Sessions 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 2nd Quarter of 1849.-

(Here enter F: C: No. 1581 of 1849).

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 2nd Quarter 1849.-

(Here enter F: C: No. 1582 of 1849).

Read report dated the 1st Instant, submitted by the Sessions Judge of Salem, of Cases pending on the 31st Ultimo before him for a period in excess of 25 days calculated from the date of Commitment.-

(Here enter F: C: No. 1584 of 1849).

Read

Read statement dated the 27th Ult.o submitted by the Sessions Judge of Tellicherry, of paid to Prosecutors and Witnesses attending the Sessions Court during the 1st half year of 1849.

(Here enter F: C: No 1531 of 1849)

Read statement dated the 1st Inst.t submitted by the Sessions Judge of Chittoor, of paid to the Prosecutors and Witnesses attended the Sessions Court from 1st January to 30th June

(Here enter F: C: No 1535 of 1849)

Read Calendars in Cases Nos 27 and 28 of 1849. submitted by the Sessions Judge Chittoor under date the 24th Ultimo.

(Here enter F: C: No 1536 of 1849)

Read Calendar in Case No 28 1849. submitted by the Sessions Judge of Tellicherry under date the 23rd Ultimo.

(Here enter F: C: No 1542 of 1849)

Read Calendar in Case No 2 submitted by the Sessions Judge of Trichinopoly under date the 26th Ultimo.

(Here enter F: C: No 1543 of 1849)

Read statement dated the 1st Inst.t submitted by the Sessions Judge of Tinnevelly Batta paid to Prosecutors and Witnesses attending before the Sessions Court from 1st January to 30th

(Here enter F: C: No 1538 of 1849)

15th Augt 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 1844 and 21st January 1845 were pending during last Month before the Sessions Court.—

(Here enter F: C: No 1580 of 1849).

Read letter dated the 27th Ultimo, from the Civil and Sessions 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 2nd Quarter of 1849.—

(Here enter F: C: No 1581 of 1849).

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 2nd Quarter 1849.—

(Here enter F: C: No 1582 of 1849).

Read report dated the 1st Instant, submitted by the Sessions Judge of Salem, of Cases pending on the 31st Ultimo before him for a period in excess of 25 days calculated from the date of Commitment.—

(Here enter F: C: No 1584 of 1849).

Read

15th August 1849.

Read letter dated the 9th Inst. from the Sessions Judge of Nellore, reporting that during the month of July last, no cases were ready for trial for a period exceeding 25 days.—

(Here enter F. C. No. 1586 of 1849)

Read Calendar in Case No. 149 submitted by the Sessions Judge of Nellore dated the 27th Ultimo.—

(Here enter F. C. No. 1587 of 1849)

Ans. Ltd.

F. C.

Thursday 16th August 1849 } At a Court of the Foujdaree Adalut

Present

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

E. P. Thompson Esqre ——— 2 Puisne Judge

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

Read Miscellaneous Petition presented on the 9th July 1849 by Venkatakristnen of Tillah Combaconum.—

(Here enter F. M. P. No. 148 of 1849)

The matter adverted to in this Petition having been disposed of in this Courts proceedings of the 16th April and 2d July 1849, to those orders the Petitioner is referred.—

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

Read again Calendar of Case No. 114 of 1849 of the Sessions Court of Cuddalore.—

(Here enter F. C. No. 1116 of 1849.)

Read also Return dated 24th July 1849 made by the Acting Sessions Judge of Cuddalore to the Precept of the Foujdaree Adalut dated 12th July calling for certain additional documents and information relative to the 4th Prisoner in the above Case.—

(Here enter F. C. No. 1518 of 1849)

The

1 The Court of Foujdaree Udalut have carefully considered the papers now submitted by the Acting Session Judge in respect to the 4th Prisoner, and are of opinion that the evidence is not sufficient to justify his conviction of the crime charged.—

2 The Court of Foujdaree Udalut accordingly direct that the said 4th Prisoner

"Poonjavenam"

be immediately and unconditionally released.

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

(Sent following Precept No. 772.

Read again Calendar of Case No. 57 of 1849 of the Session Court of Cuddalore.—

(Here enter F. U. No. 1113 of 1849)

Read also Return dated 3d August 1849 made by the Acting Session Judge of Cuddalore to the Precept of the Foujdaree Udalut dated 12th July 1849, directing that a translation of the Entire Record of the above Case be submitted for the consideration of the Foujdaree Udalut.

(Here enter F. U. No. 1603 of 1849)

After a careful and deliberate consideration of the Record of the above Case, the Court of Foujdaree Udalut are of opinion that the evidence against the Prisoners

1st Mootaly

2d Poongavanum

is not sufficient to convict them on the charge of "Receiving Stolen goods," and the Court accordingly direct their immediate and unconditional release.

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

(Sent following Precept No. 773

Read Calendar of Case No. 22 of 1849 on the file of the Session Judge of Honore.—

(Here enter F. U. No. 1593 of 1849)

The Court of Foujdaree Udalut see no sufficient grounds for the requisition of security under which the prisoners in this Case have been placed, and they accordingly direct that it be annulled.—

Ordered that Extract from these Proceedings be sent to the Session Judge of Honore

16th August 1849

Copies for his information and guidance by
precept returnable within III days from and after its re-
(Sent following Precept No 776
Read Calendar of Case No 26 of
1849 on the file of the Sessions Court of Bellary
(Here enter F.C. No 1595 of 1849)
The Court of Foujdaree Adalut appro-
of the recommendation made by the Sessions Judge
in this Case that the period of Imprisonment
awarded to the prisoners, who have been con-
victed of Robbery by open violence and sen-
tenced to Imprisonment with hard labor in
irons for fourteen years be reduced to seven
years.-

2 And the Court of Foujdaree Adalut
authorize the Sessions Judge to issue an amend-
ed warrant accordingly.-

Ordered that Extract from these
Proceedings be sent to the Sessions Judge of
Bellary for his information
(Sent in No 775

Read again Calendar of Case No 28
of 1849 on the file of the Sessions Court of
Rajahmundry.-
(Here enter F.C. No 1455 of 1849)

Read also return under date the
2d August 1849 from the Sessions Judge of

F.C.

16th August 1849

Rajahmundry to the precept of the Foujdaree
Adalut dated the 28th July 1849 conveying their
orders upon the foregoing Case.-
(Here enter F.C. No 1601 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 Prisoner,
Toomalapilly Putmanaboodoo
be reduced to two years and that awarded to
the 2d prisoner
Vunda Sunnasegadoo
and to the 3d prisoner
Kalcara Peroo
be reduced to one year; and they authorize the
Sessions Judge to issue amended warrants accord-
ingly.-

Ordered that Extract from these
Proceedings be sent to the Sessions Judge of
Rajahmundry for his information.-
(Sent in No 776

Read again Criminal Reports sub-
mitted by the Sessions Judge of Calicut for
the month of June 1849.-
(Here enter F.C. No 1451 of 1849)

Read also return under date the 4

30 45

30th July 1849 from the Sessions Judge of C
to the precept of the Foujdaree Adalut date
25th July 1849 conveying their orders on the fo
going Case:-

(Here enter F.U. No. 1589 of 1849)

The Court of Foujdaree Adalut obse
that the opinion recorded by the Sessions Judg
regarding the Sentence awarded in the Case re
ferred to should have been entered in a note
appended to the report; and that in course the
Sessions Judge will in future in similar Case
be pleased to adopt.-

Ordered that Extract from these Pro
ceedings be sent to the Sessions Judge of Cali
for his information and future guidance.-

(Sent in No. 777

Read again Calendar of Case No. 25
1849 on the file of the Sessions Court of Chittoo

(Here enter F.U. No. 1507 of 1849)

Read also return under date the
2d August 1849 from the Sessions Judge of
Chittoor to the precept of the Foujdaree Adalut
dated the 30th July 1849 conveying their orders on
the foregoing Case.-

(Here enter F.U. No. 1590 of 1849)

The Court of Foujdaree Adalut
authorize the mitigation of punishment recom
mended by the Sessions Judge in this Case by
the reduction of the periods of Imprisonment,
awarded in the Case of the 1st Prisoner to one
year, and in that of the 2d prisoner to six
months.-

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

(Sent in No. 778

Read again Calendar of Case No. 29
of 1849 on the file of the Sessions Court of
Mangalore.-

(Here enter F.U. No. 1462 of 1849)

Read also return under date the
1st August 1849 from the Sessions Judge of
Mangalore to the precept of the Foujdaree
Adalut dated the 27th July 1849 conveying their orders
on the foregoing Case.-

(Here enter F.U. No. 1607 of 1849)

1. The Court of Foujdaree Adalut consider
that the delay in the transmission of the Calendar
of this Case is not satisfactorily accounted for
by the employment of the Court writers in the
preparation of two referrible Cases, and of the
Civil Reports for the 1st quarter of 1849.-

The

2 The Court are of opinion that no delay should be permitted to occur in the transmission of the Calendars of Cases tried by the Sessions Courts.—

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

(Sent in No. 779

Read again Calendar of Cases No. 19 of 1849 on the file of the Sessions Court of Masulipatam.—

(Here enter F. C. No. 1399 of 1849)

Read also return under date the 27th July 1849 from the Sessions Judge of Masulipatam to the precept of the Foujdaree Adalut dated the 20th July 1849 conveying their orders on the foregoing case.—

(Here enter F. C. No. 1592 of 1849)

1 On perusal of the records of this case the Court of Foujdaree Adalut are satisfied of the justice of the conviction of the 1st and 2nd prisoners, but under all the circumstances of the case the Court of Foujdaree Adalut are disposed to consider the Sentence passed unnecessarily severe and they accordingly resolve to

to direct that the period of Imprisonment awarded be reduced to three years.—

2. The Court of Foujdaree Adalut observe that had the Sessions Judge stated in the Calendar the plea made use of by the prisoners in their defence the transmission of the record would have been rendered unnecessary.—

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

Sent in No. 780

Read letter dated the 4th Instant from the Sessions Judge of Mangalore submitting the record of the trial in Case No. 26 on the Calendar of the Sessions Court for 1849.—

(Here enter F. C. No. 1621 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 proofs against the Prisoners,

1st Chennappa

and

2nd Summa Kanya

is sufficient to convict them of the crime of wilful 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 period of their natural lives.-

(Sent following letter No. 781

Read the following letter under date the 31st Ultimo from the Agent for the Governor of Fort St. George at Vizagapatam.-

(Here enter No. 1633 of 1849)

1 In the foregoing letter the Agent submits a summary of the evidence taken before him against two prisoners charged with the crime of house-breaking, and convicting them he recommends that they be sentenced respectively to 3 years' imprisonment with hard labor in irons.-

2 The Court of Foujdaree Udalut concur in the conviction of the Prisoners,

Sotah Venkiah

and

Peesah Cunnegaudoo

and

and they resolve under the provisions of Section XXI Regulation VII of 1802 to confirm the Sentence proposed to be passed upon them.

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

(Sent in No. 782)

Ed. H.

F. U.

Monday
20th. August 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 a letter dated the 7th. June 1849 from the Sessions Judge of Rajahmundry, transmitting the Record of Trial in Case No. 45 on the Calendar for 1848.

(Cases Refer. No. 1218 of 1849)

The Court of Foujdaree Udalut

Mr. E. P. Thompson
and
Mr. W. A. Morehead

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

1st. Bundapully Tummondara.
2nd. Cheedoogoree Sunnaseredaly.
and
3rd. Geddada Mullaobhoopaty Deo.

is sufficient to convict them of the crime of Rebellion, do convict them thereof; and under the provisions of Section II and III Regulation

20th. August 1849.

Regulation I. of 1834, sentence the said Prisoner to be transported to such place or places beyond sea as the Governor in Council shall appoint there to be imprisoned, and kept to hard labor in irons on the public roads or other public works, for and during the period of their natural lives respectively.

The Court of Foujdaree Udalut observe that in Case No. 4 of 1849 of the Rajahmundry Sessions Court Calendar, these same Prisoners have been convicted of Gang Robbery by open violence attended with aggravating circumstances.

The Court of Foujdaree Udalut direct that their sentence in the trial No. 45 from the Sessions Judge of Rajahmundry together with the whole of the proceedings held in the case be transmitted to the Secretary to Government in the Judicial Department, for the purpose of being laid before the Right Honorable the Governor in Council, to the intent that the Court may in conformity with the provisions of Regulation I of 1834, Section V. Regulation XX. of 1802, and Section V. Act V of 1841, receive the order of Government before they direct their sentence to be carried into execution.-

(Sentence No. 783)

Reads Return dated the 4th. Instant from the Sessions Judge of Mangalore to the Precept of the Court of Foujdaree Udalut under date the 4th. August 1849 calling upon him to explain the delay in transmitting the Calendar of Case No 24 of 1849 of the Sessions Court.-

(Here enter Proc. No. 1026 of 1849)

The Court of Foujdaree Udalut are unable to admit the explanation offered by the Sessions Judge. The delay in sending up the Calendars of the Mangalore Sessions Court has frequently attracted notice, and it does not take place in other Courts. It is absolutely necessary that the Calendars should be sent up immediately after the disposal of the cases to which they refer: and the Foujdaree Udalut expect that the Sessions Judge will adopt the requisite measures to give effect to their instructions in this particular.-

Ordered, that Extract from these

20th August 1849 these Proceedings be forwarded to the Sessions Judge of Mangalore for his information and guidance.-

/ Sentence No. 784 /

24 7 849.

Tuesday
21st August 1849

No. 700.

At a Court of the Fojdaree Adalut

Present

G. S. Hosper Esqr. ——— 1st Person Judge
E. D. Thompson Esqr. ——— 2d Person Judge
W. A. Morhead Esqr. ——— 3d Person Judge

Mr. G. S. Hosper.

Read Letter dated the 13th August 1849 from the Sessions Judge of Mádura, referring for the final judgment of the Fojdaree Adalut the Record of Case No 31 of 1849 of the Calendar of the Sessions Court.-

/ Here enter File No 1599 of 1849 /

The Court of Fojdaree Adalut, on a deliberate consideration of all the circumstances of the case as evidenced before them, being of opinion that the proof against the Prisoners

1st Samayan
and
2d Meenatchee

is sufficient to convict them of the crime charged, do convict them thereof; and do under the provisions of Clause third Section VII Regulation XI of 1809, sentence the Prisoners,

1st Samayan

to be imprisoned and kept to hard labor in irons

on

on the public roads or other public works for and
during the period of (5) five years, and the pris
2d Muratchee
to be imprisoned and Kept at Labor suitable t
her sexe for and during the period of (2) two yea
(Sent following Letter No. 785)

Read report submitted by the Se
Judge of Hanore under date the 1st August 1849 of Cases
pending before the Sessions Judge for a period exceeding
25 days during the month of July 1849.
(Here Enter File No. 1611 of 1849)

Read report submitted by the Sessi
Judge of Tellicherry under date the 1st August 1849 of
Cases pending on 31st July 1849 and committed for
trial during the month of June 1849 before the
Sessions Judge of Tellicherry
(Here Enter File No. 1612 of 1849)

Read Calendar of Cases No. 31
1849 submitted by the Sessions Judge of Mangalore
under date the 2d August 1849
(Here Enter File No. 1615 of 1849)

Read report submitted by the
Sessions Judge of Mangalore under date the 2d Aug
1849 of Cases pending on the 31st June and Cases
for trials in the month of July 1849 in the Sessions
Court of Mangalore
(Here Enter File No. 1616 of 1849)

Read

Read Letter dated the 7th
August 1849 from the Sessions Judge of Nellore
Replying to the Tondavaree Adalats Letter of the
2d August 1849 calling for the Criminal
Statements for the 1st half year 1849.—
(Here Enter File No. 1618 of 1849.)

Read Letter dated the 8 August
1849 from the Sessions Judge of Bellary informing
the Court of Tondavaree Adalat in reply to their
Letter of the 2d Instant, that the Criminal
Statements for the 1st half of 1849 were received
from the Magistrate of Bellary only on the 2d
Instant and that in consequence the Sessions
Sessions of the Criminal Reports has been delayed
and that they will be forwarded about the 10th
Instant
(Here Enter File No. 1623 of 1849.)

Read Letter dated the 7th
August 1849 from the Acting Sessions Judge of Cuddapah
forwarding an Extract from the Proceedings
of his Court dated 2d August 1849 reversing
the Sentence passed by the Principal Sudder
Ameen against the 2d Prisoner in Criminal
Case No. 57 of 1849 and directing his unconditional
release.—
(Here Enter File No. 1624 of 1849)

Read

21st August 1849.

Read Calendar of Cases
No of 1849. Submitted by the Superintendent of
Tillicherry under date the 8th June 1849.-

Entd Case

Wednesday
22d August 1849.-

At a Court of the Foujdaree Adalat

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 18th July 1849
from the Superintendent of Salem referring for the final
judgment of the Foujdaree Adalat, the Records of
Case No 23 of 1849, of the Calendar of the Superintendent
Court.

(Here Enter Fde No 1888 of 1849)

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

The Court of Foujdaree Adalat
on a deliberate consideration of all the circumstances of the case as adduced
before them, being of opinion that the proof against
the Prisoner,

"Caregen."

is sufficient to convict him of the crime charged,
do convict him thereof; and do 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 786

Read

22nd August 1849.

Read Calendar of Case No 29 of 1849 submitted by the Sessions Judge of Cuddapah under date the 8th August 1849.

(Here Enter File No 1525 of 1849)

Read Letter dated the 10th August 1849 from the Sessions Judge of Salem replying to Joint Adalat's letter of the 2nd Instant asking for the Criminal Reports for the 1st Half of 1849 and Accounting for the delay in their Submission.

(Here Enter File No 1530 of 1849)

Read Letter dated the 7th August 1849 from the Sessions Judge of Masulipatam explaining the causes which have prevented the early transmission of the Criminal Statements for the 1st Half of 1849.

(Here Enter File No 1536 of 1849)

Read Calendar of Case No 28 of 1849 submitted by the Sessions Judge of Bellary under date the 6th August 1849.

(Here Enter File No 1540 of 1849)

Read Calendar of Case No 39 of 1849 submitted by the Sessions Judge of Calicut under date the 6th August 1849.

(Here Enter File No 1541 of 1849)

Read Calendar of Case No 35 of 1849 submitted by the Sessions Judge of Cuddapah under date the 9th August 1849.

(Here Enter File No 1542 of 1849)

22nd August 1849.

Read Calendar of Case No 26 of 1849 submitted by the Sessions Judge of Masulipatam under date the 2nd August 1849.

(Here Enter File No 1546 of 1849)

Read Letter dated 9th August 1849 from the Sessions Judge of Chittoor submitting explanation regarding the delay in forwarding the Criminal Reports due for the 1st Half of 1849.

(Here Enter File No 1549 of 1849)

Read Letter dated the 8th August 1849 from the Acting Sessions Judge of Tinnevelly informing that the Half yearly Criminal Reports for the 1st Half of 1849 called for by the Court of Foujdaree Adalat are prevented from being transmitted by the non receipt of the Magisterial Reports.

(Here Enter File No 1550 of 1849)

Read Criminal Reports under date the 11th August 1849 submitted by the Sessions Judge of Guntoor for the month of July 1849.

(Here Enter File No 1551 of 1849)

Read Calendar of Case No 39 of 1849 submitted by the Sessions Judge of Cuddapah under date the 11th August 1849.

(Here Enter File No 1552 of 1849)

Read Letter dated the 13th August

1849

22d August 1849.

1849 from the Sessions Judge of Chingleput reporting the 2d half yearly inspection of the detatched gang of Convicts in this Zillah for the year 1849.

Here Enter the No 1653 of 1849.

Reads Letter dated the 7th August 1849 from the Sessions Judge of Chicacole, reporting that he visited the Jails at Vizagapatam, and found the rules in force for the safe custody of Prisoners and the preservation of Jail discipline duly attended to.

/Here Enter File No 1654 of 1849./

Reads Letter dated the 8th August 1849 from the Sessions Judge of Mangalore forwarding copy of a letter from the Subordinate Judge of Manjeshwar, reporting the escape of a Convict from the Jail on the 3d Instant.

/Here Enter File No 1655 of 1849/

Ex 1849

Thursday
23d August 1849.

F. No.

At a Court of the Foujdaree Udalut

Present.

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

Reads Miscellaneous Petition presented on the 23d July 1849 by Ramasamiah Pillay of Zillah Tinnevelly.

/Here enter F. M. P. No 160 of 1849./

1. This is an application for the reversal of a sentence of six months Imprisonment awarded to the Petitioner's brother prisoner in case No 52 of 1849 on the file of the Subordinate Criminal Court of Coimbatore upon his conviction of having preferred a false complaint before the Head of Police of Sankarrayenaarcovil.

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

3. The Court of Foujdaree Udalut observe that any objections which the Petitioner may have to urge against the sentence awarded to his brother should be addressed to the Sessions

Sessions Judge.

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

Read Criminal Reports submitted by the Subordinate Judge of Chittoor for the month of July 1849.

(Here enter F. No. 1648 of 1849.)

Report B. Case No. 103.

1.

The prisoner in this case has been sentenced to four months imprisonment with hard labor in irons for having effected his "escape from the custody of a person "while he was detained under his charge on "suspicion as a vagrant."

2.

The prisoner in this case was having been apprehended upon a charge having committed any specific criminal offence the Court of Zemindary Udalut ordered that no punishment can legally be awarded to him and they accordingly direct that he be released.

Ordered, that Extract from these Proceedings, be forwarded to the Subordinate Judge of Chittoor for his information and guidance; by precept returnable within 14 days, from and after its receipt.-

(Sent following precept. No. 792.)

Read again Calendar of Case No. 17 of 1849 on the file of the Sessions Court of Masulipatam.-

(Here enter F. No. 1300 of 1849.)

Read also Miscellaneous Petition forwarded by the Sessions Judge of Masulipatam from Veerummah and two others of that Zillah.-

(Here enter F. M. P. No. 134 of 1849.)

Read also returns under date the 6th. August 1849 from the Sessions Judge of Masulipatam to the precept of the Zemindary Udalut dated the 23d. July 1849 conveying their orders on the foregoing Petition.-

(Here enter F. No. 1657 of 1849.)

The Court of Zemindary Udalut having perused the entire record of the foregoing case are satisfied of the justice of the sentence passed by the Sessions Judge; and they accordingly resolve to dismiss the foregoing Petition.-

Ordered

23rd August 1849

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

/Sent in Nº 793/

Read Calendar of Cases 25 of 1849 on the file of the Sessions Court of Honore.

/Here enter F. Dc. Nº 1643 of 1849/

1. The Court of Foujdaree Udalut consider that the period of Imprisonment awarded to the prisoners in this case may with propriety be reduced to five years the Court will be prepared to authorize a mitigation of the prescribed punishment to this extent should the Sessions Judge think fit to recommend it.

2. In the event of the Sessions Judge dissenting from the foregoing opinion the Court of Foujdaree Udalut direct that an English Translation of the entire record may be submitted for their consideration.

Ordered, that Extract from these Proceedings, be forwarded to the Sessions

F. Dc.
23rd August 1849

Judge of Honore, by Precept returnable within 5 days, from and after its receipt.

/Sent following precept Nº 794/

Read Calendar of Case Nº 37 of 1849 on the file of the Sessions Court of Tinnevelly.

/Here enter F. Dc. Nº 1658 of 1849/

1. The prisoner in this case has been convicted of "Highway Robbery," and sentenced to 14 Years imprisonment with hard labor in irons.

2. Under all the circumstances of the case the Court of Foujdaree Udalut are of opinion that the period of Imprisonment awarded may with propriety be reduced to seven years, and they will be prepared to sanction a mitigation of the prescribed punishment to that extent should the Acting Sessions Judge think fit to recommend it.

3. In the event of the Acting Sessions Judge dissenting from the opinion above recorded, the Court of Foujdaree Udalut direct that an English Translation of the entire

entire record of the case may be submitted for their consideration.

Ordered, that Extract from these Proceedings, be forwarded to the Acting Sessions Judge of Tinnevelly by precept returnable within X days from and after its receipt.

(Sent following precept. No. 795)

Read Calendar of Cases. No. 2 of 1849 on the file of the Sessions Court of Bellary.

(Here enter F. No. No. 1639 of 1849.)

The Court of Foujdaree Udalut direct that the attention of the Head of Police by whom this case was committed be directed to the omissions adverted to by the Sessions Judge with reference to the deposition given before him by the individual who death the prisoners in this case were charged with having owned.

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

(Sent in No. 796)

Read a grant. Miscellaneous Petition

Petition forwarded by the Sessions Judge of Tinnevelly from Vembier and others of that Village.

(Here enter F. M. D. No. 119 of 1849)

Read also return under date the 26th July 1849 from the Sessions Judge of Tinnevelly to the precept of the Foujdaree Udalut dated the 2nd July 1849 conveying their orders on the foregoing Petition.

(Here enter F. No. No. 1571 of 1849)

The Court of Foujdaree Udalut have carefully considered the whole of the proceedings which have been held in this matter and of opinion that the order of the Sessions Judge confirming the sentence passed by the Magistrate of Tinnevelly, of which the Petitioners complain, is correct and proper, the same being fully borne out by the evidence adduced and the facts of the case and the Court accordingly refuse to disturb it.

The Petition is dismissed.

Ordered, that Extract from these Proceedings, be forwarded to the Acting Sessions Judge of Tinnevelly for communication

to

25th August 1849.

to the Petitioners.

/ Sentence - to 7 yrs H

End H.

Lyk

F. U.

Friday
24th August 1849.

At a Court of the Foujdaree Udalut

Present

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

Read Letter dated the 13th instant, from the Session Judge of Madura, submitting for the final judgment of the Foujdaree Udalut the Record of Case No. 34 of the Calendar of the Session Court for 1849

(Here enter No. 1698 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 Prisoners,

1st Nullaur
2nd Copuri
and
3d Valiyanny

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

The

21th August 1849.

1.

The Court of Enquiry do consider the evidence to be much too contradictory inconclusive and unsatisfactory to justify a conviction in this Case.

2

The Court cannot but give credit that the property said to have been found in the 2nd prisoner's house, was put there by parties desirous to fix guilt upon him.

A reference to the 6th Witness's deposition before the Police, shows that before the house was searched, he had been kept for one night in the Village Choultry: and instead of the accused and the Village Peon being taken inside the house while it was searched, they remained outside and the Peon went within and brought out the property

3

The Sessions Judge would be pleased to call the attention of the Magistrate to this circumstance and to the Circular Orders Nos 15 and 116, which prescribe the course of proceeding to be observed in such cases. but which does not seem to have been attended to in this instance.

4.

The Sessions Judge would be pleased to intimate to the Magistrate the contemplated release of the 3rd prisoner, and the Magistrate will then exercise his discretion

24th August 1849.

discretion as to availing himself of those Provisions of the Law which authorize him to deal with persons whose character and conduct are supposed to be incompatible with the preservation of the peace of the District

5.

The Court regret to be obliged to observe that this Trial has been conducted before the Sessions Court in a very unsatisfactory manner. There are many important points on which no questions were asked.

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

Sent in No. 801

Ent. W.

F: 86:

Monday 27th August 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 Case No 5 of 1849. on the file of the Sessions Court of Cuddalore (Here enter F: 86: No 710 of 1849).

Read also Miscellaneous Petitions presented on the 2nd July 1849. by Chinna Padiachee Chinnadoo Padiachee, Coolla Padiachee, and Allaghee of Zillah Cuddalore. (Here enter F: Mr: P: No 140, 1, 2 and 3 of 1849).

Read also return under date the 6th August 1849. from the Acting Sessions Judge of Cuddalore to the precept of the Foujdaree Udalut dated the 23rd July 1849. conveying their orders on the foregoing Case. (Here enter F: 86: No 1614 of 1849).

On perusal of the proceedings submitted

1. by the Acting Sessions Judge, the Court of Foujdaree Udalut see no reason to doubt the justice of the conviction of any of the prisoners in this Case.

The Court of Foujdaree Udalut

2. however

Read Miscellaneous Petition filed on the 30th July 1849. by Moovan of Zillah Madura.

(Here enter F. G: Gr: P. No. 168 of 1849).

1.

The Petitioner complains of the dismissal by the Assistant Magistrate of Madura of a charge of Murder preferred by him against one Oothirapa Naikan and others. Petitioner states that he has appealed to the authorities in Madura, but without success, and he prays, therefore, the interference of the Court of Foujdaree Adalut.-

2.

The Court of Foujdaree Adalut observe that the Petitioner's Case has received the attention of all the local authorities, and the Court decline to interfere on his behalf.-

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

Read letter under date the 2nd August 1849. from the Sessions Judge of Coimbatore.-

(Here enter F. G: No. 1591 of 1849).

1.

Adverting to the proceedings of the Foujdaree Adalut under date the 17th July last.- conveying their orders on Case No. 17 of 1849 of the Magistrates' Criminal Report, the Sessions Judge submits Copy of a letter from the Acting Magistrate in which that officer observes that the term "Forcibly stolen

stolen and taken away" used by the Assistant Magistrate as the heading to the statement of the charge preferred in the case in question appears to him to be correct but that it will be altered if the Court of Foujdaree Adalut direct.-

The Court of Foujdaree Adalut see

2.

no necessity for the alteration of the heading affixed to the case in question if it be a correct designation of the crime charged.-

The Court observe that the case has

3.

been disposed of by their orders of the 7th Instant, directing its commitment to the Criminal Court.-

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

(Sent in No. 805).

Read Calendar of Case No. 10 of 1849. on the file of the Sessions Court of Chingleput.-

(Here enter F. G: No. 1678 of 1849).

The Court of Foujdaree Adalut

1

approve of the recommendation made by the Sessions Judge in this case that the sentences awarded to the 1st and 2nd prisoners who have been convicted of "Housebreaking and theft", and sentenced respectively to seven years Imprisonment with hard labor in

be

be reduced in the case of the 1st prisoner to four and in that of the 2nd prisoner to two years.—

2. And the Court of Foujdaree Udalut authorize the Sessions Judge to issue his warrant accordingly.—

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

(Sent. in No. 806)

Read Criminal Reports submitted by the Sessions Judge of Combaconum for the month of July 1849.—

Report B.
Case No. 128.

(Here enter J: D: No. 1671 of 1849).

In order to judge of the propriety of the designation of the offence charged against the prisoner in this case, the Court of Foujdaree Udalut desire to be informed whether the ornament taken by the prisoner from the neck of the Prosecutors child, was stolen secretly or violently and openly snatched from it.—

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. 807)

Read

Read Criminal Reports submitted by the Sessions Judge of Chingleput for the month of July 1849.—

(Here enter J: D: No. 1673 of 1849).

The 1st and 2nd Prisoners in this

1. case were charged with having stolen from the prosecutors house the sum of Rupees 160 in cash and have been required by the Extra Assistant Magistrate, to find two securities each in the sum of Rupees 25 each for the period of six months or in default to be imprisoned for a similar period.—

2. Adverting to the amount stolen in this case the Court of Foujdaree Udalut observe that it was not competent to the Extra Assistant Magistrate to dispose of it under the provisions of Section VII Regulation X of 1816, and that the requisition of Security by that officer was therefore unauthorized by Law.—

3. The Court of Foujdaree Udalut direct that the prisoners be committed for trial to the Criminal Court.—

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Chingleput for his information and for communication to the Magistrate by precept returnable within V days from and

and

and after its receipt.—

(Sent following Precpt No 868)

Read letter dated the 10th Ultimo from the Sessions Judge of Cuddalore forwarding the Reports B and other Statements received from the Sub Judge of Cuddalore and Principal Sudr Ameen of Cuddalore for July last; and stating that the Magistrate has had no Case to include in those reports during the said month.—

(Here enter F. C. No 1661 of 1849).

Read report dated the 8th Ultimo submitted by the Sessions Judge of Tellicherry of the No 88 of 1849 disposed of by the Principal Sudr Ameen of Tellicherry in the month of July 1849.—

(Here enter F. C. No 1662 of 1849).

Read letter dated the 11th Ultimo from the Acting Sessions Judge of Tinnevelly reporting the execution of the Sentence of death passed upon the Prisoner in Case No 24 on the Calendar of the Sessions Court of Tinnevelly for 1849.

(Here enter F. C. No 1663 of 1849).

Read letter dated the 9th Ultimo from the Agent to the Governor of Fort St. George at Ganjam submitting Criminal Report No 1. of the Agent's Court for last month, together with 13 Pos from his Assistant Mr. Frye.—

(Here enter F. C. No 1669 of 1849)

F. C.

Tuesday 28th August 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 Calendar of Case No 17 of 1849. on the file of the Sessions Court of Combaconum.

(Here enter F. C. No 1708 of 1849).

The Court of Foujdaree Adalut direct that an English Translation of the entire record of this Case 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 Precpt returnable within X days from and after its receipt.—

(Sent following Precpt No 872).

Read Calendar of Case No 17 of 1849. of the Sessions Court of Trichinopoly.—

(Here enter F. C. No 1721 of 1849).

1. Before passing their final Orders on this Case, the Court of Foujdaree Adalut resolve to direct that a translation of the entire Record be submitted for their consideration.—

Ordered

and after its receipt.—

(Sent following Precpt No 868)

Read letter dated the 10th Ultimo from the Sessions Judge of Calicut forwarding the Reports B and other Statements received from the Sub Judge of Calicut and Principal Sub Assistant of Cochin for July last, and stating that the Magistrate has had no case to include in those reports during the said month.—

(Here enter F. C. No 1661 of 1849).

Read report dated the 8th Ultimo submitted by the Sessions Judge of Tellicherry of case No 88 of 1849 disposed of by the Principal Sub Assistant of Tellicherry in the month of July 1849.—

(Here enter F. C. No 1662 of 1849).

Read letter dated the 11th Ultimo from the Acting Sessions Judge of Tinnevelly reporting the execution of the Sentence of death passed upon the Prisoner in Case No 24 on the Calendar of the Sessions Court of Tinnevelly for 1849.

(Here enter F. C. No 1663 of 1849).

Read letter dated the 9th Ultimo from the Agent to the Governor of Fort St. George at Ganjam submitting Criminal Report No 1 of the Agents Court for last month together with 13 Vols from his Assistant Mr. Frye.—

(Here enter F. C. No 1669 of 1849).

F. C.

At a Court of the Foujdaree Adalut.

Present

Tuesday 28th August 1849.

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

Read Calendar of Case No 47 of 1849. on the file of the Sessions Court of Combaconum.—

(Here enter F. C. No 1708 of 1849).

The Court of Foujdaree Adalut direct that an English Translation of the entire record of this case 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 Precpt returnable within X days from and after its receipt.—

(Sent following Precpt No 872).

Read Calendar of Case No 17 of 1849. of the Sessions Court of Trichinopoly.—

(Here enter F. C. No 1721 of 1849).

Before passing their final Orders on this Case, the Court of Foujdaree Adalut resolve to direct that a translation of the entire Record be submitted for their consideration.—

Ordered

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

(Sent following Precept No. 813).

Read return dated the 13th Instant, from the Sessions Judge of Combaconum, to the Precept of the Foujdaree Adalut under date the 25th July 1849. requiring an explanation of the circumstances which led the Acting Special Assistant Magistrate to consider the apparently severe sentence recorded against the Prisoners in Case No. 1 of the Magistrate's report B. to be called for.—

(Here enter F. C. No. 1670 of 1849).

Read report No. 6 dated the 11th Instant submitted by the Sessions Judge of Mangalore, and other Statements of the Subordinate Court for the month of July 1849.—

(Here enter F. C. No. 1672 of 1849).

Read Criminal Reports dated 15th Instant, submitted by the Acting Sessions Judge of Cuddalore for the Months of July 1849.—

(Here enter F. C. No. 1676 of 1849).

Read Criminal Reports dated the 11th Instant, submitted by the Sessions Judge of Malabar for the Month of July 1849.—

(Here enter F. C. No. 1677 of 1849).

Read

28th August 1849.

Read Calendar in Case No. 24 of 1849. submitted by the Acting Sessions Judge of Cuddalore under date the 16th Instant.—

(Here enter F. C. No. 1682 of 1849).

Read Calendar in Case No. 49 of 1849. submitted by the Sessions Judge of Combaconum under date the 15th Instant.—

(Here enter F. C. No. 1683 of 1849).

Read Calendar in Case No. 22 of 1849. submitted by the Sessions Judge of Nellore under date the 15th Ultimo.—

(Here enter F. C. No. 1684 of 1849).

Read letter dated the 15th Instant, from the Sessions Judge of Coimbatore, forwarding a Duplicate Copy of a list of 3 Convicts sent to the Head Assistant Magistrate of Malabar at Paulghaut.—

(Here enter F. C. No. 1690 of 1849).

Lt. Hall

F. C.

Wednesday, 29th August 1849. At a Court of the Fojdaree Adalut

Present.

Sgtt. J. S. Hooper Esquire —— 1st Puisne Judge

C. P. C. C. P. Thompson Esquire —— 2d Puisne Judge

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

Read Calendar of case No 26 of 1849

of the Sessions Court of Honore.

(Here Enter Fh No 1674 of 1849)

The Court of Fojdaree Adalut

1. are of opinion that the ends of justice may

see met in this case by a reduction of the

sentence recorded against the Prisoners

1 Deena

2 Boosoena

to four (4) years imprisonment with hard

labor in irons, and, on the recommendation

of the Session Judge, the Court will be

prepared to mitigate their sentences accordingly

2. Should, however, the Session Judge

dissent from this view of the case, he will

be pleased to submit translations of such

portions of the Record as may have reference

to

to the foregoing Petitioner for the consideration of the Court of Foujdaree Udalut.—

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

(Sent following Precept No. 815

Read Calendar of cases No 30 of 1849 on the file of the Sessions Court of Chittoor.—

(Here Enter F R No 1686 of 1849)

The Court of Foujdaree Udalut do 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 convicted of "House breaking and theft" and has been sentenced to seven years imprisonment with hard labor in irons, be reduced to five years; and the Court authorize the Sessions Judge to issue his warrant accordingly.

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

(Sent in No. 816

Read Criminal Reports of the Sessions

29th August 1849.

Sessions Court of Coimbatore for July 1849.—

(Here Enter F R No 1695 of 1849)

The Court of Foujdaree Udalut

I deem it proper to call the attention of the Sessions Judge to the large number of cases entered in these Reports, in which the Prisoners have been held to security by the Principal Sudder Ameen; and the Court request that the Sessions Judge will have the goodness to review the Proceedings held by the Principal Sudder Ameen in one or two of the cases, and ascertain whether the grounds, on which the requisition for security has been made, are sufficient.—

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

(Sent in No. 817

2 Vol.

30 August 1849

Saint Thomas' Mount.

/Sent to Sessions Court Cuddapah/

/Here Enter Sth. D. No. 172 of 1849/

1

The Petitioner reiterates the prayer contained in her former Petition presented on the 9th June last praying that Rations at the rate of 1½ annas per diem may be granted to her son a prisoner in the Jail at Chingleput.

2.

The Court of Sudder Adawlut decline to interfere in the matter of this Petition, which is left entirely to the discretion of the Sessions Judge.

3

This Petition is dismissed.

Ordered that Extract from these Proceedings be given to the Petitioner on her applying for the same.

Read Calendar of Case No. 29 of 1849 on the file of the Sessions Court of Chittoor.

/Here Enter Sudr No. 1585 of 1849/

1

The Court of Sudder Adawlut observe that the Period of Imprisonment awarded to the prisoner in this case be reduced to four years.

2.

The Court of Sudder Adawlut observe that the Subordinate Judge should have required a detailed declaration from the prisoners in this case; their non-acknowledgement of the errors resp. of their Police confessions being insufficient.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chittoor for his information and for communication of para 2 to the Subordinate Judge.

30 August 1849.

/Sent on No. 819/

Read Calendar of Case No. 84 of 1849 on the file of the Sessions Judge of Mangalore.—

/Here Enter Sudr No. 1592 of 1849/

The Court of Sudder Adalat approve of the recommendation made by the Sessions Judge in this Case that the period of Imprisonment awarded to the 2d prisoner

Gowdal Jaanah

who has been convicted of Housebreaking and theft, and has 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 forwarded to the Sessions Judge of Mangalore for his information and guidance.—

/Sent on No. 820/

Read Calendar of Case No. 21 of 1849.

of the Sessions Court of Cuddapah.

/Here Enter Sudr No. 1594 of 1849/

The Court of Sudder Adalat require to be informed whether the two Prosecutors in this Case, who were wounded by the Prisoners, are

F. Ty.

Thursday
30th August 1849.

At a Court of the Foujdaree Adalut

Present

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

Read Miscellaneous Petition presented on the 2d July 1849 by M. Venkataramiah Morkhyar Vakeel on behalf of Sultanah of Zillah Rajahmundry (Here enter Fn. Pet. No 139 of 1849)

The Petitioner seeks to obtain the re-
versal of the Sentence of imprisonment for life, and for-
feiture of estates recorded against her husband the
Sheristadar of Joddangley on his conviction of Gang-
Robbery, and of resistance to the Magistrate's
Process.

The case to which the Petitioner
refers having been disposed of under the orders of
Government the Court of Foujdaree Adalut resolve to dismiss this Petition.

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

Read Miscellaneous Petition pre-
sented on the 6th August 1849 by Mean Cranes of

Sant

Saint Thomas' Mount.

/Here Enter Sth. D. No 172 of 1849/

1

The Petitioner reiterates the prayer contained in her former Petition presented on the 9th June last praying that Batta at the rate of 8 annas per diem may be granted to her as a prisoner in the Jail at Chingleput

2.

The Court of Sunderee Adalat decline to interfere in the matter of this Petition, which is left entirely to the discretion of the Sessions Judge

3

This Petition is dismissed.-

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

Read Calendar of Case No 29 of 1849

on the file of the Sessions Court of Chittoor.-

/Here Enter Ste No 1585 of 1849/

1

The Court of Sunderee Adalat observe that the Subordinate Judge has not required a detailed declaration from the prisoners in this case; there is no acknowledgment of the correspondence of their Police confessions being sufficient

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

Chittoor for his information and for communication of para 2 to the Subordinate Judge

/Sent in No 819/

Read Calendar of Case No 82 of 1849 on the file of the Sessions Judge of Mangalore.-

/Here Enter Ste No 1592 of 1849/

The Court of Sunderee Adalat approve of the recommendation made by the Sessions Judge in this case that the period of imprisonment awarded to the 2d prisoner

Gowdal Jadavah

who has been convicted of Housebreaking and theft, and has 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 forwarded to the Sessions Judge of Mangalore for his information and guidance.-

/Sent in No 820/-

Read Calendar of Case No 21 of 1849.

of the Sessions Court of Cuddapah.

/Here Enter Ste No 1594 of 1849/

The Court of Sunderee Adalat require to be informed whether the two Prosecutors in this case, who were wounded by the Prisoners,

are

30th August 1849

are considered to be out of all danger, and the Court request that the Sessions Judge will, in future similar cases, supply such information in the first

Ordered that Extract from the Proceedings be forwarded to the Sessions Judge of Vizagapatam by Precept returnable within 15 days from and after its receipt.

(Sent following Precept No 821)

Read Report A of case No 330 of 1849 disposed of by the Sessions Judge of Masulipatam

(Here Enter Jud No 1726 of 1849)

1. The Court of Sudder Adawlut see no reason to mitigate the sentence of 6 months imprisonment recorded against the Prisoner in this case on his conviction of "attempting to commit suicide" to that of imprisonment for one month.-

2. And the Sessions Judge is hereby directed to issue a fresh warrant accordingly

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Masulipatam by Precept returnable within 15 days from and after its receipt

(Sent following Precept No 822)

Read Criminal Reports of the Sessions Court of Vizagapatam for July 1849

(Here Enter Jud. No 1580 of 1849)

The

F. Vo.

30th August 1849.-

Report B.

Case No 64.

1. The Court of Sudder Adawlut deem it proper to suggest to the Sessions Judge the propriety of directing the Principal Sudder Ameen to dispose of this case without waiting longer for the witness who is stated to be sick.-

Case No 64.-

2. The reasons assigned by the Principal Sudder Ameen in this case having been allowed by the Sessions Judge to remain undisturbed, the transmission of the Proceedings of the Sessions Court in Report A was unnecessary- and the Court request that in future similar cases the Sessions Judge will merely append a brief Note explanatory of the circumstances which elicited his remarks in the foot of the case in Report B.-

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

(Sent in No 823)

Read Statement submitted by the Sessions Judge of Nellore under date the 10th August 1849 of batta paid to prosecutors and witnesses attending before the Sessions Court of the Zillah of Nellore for the half year ending the 30th June 1849.

(Here Enter Jud No 1706 of 1849)

Read Calendar of case No 50 of 1849 submitted by the Sessions Judge of Combaconum under date

the

30th August 1849.

The 17th August 1849

(Here Exhibit No 1709 of 1849)

Read Calendar of Case No 250 of
Submitted by the Sessions Judge of Cuddapah under
the 17th August 1849

(Here Exhibit No 1710 of 1849)

Read Return dated the 16th August
1849 from the acting Sessions Judge of Cuddalore to the
precept of the Foujdaree Adalat under date the
15th August 1849 directing the amendements taken
of the 1st and 2d Prisoners in Session Case No 17
of 1849 on the Cuddalore Calendar.-

(Here Exhibit No 1711 of 1849)

Read return dated the 16th August
from the acting Sessions Judge of Cuddalore to the
precept of the Foujdaree Adalat under date the
15th August 1849 directing the amendements taken
of the 4th Prisoner in Session Case No 14 of 1849
on the Cuddalore Calendar.-

(Here Exhibit No 1714 of 1849.)

Read Calendar of Case No 290 of
1849 submitted by the Sessions Judge of Bellary
under date the 15th August 1849.-

(Here Exhibit No 1720 of 1849.)

Exhibit

F. W.

At a Court of the Foujdaree Udalut.

Friday - - - }
31th August 1849 }

Present

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

Read the following letter under date the 17th Instant from the Agent for the Governor of Fort St George at Vizagapatam:—

(Here enter No 1735 of 1849.)

1 In this letter the Agent submits a Summary of the evidence taken against one Cooppoo Appegandoo who was charged with House-breaking and theft, and convicting him, he recommends that a Sentence of 3 years imprisonment be passed upon the Prisoner:—

2 The Court of Foujdaree Udalut concur in this Conviction and they resolve under the provisions of Section XXI Regulation VII of 1802 and Section IV Regulation I of 1825 and Section XXXIV Act VII of 1843, to confirm the Sentence of 3 years imprisonment with hard labor in irons upon the Prisoner in

in question.-

Ordered that Extract from the Proceedings be forwarded to the Agent for Governor at Vizagapatam for his informa

(Sent in № 825

1 The Register lays before the Cou the following Statements drawn up in his Off from the Returns received thro' the Sessions Courts, exhibiting the operations of the Village and District Police, and the Magistracy; the Subordinate Criminal Courts and of the Courts of Session respectively; he also subm-mits an Abstract of the operations of the Fouzdaree Udalut from the 1st. of July to the 31st. December 1848, according to the forms app-proved by Government.-

(Here enter №s 1 to 9)

Statements №s 1 and 2. Village Police-

2 Statement №1 with the details in №2 exhibits the Number of Persons sum-moned before the Village and District Pol-and the Magistracy, for Petty Offences puni-ishable by themselves together with the number of acquittals and convictions, and the nature of the punishments inflicted

3 The total number of persons brought

brought before the Village Police, together with the number acquitted or convicted of Petty Offences, as compared with the preceding half year, or from the 1st. of January to the 30th. June 1848 is, as follows:-

	Persons summoned	Persons acquitted: After investigation	Persons acquitted: Without investigation upon Razeenamahs &c.	Persons Punished.
From the 1st. of January to the 30th. June 1848	5518	1190	1285	3043
—"— 1st. of July to the 31st. December 1848	6039	1182	1625	3232

Of the 3232 persons punished

4 by the Village Police 2661, were confined in the Village Choultry, and 571 in the Stocks.-

5 Out of 6039 persons brought before them, 5187 were charged with Petty Assaults or Affrays, and 846 with Petty Thefts; of the former 2484 were punished, of the latter 743.-

6 In the Districts of Ganjam and Vizagapatam, the Village Police, do not appear to have exercised during the half year under review, their Judicial powers in Petty Criminal Cases.-

District Police- 7 The total number of Persons brought before

before the District Police from the 1t. A
to the 31t. December 1848, for Petty offence
punishable by themselves, was 73177; besid
whom there were also 1196 persons whose Ca
were not disposed of at the date of the last
report, forming a total of 73373.-

8 The number of persons summoned
in the preceding half year and those under e
=amination before the District Police at its
commencement was 61425.-

9 Of the 73373 persons brought before
the District Police during the half year und
review, 24981 were acquitted, against 265 of
whom the charge was considered to be wilfull
false and malicious; and 25371 were discharg
on an amicable settlement of their complain
or without investigation, for default or other
cause.-

10 The total number of persons
convicted and punished by the District Police
was 18854, without reference to the Magistracy
and 2865 after reference to that authority,
making a total of 21719 and 1277 are entered
as under examination at the close of the
report.-

Of

11 Of the persons punished by the
District Police, 16338 were fined 5090 confined
in the Choultry with or without labor, 108 in
the Stocks, and 183 were flogged by order of
the Magistrate on reference made to that
authority, under the provisions of Clause
Second Section IV Regulation IX of 1821.-

12 The Sum remitted to the Magis=
=tracy on account of the 16338 persons fined
by the District Police was Rupees (14595-1-4)
fourteen thousand five hundred and ninety
five, Anna one and Pice four.-

Magistracy 13 Before the Magistracy there
were brought for Petty Offences, in the
period under review, 5152 persons, and there
were also before them 43 whose Cases had
not been disposed of at the close of the
last report; making a total of 5195; of
these 2352 were acquitted; against 20 of whom
the charge was considered wilfully false and
Malicious; 1028 were discharged on a compromise
of their differences; 1812 were convicted and
punished; 1378 by fine, 360 by imprisonment,
74 by flogging; and 3 were under examination
at the close of the report.-

During

14 During the half year under review 211 persons being Police Officers were charged with abuses of authority; there were also 3 persons before the Magistracy whose cases had not been disposed of at the close of the last report, making a total of 214, of whom 111 were Acquitted, against 3 of whom the charge was considered wilfully false and malicious. 95 punished, 94 by fine, and 1 by imprisonment.—

Crimes and Misdemeanors

Statements Nos 3 and 4.—

15 The Statements Nos 3 and 4 exhibit the operations of the District Police and Magistracy with respect to all Crimes and Misdemeanors not punishable by themselves but by the Superior tribunals.—

16 By the first of these Statements it appears that the number of Crimes committed during the six months under review was 5930, in which 17480 persons are supposed to have been concerned, being 494 Cases more than in the preceding Six months.—

17 Of the 17480 persons supposed to have been concerned in the Cases ascertained to have occurred during the period under review

review 8815 individuals it is calculated have escaped apprehension, the number is thus 146 more than are supposed to have eluded apprehension during the previous half year.—

18 It will also be seen that the total number of Cases brought before the Magistracy during the half year under observation, is 414 including 1110 persons, of which 101 Cases and 220 persons were disposed of by the Magistrates under Section LIV. Act VII of 1843.—

In the Districts of

19 Masulipatam

and

Trichinopoly

no Cases were disposed of by the Magistracy under the authority vested in Magistrates by the Act abovementioned.—

Statement No 5 with the details in No 6, exhibits the operations of the Subordinate Courts from the 1st July to 31st December 1848

Statements Nos 5 and 6 Subordinate Criminal Courts

20 The total number of Cases brought

21 before those tribunals during the above period, inclusive of those not disposed of at the close of the preceding report is 1879 including 3468 prisoners.—

In

22 In the preceding half year the total number of Cases brought before the same tribunals was 1826 including 3587 prisoners, being an increase in the half year under review of 37 Cases and a decrease of 119 prisoners.

23. Of the Cases brought and depending before the Subordinate Courts 12 were Cases of Arson, 1 of Procuring Abortion, 65 of Affrays, 1 of Branding, 152 of Cattle stealing, killing or wounding, 31 of Forgery, 86 of Gang Robbery attended with aggravating circumstances, 101 of Gang Robbery, without aggravating circumstances 32 of Culpable Homicide, 45 of Housebreaking by day, 292 of House-breaking by night, 89 of Maiming and wounding, 68 of Murder, 17 of Murder and Robbery, 5 of Poisoning, 15 of Rape, 163 of Breach of Revenue Laws and 18 of Robbery by a Single individual

24 Of the 3468 prisoners brought before the Subordinate Criminal Courts.

25. In Cases adjudicable by those

those authorities.

700 Were released unconditionally

Against 1 of whom the charge was considered wilfully false and malicious

38 Were released on security

87 Were detained on demand of Security

961 Were convicted and punished in Cases cognizable by the Subordinate Criminal Courts.

In Cases cognizable by the Sessions Courts.

26

507 Were released by the Subordinate Courts

Against 4 of whom the charge was considered wilfully false and malicious.

37 Were released on Security

72 Were detained on demand of Security

896 Were committed for trial

165 Were under examination

4 Were sent to the Magistrate

1 Died.

3468.

27 Of the 961 persons who were convicted and punished by the Subordinate Courts

681 were imprisoned

198 were fined

7 were flogged

25 were imprisoned and fined

49 were imprisoned and flogged

1 was not punished in consequence of 9 years of his Original Sentence remaining unexpired.

961

The

28 The number of persons remanded furnished by the Subordinate Courts in the preceding half year past 9th the number enlisted was 1035 and the number unconditionally released on Bail either from liability by the Subordinate Courts of Sessions was 1278

29 The reports required in para 8 of Circulars of Consultation under date the 25th October 1839 No. 853 and Submitted by the Sessions Judges regarding the manner in which the Summary powers have been exercised by the Criminal jurisdiction conferred upon them by Regulation XII of 1833, shew that generally the powers exercised by them during the Sales fortnightly

Statements Nos 7 and 8 Courts of Session

30 The Statements Nos 7 and 8 exhibit the operations of the Sessions Courts from 1st July to 31st December 1848.

31 The Cases of every description which came before those Courts during the six months under review together with those undisposed of at the close of the last report amounted to 477 including 473 persons, being 7 Cases and 196 prisoners less than the number brought before the Sessions Courts during the 6 last

of the year 1848.—

32 Of the 1013 persons who were committed for trial, 319 were released unconditionally, of whom 15 were considered to have been falsely and maliciously accused, 94 were released on Security, 369 were convicted and punished.—

33 Of these latter

4 Were flogged and imprisoned for a term exceeding 7 years

16 ——do—— ——do—— not exceeding 7 years

93 Were imprisoned for a term exceeding 7 years without flogging

244 Were imprisoned for 7 years and under without flogging

3 Were fined and imprisoned

1 was flogged and discharged

1 was fined and discharged

5 Were released on consideration of the imprisonment already undergone.—

369.

34 There were 67 Cases including 120 persons referred to the Foujdaree Adalut, 35 Cases containing 88 prisoners remained undisposed of by the Sessions Courts at the close of this report, 18 prisoners were returned to the Subordinate Criminal Courts to be there disposed of, 3 prisoners were discharged from the bar,

1

31st August 1849

1 prisoners was committed on Appearance and
Sureties Bond —

35

The greatest number of Cases
brought before the Assizes Courts during
period under observation was at
Cuttack 52 of which 6 were remanded to the Foujdaree
Cuttack 39 — 1 — 40 — 12 — 7
Midnapore 37 — 3 — 40 — 37 — 3
Hooghly 34 — 6 — 40 — 37 — 3
Chittagong 32 — 2 — 34 — 29 — 5
Jessore 30 — 6 — 36 — 31 — 5
Rajshahye 30 — 5 — 35 — 31 — 4
Nuddea 29 — 1 Case was — 30 — 27 — 3
Shahabad 23 — 1 — 24 — 19 — 5
Bellary 21 — 1 — 22 — 21 — 1
Salem 21 — 4 Cases were — 25 — 22 — 3
Tirhoot 21 — 5 — 26 — 24 — 2

36

Of the 67 Trials referred to the
Foujdaree Adawlut by the Assistant Judges
Sentence subscribed by their Law Officers and
Verdict given by the Assessors, were confirmed
by the two Tribunals and 15 Trials that the
Sentence of the Assistant Judges and the Verdict of the
Assessors were set aside by the Foujdaree Adawlut
Sessions Judges but not

Fol
31st August 1849.

Futwas of their Law Officers or the verdict of
the Assessors.

Statement No 9 37 Statement No 9 exhibits the opera-
Foujdaree Adawlut - tions of the Foujdaree Adalut during the 2d
half of the year 1848.

38 It shews that at the date of the
last report, there were 3 Cases including 4
prisoners, which had not been disposed of, and
that there were received during the half year
64 trials including 128 prisoners, making to-
gether 67 trials and 132 prisoners, whereof 1
was trial for abuse of authority, 1 Case of
Affault, 1 Case of Forgery, 4 Cases of Gang
Robbery, attended with aggravating circumstan-
ces, 1 Case of Gang Robbery without aggrava-
ting circumstances, 1 Case of Highway Robbery
attended with wounding, 5 Cases of Culpable
Homicide, 2 Cases of House-breaking by night,
3 Cases of Maiming and Wounding, 28 Cases of
Murder, 6 Cases of Murder and Robbery, 2
Cases of Perjury, 2 Cases of Poisoning, 2 Cases
of Rape, 1 Case of Rape and Robbery, 2 Cases
of Rebellion, murder and Robbery, 4 Cases of
severe wounding with intent to kill and Arson

and

and 1 Case of mutilating Limbs, attended with
attempts to commit Murder.

39 Of the 69 trials 66 were disposed
within the half year under review, leaving 3
undisposed of at the close of the Period
Record of this Case was received on the 3d
December 1848 and the final Sentence
passed on the 3d January 1849.—

40 Of the 66 Cases embracing 131
prisoners in which the Court of Foujdaree
Udalut proceeded to judgment

40 Prisoners were released unconditionally — } of these 50 prisoners were convicted under the Superior Judge

91 were convicted and Sentenced to punishment — } of whom 91 prisoners were convicted under the Eastern Judge

131

41 Of the 91 prisoners convicted
17 were sentenced to suffer death
18 Transported without flogging
2 Imprisoned for life without flogging
1 Flogged and imprisoned for more than 14 years
24 Imprisoned for more than 7 and not more than 14 years without flogging
29 Imprisoned for 3 and not more than 7 years
3 Released

42 The Judges of the Foujdaree Udalut likewise disposed of 369 Calendars during the 2d half of 1848.—

43 In conformity to the instructions contained in the 22d para of the Extract from the Minutes of Consultation under date the 8th of August 1834 the Judges beg leave to explain that out of the 28 Cases referred to the Foujdaree Udalut because the presiding Judge disapproved of the Futwa of the Law Officer, or the finding of the Assessors, the decision of the Sessions Judges was affirmed by the Foujdaree Udalut in 18 Cases.—

44 The subjoined Statement exhibits the information required by the Honrable the Court of Directors in the 41st Para of their General Letter under date the 20th March 1833 as to the number of Sentences passed by each Judge of the Foujdaree Udalut whether sitting singly or whether more than one Judge be present.—

	singly	conjointly	Attached to the Court
G. S. Hooper Esqre 1st Judge	9	31	During the whole period
E. P. Thompson Esqre 2d "	4	37	Do.
W. A. Morehead Esqre 3d "	5	37	Do.

45 A Statement is also transmitted

Shewing

shewing the number of trials disposed of by the Foujdara Adalut within the period under review, and the 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, together with the additional information shewing the number of days elapsed from the date of apprehension to the final disposal of the Cases as well as the number of days from the date of Commitment as required by Government in Para 23 of the Extract from the Minutes of Consultation under date the 7th April 1848.—

46 With reference to the instruction contained in para 8 of the General Letter from the Honorable the Court of Directors dated 17th February 1830 the Judges beg to submit two Statements marked A and B shewing the extent to which the Magistrates have themselves exchanged their Police duties, and how far it has been delegated by them to their Assistants, and in accordance with the Honorable Courts further instructions conveyed in Para 1 of their letter dated

30th December 1842, the Judges beg also to forward a Statement marked C shewing the extent and degree of supervision and control exercised by the Magistrates over the proceedings of their Assistants.—

47 We 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.—

48 A comparative Statement marked F shewing the more heinous Crimes committed in each District such as are of frequent occurrence, entering all others of a casual or incidental nature in one Column under the head of Minor Offences, is also submitted as required by the Extract from the Minutes of Consultation under date the 29th June 1848.—

49 Accompanying the Statements submitted for the consideration of Government will be found Statements in Abstract exhibiting the state of Crime during the

31st August 1849

2d half of 1848 in the Separate heads of the Ganjam and Vizagapatam Districts, and the District of Kurnool, placed under the jurisdiction of the Government Agents.—

50 The Statement marked E exhibits the labours individually performed by the Judges of this Court during the period under review.

Ordered that Extract from the proceedings, together with Copies in triplicate of all Statements and Reports connected therewith, be forwarded to the Secretary to Government in the Judicial Department, for the purpose of being laid before the Right Honble the Governor in Council

(Stamp in No 826.)

Read Communications received from the several Judicial Officers transmitting the Criminal Reports for the 2d half of 1848.—

(Reference No 7

Rs 860

lyh

F. U:

Saturday ... 1st September 1849 } At a Court of the Foujdaree Udalut

Present

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

E. P. Thompson Esqre — 2d Puisne Judge

W. A. Morehead Esqre — 3d Puisne Judge

Read Letter dated the 27th July 1849 from the Sessions Judge of Tinnevelly submitting for the final Judgment of the Foujdaree Udalut the Record of Case No. 26 of 1849 of the Calendar of the Session Court.-

(How enters F.U. No. 1768 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 proofs against the Prisoners

1st Nullaserum pillay

and

2d Moottalagoo coundun

is sufficient to convict them of the crime of Culpable Homicide, do convict them thereof: and under the provisions of Section XI Regulation

N. G. S. Hooper

F. U:

Saturday ... } At a Court of the Fouj... Stat.
1st September 1849 }

Present

The Hon.ble G. S. Hooper Esqre ... 1st Pnsg Judge
The Hon.ble E. P. Thompson Esqre ... 2d Pnsg Judge
The Hon.ble W. A. Morehead Esqre ... 3d Pnsg Judge

Read Letter dated the 27th July 1849 from the Sessions Judge of Tinnevelly submitting for the final Judgment of the Foujdaree Adalut the Record of Case No. 26 of 1849 of the Calendar of the Session Court.

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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

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and

2d Moottalagoo coundun

is sufficient to convict them of the crime of Culpable Homicide, do convict them thereof, and under the provisions of Section XI

Regula...

Mr. G. S. Hooper

F. Vlo

Monday
30th September 1849 } At a Court of the Fongdarea Udalut.

Present.

G. pl Hoepen Esqre — 1st Puisne Judge.
G. P. Thompson Esqre — 2nd Puisne Judge.
H. A. Morehead Esqre — 3rd Puisne Judge.

Read Miscellaneous Petition presented on the 13th August 1849 by Goorooun of Zillah Chittoor

(Hoe Justice F. Vlo. No. 173 of 1849)

Thus is an application for the reversal of the sentence of 7 years imprisonment recorded against the Petitioner's Brother on his conviction in Case No. 17 of 1849 of the Sessions Court of Chittoor of "Highway Robbery"

1 The Court of Fongdaree Udalut see no reason to question the propriety of the Prisoner's conviction, and decline, therefore, to disturb the sentence passed upon him.

2 The Court observe that the statements made in this Petition differ materially from those put forth in the Prisoner's defence before the Sessions Court.

Ordered, that Extract from

these

Regulation VIII. of 1802 and Section XXIII
Act VII of 1843, sentence the Prisoner,

1st Nullachunna Pillay

to be imprisoned and kept to hard labour
-ious on the public roads or other public
-ks for and during the period of (2) two y
-ears and the Prisoner

2nd Mootalagoo ammah

to be imprisoned and kept to hard lab
-our on the public roads or other pub
-lic works for and during the period of (2) two
years.

The Superior Judge will be
pleased to ascertain and report for the inf
-ormation of the Magistrate Colombo, whether
orders have been passed by the Magis
-trate on the Report made to him by the
Head of Police regarding the conduct of
the Village Headmen.—

Ordered that Extract from
these Proceedings be sent to the Superior
Judge of Jaffna by Despatches
-able within seven days from the date of
its receipt.—

3rd September 1849.

these Proceedings be granted to the Petitioner on his application.

Read. Miscellaneous Petition forwarded by the Sessions Judge of Batticaloa on behalf of Mootiengal alias Vayro Pooly of Willoodawai Batticaloa and filed in this Court on the 23rd July 1849.

(Here enter D. M. D. No. 135 of 1849)

Read also. Miscellaneous Petition presented on the 28th July 1849 by Mootiengal Vaitiyar on behalf of Pakeer Mahamad of Willoodawai Batticaloa.

(Here enter D. M. D. No. 137 of 1849)

The Petitioners were 1st and 3rd Accused in Case No. 37 of 1849 of the Sessions Court of Batticaloa, and they respectively appeal from the sentences passed upon them.

2. The Court of Enquiry and Requests for the reasons for their interference on Petitioners behalf, and accordingly resolved to report the

Ordered, that Petitioners be allowed these Proceedings for the purposes mentioned to the Sessions Judge of Batticaloa for his information, and for

3rd September 1849. for communication to the Petitioner Vayro Pooly

(Batticaloa No. 833)

Ordered also, that Petitioners be granted these Proceedings for the purposes mentioned on his application.

Read. Miscellaneous Petition presented on the 15th of August 1849 by Mr. Seth Sanni Easpe Vaitiyar on behalf of Vinasitamby Sammanda of Willoodawai Batticaloa.

(Here enter D. M. D. No. 176 of 1849)

The Petitioner, adverting to his former Petition No. 105 of 1849, adduces certain additional circumstances to prove that the conclusion arrived at by the Sessions Judge of Batticaloa in respect to the guilt of his Brother, 1st Prisoner in Case No. 41 of 1848 of the Sessions Court of Batticaloa, was erroneous; and prays that the Court of Enquiry and Requests will on consideration of the facts now brought to their notice, call for the Record of Case, and finally reverse the sentence of the Sessions Judge.

The Court of Enquiry and Requests
2. resolved to accede to the prayer of this Petition and

3d. September 1849.

(con.) Court that an English translation of the Rowd of the foregoing case be filed and to submit that for their consideration and to file their Pleadings or Petition.

Ordered, that Gratuitous Process be forwarded to the Sessions Judge of Condapetah, by Peon of the Court within XXV Days from date of the Receipt of Rowd filed following proceedings.

F. 116.

Tuesday, 4th. September, 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 again Calendar of Criml. No. 20 of 1849 of the Sessions Court of Masulipatam.

(Here enter F. Cs. No. 1408 of 1849.)

Read also again Miscellaneous Petition presented on the 16th. July 1849 by Latchmeedavy and three others of Zillah Masulipatam.—

(Here enter F. Ms. P. No. 154 of 1849.)

Read also Return dated 22d. August made by the Sessions Judge of Masulipatam to the Precept of the Foujdaree Adalut dated 13th. August 1849, communicating their orders on the above case.—

(Here enter F. Cs. No. 1747 of 1849.)

The

The Court of Foujdaree Udalut are unable to sanction the mitigated sentence proposed to be passed on the Prisoners in the above case, accordingly altering the Sessions Judge's finding, they convict the 1st. and 2d. Prisoners of Culpable Homicide, and sentence them to imprisonment for the period of (8) eight years - and the 3d. and 4th. Prisoners for the period of (5) five years - All with hard labor in irons.

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

/ Sent in No. 835 /

Ordered also, that Extract from these Proceedings be forwarded to the Petitioner in this application.

Read Extracts of the Proceedings of the Sessions Court of Manbhoom

No. 40 of 1849

/ Have sent in Fle. No. 736 of 1849 /

The four Prisoners in this

case were charged with having seized the Prosecutor's Elder brother, bound "wounded "with a certain axe, and struck him a "with sundry blows from the effects of which "violence he died on the noon of the "same day"; and, being convicted by the Sessions Judge of "Culpable Homicide", have been sentenced - the 1st. to be imprisoned for 6 months - the 2d. 3d. and 4th for one year, and the 5th. for two years - all with hard labor in irons.

With reference to the 2d. testimonies of the crime committed by the Prisoners the Court of Foujdaree Udalut are of opinion that the sentences passed upon them by the Sessions Judge are far too lenient.

From the observation recorded by the Sessions Judge - that the breaking of the legs of the deceased was not satisfactorily proved, the Court of Foujdaree Udalut are led to infer that the body was not examined by the Police, and that no

Mahajanmah

4th September, 1849

Management was taken of the ... of the Court by ... the Sessions Judge will be pleased to bring to the notice of the Magistrates this neglect of duty on the part of his Subordinate Police Officer, who must be admonished to be more careful in future.—

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

/Sent in No. 836/-

Read Criminal Report submitted by the Sessions Judge of Hooghly for the month of July 1849.—

/Hon'ble F.C. No. 741 of 1849/-

Criminal Report Case No. 64

The Court of Foujdaree Udalut have this day perused the Report A of this case and have noted ... by the ... to the effect that the ... of one had been omitted by the Sessions Judge

4th September, 1849

No. 836.

the Court of Foujdaree Udalut only require to be furnished with Report A when the sentence of the Lower Court is set aside or materially interfered with.

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

/Sent in No. 839/-

Read Calendar of Case No. 12 of 1849 on the file of the Sessions Judge of Chinglepute.—

/Hon'ble F.C. No. 1743 of 1849/-

The Court of Foujdaree

1.

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 "Housebreaking and Theft", and has been sentenced to seven years Imprisonment with hard labor in irons be reduced to three years.—

And the Court of Foujdaree

2.

Udalut authorize the Sessions Judge to

4th September, 1849

to issue his warrant accordingly.—

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

/Sent in No. 838/

Read from Calendar of Cases No. 28 of 1848 of the Sessions Court of Hooghly.

/Also Letter F. Dis. No. 2724 of 1848/

Read Letter from Mirza Ahmed Petition forwarded by the Sessions Judge of Hooghly on behalf of the 1st Prisoner the above named & others in the Case decided on the 19th of March 1849.

/Also Letter F. Dis. P. No. 61 of 1849/

Read the Return Letter dated 2nd June 1849 — and further Return Letter dated 8th August 1849 — both by the Sessions Judge of Hooghly transmitting the Proceedings of the Sessions Court held on the 21st May 1849, calling for an English translation of the Persian Proceedings of the above case.—

/Also Letter Dis. No. 1319 — dated 27th of 1849/

4th September, 1849.

1. On due consideration of the entire Record of the foregoing case, the Court of Foujdaree Udalut are of opinion that the evidence is sufficient to convict the Prisoners of the crimes charged against them.—

2. But under all the circumstances of the case, the Court of Foujdaree Udalut consider that the mitigated sentence proposed by the Sessions Judge in submitting the Calendar will meet the demands of justice.—

3. The Court of Foujdaree Udalut accordingly resolve to cancel their Order of the 9th of January last, and to authorize the Sessions Judge to issue such warrants for the imprisonment of the Prisoners

1st Vencapa
2d Ranjee
3d Jetha

for the period of eight (8) years with hard labor in irons.—

Ordered, that Extract from

4th September 1849

from these Proceedings be forwarded to the Superior Judges of Hon^ble Court for their information and guidance and for submission to the 1st Pronc.

(Sd) W. Nº 539/-S

Ed^r Ill.

Wednesday 5th September 1849

J U

At a Court of the Tongdaree Udalut

Present

G. S. Hooper Esq^re ——— 1st Pronc Judge

E. P. Thompson Esq^re ——— 2nd Pronc Judge

W. A. Morehead Esq^re ——— 3rd Pronc Judge

Read letter dated the 28th Ultimo from the Superior Judge of Calicut, submitting for the final Judgment of the Udalut the Record of Case Nº 43 of 1849 of the Calendar of the Session Court

(Arzeenter Nº 1809 of 1849)

The Court of Tongdaree

Mr E. P. Thompson and Mr W. A. Morehead

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

Chelakal alias Talacherry

Poonakel "Kellu"

is sufficient to convict him of the Crime of Manslaughter, for which the penalty of Death is awardable under the Mohummedan

5th September 1849

Mashunnoodeen Sowars detailed as Escort of three Peons Officers, deserved fines thereunder under the provisions of Clause second Section XX Regulation VII of 1802, sentenced to be imprisoned and kept to hard labour upon the Public roads or other public work for and during the period of (7) seven days

(Sentence No. 830)

The Court of Sessions Vizagapatam having reasons to believe from information brought to their notice, that Cases not unfrequently occasioned by Peons and other subordinate Police Officers to Fines and punishments not authorized by Law, resolve to extend to these Officers the provisions of Regulation VII of 1802 and Order No. 101 dated 29th of May 1809, which requires that in every Case punishable by Magistracy, the provisions of the Law under which sentence is passed, be specially specified in the Calendar and that the Courts of Sessions

Ordered that Extract from their Proceedings be forwarded to the Magistrates for communication to their subordinate Officers of Police

"Circular"

5th September 1849

Read Criminal Reports

B dated 14th August 1849 submitted by the Sessions Judge of Masulipatam for the month of July 1849

(Reference File No. 1701 of 1849)

Read Criminal Report

A dated 13th August 1849 submitted by the Sessions Judge of Rajahmundry for the month of July 1849

(Reference File No. 1779 of 1849)

Read Criminal Reports

dated 31st July 1849 submitted by the Sessions Judge of Cheacole for the month of July 1849

(Reference File No. 1740 of 1849)

Read Letter dated the 25th Ultimo from the Sessions Judge of Coimbatore, transmitting a blank Report Form B for the month of July, received from the Acting Magistrate of Coimbatore

(Reference File No. 1759 of 1849)

Read Statement dated the 25th Ultimo submitted by the Acting Sessions Judge of Cuddalore, of batta paid to the Prosecutors and Witnesses who attended before him during the 1st half of 1849

(Reference File No. 1762 of 1849)

Read

6th September 1849

Read Letter dated the 28th
Petition from the Sessions Judge of Salem
preferring his charges conformably to the
Board's Letter of the 13th February last
against the Gauges of Peonauk detached for
the Salem Jail, and subscribing following
the District Jail's defendant taken for
a Jailor, and the Calcy of the Magistrate
under whose charge the said Gauges are

(Here enter the Sessions Judge's Letter)

Read Statement of Charges
preferred by the Sessions Judge
(Here enter Paper No. 2 of the Abstract)

4th 1849

J. W.

Thursday 6th September, 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 again Miscellaneous Petition presented on the 18th June 1849. by J. Appiah Vakeel on behalf of Moospana Jogoolee of Zillah Ganjam.

(Here enter J. Dr. No. 126 of 1849).

Read also Return dated 20th August 1849. made by the Agent to the Governor in Ganjam to the Precept of the Foujdaree Adalut dated 23rd July 1849, conveying their Orders and observations on the above Petitions.—

(Here enter J. Dr. No. 1764 of 1849).

On perusal of the above Return—

1. made by the Agent, and of the papers which—
accompanied it, the Court of Foujdaree Adalut
find, that the whole circumstances of the Case—
have been misrepresented by the Petitioners, and
that there is no such inconsistency in the orders
passed by the late Agent Mr. Bannerman, as
stated by them.—

Under these circumstances the Court

2. of

of Foujdaree Adalut decline to disturb the
appealed from, and refuse to interfere in
in the matter.—

Ordered that Extract from these
Proceedings be forwarded to the Agent to the
Governor at Ganjam for his information.—
(Sent in No. 82.)

Ordered also that Extract from
Proceedings be furnished to the Petitioners Pleader
on his application.—

Read Miscellaneous Petition from
on the 6th August 1849 by Ungalinga Reddy of
Coimbatore.—

(Here enter F. C. No. 1270 of 1849)

1.

This is an application for the
reversal of the sentence of two months imprisonment
recorded by the additional Sessions Judge of Coimbatore
against the Petitioner grand son 3rd Prisoner in Ca
No. 57 of 1849 on his conviction of having preferred
false complaint. Petitioner states that he preferred
a Petition of appeal to the Sessions Judge, who
rejected the same by the accompanying Order
2.

The Court of Foujdaree Adalut see
no reason to doubt the propriety of the Order passed
by the Sessions Judge, by whom the record of the ca
in question has been fully gone into.—

3.

The Court accordingly resolve to
dismiss this Petition.—

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

Read Calendar in Case No. 17 of
1849 submitted by the Sessions Judge of Trichinopoly
under date the 15th June 1849.—
(Here enter F. C. No. 1300 of 1849).

Read letter dated the 2nd July 1849
from the Sessions Judge of Combaconum submitting
explanation called for regarding the mortality of
the Convicts for 1848.—
(Here enter F. C. No. 1346 of 1849).

Read return dated the 13th Ultimo,
from the Sessions Judge of Coimbatore to the precept
of the Foujdaree Adalut under date the 7th Instant
directing the cancelment of the Security required by the
Acting Magistrate of Coimbatore from the
Prisoner in Case No. 17 of the Magistrate's Calendar
of 1849, and the Committal of the Prisoner for
trial to the Criminal Court.—
(Here enter F. C. No. 1673 of 1849).

Read Criminal Report B dated the
15th Ultimo submitted by the Sessions Judge of
Bellary for the Month of July 1849.—
(Here enter F. C. No. 1681 of 1849).

Read

7th September 1849.

Read Criminal Report dated the 11th Ultimo submitted by the Sessions Judge of Bellary for the Month of July 1849.

(Here enter F. C. No. 1697 of 1849)

Read Criminal Report dated the 13th Ultimo, submitted by the Sessions Judge of Cuddapah for the Month of July 1849.

(Here enter F. C. No. 1700 of 1849)

Read return dated the 17th Ultimo from the Sessions Judge of Mangalore to the precept of the Foujdaree Adawlut under date the 10th February calling for information of the ground upon which strong suspicion has been conceived to attach to the 3d prisoner in Case No. 31 on the Calendar for 1849.—

(Here enter F. C. No. 1731 of 1849)

End H.

†

J. C.

Friday 7th September 1849.

At a Court of the Foujdaree Adawlut.

Present:

Sir R. G. S. Hooper Esqr. — 1st Puisne Judge
E. P. Thompson Esqr. — 2d Puisne Judge.
W. A. Morehead Esqr. — 3d Puisne Judge.

Read Calendar of Cases No. 36 of 1849 of the Sessions Court of Cuddapah.

(Here enter F. C. No. 1780 of 1849).

The Court of Foujdaree Adawlut are

1. of opinion that the sentence recorded by the Sessions Judge in this Case against the Prisoner P. Ramoodoo.

on his conviction of "Housebreaking and Theft" may with propriety be reduced to three (3) Years imprisonment with hard labor in irons, and, on the recommendation of the Sessions Judge, the Court will be prepared to mitigate his sentence accordingly.—

2. Should, however, the Sessions Judge dissent from the mitigation now proposed, he will be pleased to submit a translation of the entire Record for the consideration of the Court of Foujdaree Adawlut.—

Ordered that Extract from these Proceedings

Proceedings be forwarded to the Sessions Judge of Cuddapah by Precept returnable within 10 days from and after its receipt.—

(Sent following Precept No. 367)

Read Criminal Report dated the 1st. Ultimo submitted by the Acting Sessions Judge of Tinnevelly for the Month of July 1849.

(Here enter F: C: No. 1715 of 1849)

Read letter dated the 18th. Ultimo from the Sessions Judge of Salem submitting the report B received from the Registrate for the Month of July 1849.—

(Here enter F: C: No. 1717 of 1849)

Read report dated the 1st. Ultimo submitted by the Sessions Judge of Rajahmundry of Persons apprehended in the Zillah of Rajahmundry and delivered to the Criminal Judge in the Month of July 1849.—

(Here enter F: C: No. 1719 of 1849)

Read Criminal Report dated the 15th. Ultimo, submitted by the Agent to the Governor of Fort St. George at Kurnool for the Month of July 1849.—

(Here enter F: C: No. 1732 of 1849)

Read report dated the 15th. Ultimo submitted by the Agent to the Governor of Fort St. George at Vizagapatam of Persons apprehended in the separate Tracts of Vizagapatam and delivered in the Agency in the Month of July 1849.—

(Here enter F: C: No. 1723 of 1849).

Read Calendar in Case No. XLI of 1849. submitted by the Sessions Judge of Madura under date the 20th. Ultimo.—

(Here enter F: C: No. 1737 of 1849)

Read Calendar in Case No. XLI of 1849. submitted by the Sessions Judge of Cuddapah under date the 18th. Ultimo.—

(Here enter F: C: No. 1738 of 1849).

Read Calendar in Case No. 11 of 1849. submitted by the Sessions Judge of Chingleput under date the 23rd. Ultimo.—

(Here enter F: C: No. 1742 of 1849).

Read return dated the 16th. Ultimo from the Sessions Judge of Honore to the precept of the Foujdaree Adalut under date the 8th. Idem directing that the requisition of Security under which the Prisoners 2 to 6 in Case No. 16 on the Calendar of 1849. were bound, be annulled.—

(Here enter F: C: No. 1744 of 1849)

Read return dated the 25th. Ultimo.

7th September 1849.

Letter from the Subordinate Criminal Judge of Chittoor to the Precept of the Foujdaree Adalut under date the 23d. Ulto. directing the release of the Prisoner in Case No. 103 of 1849

(Herewith No. 1755 of 1849)

End 4th.

Saturday 8th September 1849.

F. A.

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 Calendar of Case No. 31 of 1849.

on the file of the Sessions Court of Cuddapah.

(Herewith No. 1760 of 1849).

1. Under all the circumstances of this Case and adverting to the absence of violence in the commission of the offence of which the 1st 2nd and 3rd prisoners have been convicted the Court of Foujdaree Adalut consider that the period of Imprisonment awarded may with propriety be reduced to seven years and they will be prepared to sanction a mitigation of the prescribed punishment to that extent.

2. In the event of the Sessions Judge dissenting from the foregoing opinion, the Court of Foujdaree Adalut direct that an English Translation of the record may be submitted for their consideration.

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

(Sent following Precept No. 849)

Re

Read Calendar of Cases Nos 13 of 1849
on the file of the Sessions Court of Chingleput.
(Here enter F. St. No 1776 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 prisoners who have been severally
convicted of "house breaking and theft" and have been
sentenced to seven years Imprisonment with hard
labor in irons, be reduced to two years.

2.

And the Court of Foujdaree Adalut
authorize the Sessions Judge to issue his warrant
accordingly.

Ordered that Extract from these
Proceedings be sent to the Sessions Judge of
Chingleput for his information and guidance.
(Sent in No 800)

Read Calendars of Cases Nos 24
and 25 of 1849 on the file of the Sessions Court
of Salem.

Case No 24

(Here enter F. St. No 1777 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 prisoner
"Coracuttan" who has been convicted of "Housebreaking

"Theft" and has been sentenced to seven years
Imprisonment with hard labor in irons be
reduced to three years; and the Court authorize
the Sessions Judge to issue his warrant accordingly.

Ordered that Extract from these
Proceedings be sent to the Sessions Judge of
Salem for his information and guidance.
(Sent in No 857).

Monday
10th September 1849

At a Court of the Faydarre Adalut

Present

C. S. Hoops Esqr 1st Assist Judge
G. D. Thompson Esqr 2d Assist Judge
W. A. Strachan Esqr 3d Assist Judge

Read Miscellaneous Petition presented on the 5th September 1849 by Vakil Saml Esqr Vakeel on behalf of M. Ramakishan of Zillah Salem

(Here take No 2 of 1849)

The Court of Faydarre Adalut having perused the foregoing Petition, and considered the remarks contained therein regarding the conduct which actuated the joint Magistrate in charge and the Superintendent on their proceedings held in the case of the Petitioners Father, to be highly unbecoming and improper. The Court of Faydarre Adalut do not therefore think proper to entertain this Petition.

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

Read Miscellaneous Petition presented on the 21st August 1849 by Hakat Hossain

Saib

10th September 1849

and of Gillah Tahan

1

Ptes take Ptn P. to withdraw
the Board of Magistrates decision
proceeded for passing any orders on the above Pe
tion, until the Petitioners shall have obtained
the consideration of the Board touching reject
the orders which the shall have been passed
by the Board authorities on the matter of his alleged
grievances.

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

Read Miscellaneous Petition
of Linkah Tamanan

Ptes take Ptn P. to withdraw

1

This is an application for the
interference of the Board of Magistrates Malacca
to set aside an order of the Sessions Court of Ma
bassa dated 12th May 1849, enjoining the peti
of the Petitioner that a stock of Pagodas & effe
upon him by the Magistrate for having cut do
certain Damards tree might be remitted, and
that his opponents might be punished for their
proceedings in false complaint against him

2

The Board of Magistrates decline
see no reason for their interference with the orders

10th September 1849

of the Session Court confirming the Magistrate's
proceedings, and declined, therefore to disturb the
same.

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

Read Miscellaneous Petition presented on
the 6th instant by Narainsah and another of Gillah
Tandah Tah.

Ptes take Ptn P. to withdraw

The matter contained in this
Petition having been disposed of by the Court
of Singapore Vide Letter on their Proceedings
to those Proceedings and informed that the
order thereon passed is final.

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

Read Miscellaneous Petition pre-
sented on the 9th October 1849 by Tabapaty and four
others of Gillah Klang Lepat

Ptes take Ptn P. to withdraw

Read also Miscellaneous Petition
presented on the 10th October 1849 by Dasapy &
Narainsamy Tetty of Gillah Klang Lepat

(Ptes take Ptn P. to withdraw)

Read also Miscellaneous petition
presented

presented on the 25th October 1848 by Thangapal
and twelve others of Sillady Vayalpad.

(Here take No. 2 of 1848)

Petition of Ramasamy and Pillai
presented on the 25th October 1848 by Sabapathy
and two others of Sillady Vayalpad

(Here take No. 1 of 1848)

The petitioners in these Petitions
are inhabitants of the Villages of Cavery
attached to the Talook of Bungalore, a
portion of which belongs to the Province of Coimbatore
lately conquered from the Rajah of Mysore.
Soppers Judges of the Provincial Court
holden by them pursuant to the powers vested
in them by the Proclamation of the Governor
General in Council dated the 8th June 1832
above mentioned. The Petitioners of the Left
hand caste obtained from that portion of
the order which prohibits the passing
of Marriage Processions through certain streets of the
Sircarry village which is the other hand the
Petitioners of the right hand caste appeals to that
portion of the order which confirms the order
of the late Sessions Judge remitting the fine
imposed by the late Acting Magistrate on
the different parties

10th September 1849

individuals of either party travelling or proceeding
on their private affairs are not accustomed
to be molested in any street or the place of
their nearest Shoppers &c.

The Court of Sudder Adalut
2
consider the order of the Sessions Judge appealed
from to be in all respects correct and proper,
and decline therefore to disturb it.

It appears from the 3rd para: of the
3
Sessions Judge's proceedings that the Petitioners of
the left hand caste do not reside within the
streets called Rajah Veedie, and do not under the
decision of the Provincial Court are clearly pre-
cluded from attempting processions through
those streets.

The plea of the Villagers objected
4
to by the Petitioners, it is observed, was admitted
by the Magistrate, and the Court can discover no
grounds for disturbing its correctness.

Ordered that Extract from
these Proceedings be given to the Petitioners res-
pectively on their application.

Read again the annual Reports
submitted by the Sudder Ameens Judges of Chittoor
for the Month of July 1849

(Here take No. 1 to 10 of 1849)

Read

Read the above Petition presented on the 10th August 1849 by Joya Sinhy Thilly of Dehiwala Mestiso

(Case Entered No. 3 No. 12,081 of 1849)

This is an application for the removal of the sentence awarded to the Petitioner together with persons on Case No. 22 of 1849 on the file of the Subordinate Tribunal of Dehiwala who has been sentenced to three months Imprisonment for having provided a false complaint before me of the Head of Dehiwala Police that Petitioner

2

The Court of Dayadawa directed the Petitioner to furnish the particulars of the case which the Petitioner complied with and they accordingly presented this Petition

Ordered that Petitioners Prayer be granted & the Petitioner be discharged from his confinement

Read upon Petition of the Petitioner dated 10th August 1849 and the Proceedings in Case No. 22 of 1849 on the files of the Dehiwala Court

(Case entered No. 12,081 of 1849)

Read upon the Petition of Petitioner forwarded by the Superintendent of Dehiwala from Surveyor and the Proceedings in the above Case No. 22 of 1849 on the files of the Dehiwala Court

Read also Petition under date the 17th August 1849 from the Superintendent of Dehiwala to the Precept of the Dayadawa dated the 2nd July 1849 enclosing their order on the foregoing Petition

(Case entered No. 12,081 of 1849)

The Court of Dayadawa considers the evidence in this case insufficient to justify the full conviction of the 1st 2nd and 3rd persons of the offence laid to their charge and they accordingly direct that the Sentence of the 1st Rigorous Imprisonment with hard labor in irons awarded to them be cancelled

The Court however being of opinion that strong suspicion attaches to the Persons in question direct that they be severally required to furnish two Sureties for their good conduct and appearance when required in the sum of Rupees 20 each for the period of two years or that in default they be imprisoned for a similar period

Ordered that Extract from the Proceedings be forwarded to the Superintendent of Dehiwala for his information and guidance and for communication to the Petitioners by Precept and Petitioners within two days from and after the receipt of the following Precepts No. 854

Read

Read again Criminal Report submitted by the Sessions Judge of Nellore for the month of June 1849.

(Here enter Fee No. 1332 of 1849.)

Read also Muchalkas filed herein presented on the 10th August 1849 by Mahomedan Inhabitants of Lillah Nellore.

(Here enter Fee No. 179 of 1849.)

The Petitioners having appealed from the sentence awarded to his Co. prisoner in case No. 90 of 1849 on the file of the Subordinate Criminal Court, and as the nature of the charge preferred would preclude the Sessions Judge from reviewing the proceedings, the Court of Foujdaree Adalut resolve to direct that an English translation of the records may be submitted for their consideration.-

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Nellore for his information and guidance by first post returnable within ten days from and after its receipt.-

(Sent following receipt No. 855)

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

Read

Read again Calendar of Case No. 29 of 1849 on the file of the Sessions Court of Tinnevelly

(Here enter Fee No. 1658. of 1849)

Read also return under date the 28th August 1849 from the acting Sessions Judge of Tinnevelly to the precept of the Foujdaree Adalut dated the 23d August 1849 conveying their orders on the foregoing their orders on the foregoing case.

(Here enter Fee No. 1798. of 1849)

The Court of Foujdaree Adalut approves of the recommendation made by the acting Sessions Judge in this case that the period of imprisonment awarded to the prisoner be reduced to seven years; and the Court authorize the acting Sessions Judge to issue his warrant accordingly.

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

(Sent No. 856)

Signed

F.C.

Tuesday, 11th September, 1849.

At a Court of the Foujdaree Udalut.

Present -

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

Read letter under date the 25th Ultimo from the Agent for the Governor of Fort St. George at Vizagapatam. - Here Enter No. 1807 of 1849 -

In the foregoing letter the

1. Agent submits a Summary of the Evidence taken before him against a Prisoner named Paderdla Symmah who was charged with Culpable Homicide, and convicting him of the Crime, he recommends that a Sentence of 3 years' imprisonment with Labor in irons be passed upon the Prisoner. —

The Court of Foujdaree Udalut

2.

11th September, 1849.

Udalut concur in this conviction, and they resolve under the provisions of the Second Section XV. Regulation VII of 1802 and Section XXXIV. Act VII of 1843 to confirm the sentence proposed to be passed upon the Prisoner, namely, 3 years' imprisonment with hard labor in irons.—

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

/Sent in No. 858/-

Read a Letter dated the 7th June 1849 from the Acting Sessions Judge of Rajahmundry submitting for the final Judgment of the Foujdaree Udalut the Record of Proceedings held in Case No. 45 of 1848.—

/Have Entered F.C. No. 1218 of 1849/

Read also Extract from Minutes of Consultation No. 563 under date the 5th Instant, confirming the sentence of transportation for life passed in the trial for rebellion No. 45 of 1848 in the Rajahmundry Session file.—

/Here Enter F.C. No. 1830 of 1849/-

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

1st Bundapully Tummondera

2d Cheedoogary Tummasereddy

and

3d Geddada Mullookhoopaty

be transported to such place or places beyond sea, as the Governor in Council shall appoint there to be imprisoned, and kept to hard labors in irons on the public roads or other public works, for and during the period of their natural lives respectively.—

/Sent in No. 859/-

Read letter dated the 30th Ultimo, from the Acting Sessions Judge of Cuddalore forwarding an Extract from the Proceedings of his Court

11th September, 1849.

Court dated 27th idem, reversing the
cipal Sudder Ameen's sentence pa
against the 4th Prisoner in Crimin
No. 58 of 1849 and directing his a
ditional release.

Here enter F.C. No. 1778 of 1849.

Read return dated the

Ultimo from the Sessions Judge of
Chingleput to the precept of the
Foujdaree Udalut under date the
idem conveying their observations
the Criminal reports for the mon
of July 1849 submitted by the Ma
trate, and directing that the Pris
in the case No. 12 be committed
trial to the Criminal Court.

Here enter F.C. No. 1779 of 1849.

Read Calendar dated
1st July 1849 submitted by the Ad
Sessions Judge of Tinnevelly for
held before the Sessions Court
1st January to 30th June 1849.

Here enter F.C. No. 1785 of 1849.

Read

F.C.

11th September, 1849.

Ultimo from the Sessions Judge of Chittoor
submitting explanation with reference to
the proceedings of the Foujdaree Udalut
dated 11th idem on review of Case No. 19 of his Calendar for 1849.

Here enter F.C. No. 1788 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
1844 and 21st January 1845, were pending
during last month before the Sessions
Court.

Here enter F.C. No. 1791 of 1849.

Read return dated the 25th
Ultimo from the Sessions Judge of Honore
to the precept of the Foujdaree Udalut
under date the 16th idem, directing that
the requisition of security under which
the Prisoners in Case No. 22 on the
Calendar for 1849 have been placed be
annulled.

Here enter F.C. No. 1795 of 1849.

5 F.C.

Gyh

F.U6.

Wednesday, 12th. September 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 again Criminal Reports submitted by the Session Judge of Combaconum for the month of July 1849.

Here enter F.U6. No. 1671 of 1849/-

Read also return under date the 31st. August 1849 from the Session Judge of Combaconum to the precept of the Foujdaree Udalut dated the 27th. August 1849 conveying their orders on the foregoing Criminal Reports.—

Here Enter F.U6. No. 1796 of 1849/-

Case No. 128.

1. The Session Judge states that on the occasion of the commission of the theft charged against the prisoner in this case the prisoner inveigled the Prosecutor's child to a private place and

and breaking the string to which the ornaments were fastened took possession of them.—

2. Under these circumstances the Court of Fonjdaree Udalut is of opinion that the offence charged should have been designated as "Snatching" and should have been committed for trial to the Sessions Court.—

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

/Sent in No. 860/-

Read Calendar of Cases No. 19 of 1849 on the file of the Sessions Court of Trichinopoly.

/Here enter F/C No. 1801 of 1849/-

1. The Court of Fonjdaree approve of the recommendation made by the Sessions Judge in this case that the period of imprisonment awarded to prisoners who have been convicted of "Robbery by open violence" and have

sentenced to fourteen years Imprisonment with hard labor in irons be reduced to Eight years.—

2. And the Court of Fonjdaree Udalut authorize the Sessions Judge to issue his warrant accordingly.—

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

/Sent in No. 861/-

End H.

Lyh.

F.U.

Thursday,
13th September, 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 Miscellaneous Petition presented on the 30th July 1849 by T. Appiah Vakeel on behalf of Gerry Goormiah and others of Zillah Ganjam. -

Here enter F.M.P. No. 163 of 1849 -

This Petition has reference
1. to certain proceedings of the Magistrate of Ganjam. -

The Court of Foujdaree
2. Udalut direct that the Vakeel, by whom this Petition has been presented, be required to state more clearly the object which his client has in view. -

The Court of Foujdaree
3. Udalut are not aware that the Petition contains

13th September, 1849.

contains an appeal from any sentence
passed by the Magistrate of Guiana
and they observe that no such Sen-
=tence has been filed.

Ordered, that Extract
from these Proceedings be furnished to
the Petitioners' Vakeel for his inform-
=tion and guidance.

2d 1849

by L

F. No.

Saturday,
15th. September, 1849.

At a Court of the Fouydaree Udalut.
Present.

G. S. Hooper, Esquire - 1st. Puisne Judge.
E. D. Thompson, Esquire - 2d. Puisne Judge.
W. H. Morehead, Esquire - 3d. Puisne Judge.

Read letter dated the 6th. Instant from the Session Judge of Tinnevelly submitting for the final Judgement of the Fouydaree Udalut the Record of Case No. 29 of the Calendar of the Session Court.

Where Enter F. No. 1877 of 1849.

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

Mr. G. S. Hooper.

Permaul

is sufficient to convict him of the Crime of Robbery by open violence do convict him thereof; and under the

provisions

provisions of Clauses third and fifth of
Section VII Regulation XV of 1803 and Sect
XXXIV. Act VII of 1843, sentence him to b
imprisoned and kept to hard labour
irons on the public roads or other publ
works for and during the period of
seven years.—

The Court of Foujdaree
Udalut observe that the object of a
Sessions Judge's reading over, and consid
-ing the Proceedings transmitted for
the Criminal Court, before comme
the Trial, is to satisfy himself that
the case has been committed by sup
-cient grounds — as otherwise, it would
be his duty to order the release of the
accused without putting him on his
Trial or to remand the case for
disposal by the Criminal Judge.

Ordered, that Extract of
these Proceedings be forwarded to the Ad
Sessions Judge of Tinnevelly for his info
-rmation and future guidance.

Sent following letter No 862/

F. U.

Monday 17th September 1849

At a Court of the Foujdaree Udalut

Present

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

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

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

Read the following letter under date the 30th Ultimo from the Agent for the Governor of Fort St. George at Kurnool.—

(Here enter No. 1831 of 1849.)

1 In the foregoing letter the Agent submits a Summary of the evidence taken before him against two prisoners named Mahaboob Khan and Nunnay Khan who were charged with the crime of uttering counterfeit coin, and convicting them, he recommends that they be sentenced to be imprisoned for two months in Solitary confinement.—

2 The Court of Foujdaree Udalut concur in the conviction of the Prisoners, and they resolve under the provisions of Clause first Section VI Regulation II of 1822 to confirm the Sentence proposed to be

be passed upon them.—

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

(Sent in No. 866

Read Calendar of Case No. 42 of 1849 of the Sessions Court of Calicut.—

(Here enter Fw. No. 1862 of 1849)

1 The Court of Foujdaree Udalut approve the recommendation made by the Sessions Judge in this Case, that the Sentence recorded against the Prisoner,

"Indayatoo Koondoo"

on his conviction of "Subornation of Perjury" be mitigated to six months imprisonment and labor without irons.—

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 Calicut for his information.—

(Sent in No. 867

Read letter dated the 8th August 1849

1849 from the Sessions Judge of Nellore, submitting for the final Judgment of the Foujdaree Udalut the Record of Case No. 21 of 1849 of the Calendar of the Sessions Court.—

(Here enter No. 1645 of 1849)

Read also Extract from the Minutes of Consultation in the Judicial Department dated the 5th September 1849 directing confinement for life of the Insane Prisoner tried for Murder in Case No. 21 of 1849 on the Nellore Sessions file.—

(Here enter No. 1829 of 1849)

The Court of Foujdaree Udalut

W. G. S. Hooper and W. W. Morehead

on a deliberate consideration of all the circumstances of the Case in evidence before them being of opinion that the Prisoner

"Sinhari China Iyapah"

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.—

Ordered, that Copy of the above Extract Minutes of Consultation be communicated to the Sessions Judge of Nellore for his information and guidance.—

Ent 7th.

(Sent following letter No. 8681

F.W.

VII

Tuesday 18th September 1849 } At a Court of the Fouzdaree Udalut

Present

1849 G. S. Hooper Esqre —— 1st Puisne Judge

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

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

Recd

Read again Extract from the Minutes of Consultation in the Revenue Department under date the 3d September 1849 No 830, conveying the observations and orders of Government relative to the case of the customs' Writer at Porto Novo who was punished and dismissed for fraud by the Revenue Authorities of the Cuddalore District.—

(Here enter No 1817 of 1849)

The Court of Fouzdaree Udalut with reference to para 7 of the above Extract from the Minutes of Consultation resolve to call upon the Acting Sessions Judge of Cuddalore to forward for their consideration the Original of the abstract of charges under the Signature of Mr. McDonnell upon which the Sea Customs' writer above alluded to was put

put on his trial under Act XI of 1844.

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Cuddalore for his information and guidance by Precept returnable in 11 days from and after its receipt.

Sent following Precept No. 869

Read letter dated the 11th Instant from the Sessions Judge of Guntoor, submitting for the final Judgment of the Foujdaree Udalut, the Record of Case No. 14 of 1849 of the Calendar of the Session Court.

(Here enter No. 1887 of 1849)

M.L. P. Thompson

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

"Golee Banjeegandoo"

is sufficient to convict him of an assault, for which according to the Mahummudan Law as declared in futwas of their Law Officers, discretionary punishment is awardable, do convict him thereof; and under the provisions of Clause third Section VIII Regulation

Regulation XI 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 (2) Two years.—

1 The Court of Foujdaree Udalut remark that as the extent and nature of the injury received by the Prosecutrix would in a great measure, regulate the punishment awarded, the Medical Officer ought to have been examined on this point: but as this course was not adopted— the Medical Officer's Report should have accompanied the Record.—

2 There is no evidence whatever that the prisoner had the property of Prosecutrix in his possession when he was taken up: on the contrary— the only two witnesses who were examined distinctly depose that the prisoner left the Cavady at the place where he struck the Prosecutrix—

3 There is no mention of any other property but the Cavady— and as the conviction of the Prisoner on the charge of Robbery depended solely on some of the property

8th September 1849.

property of the Prosecutrix being found upon him, it was the duty of the Sessions Judge to go fully into this point.

4. The examination of the witnesses was faultily brief.

5. The Law quoted by the Sessions Judge, under which he recommends the prisoner to be punished, namely. clause 2 Section IV Regulation XX of 1803, is inapplicable

6 The Foujdaree Adalut regret to observe the errors and omissions committed by the Sessions Judge in the disposal of this Case and they expect from Mr. Bell a more care and attention in the transaction of his Judicial duties in future.—

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

(Sent following Letter No. 870

4th 1849.

F. C.

Wednesday 19th September 1849 } At a Court of the Foujdaree Adalut

Present

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

E. P. Thompson Esqre — 2d Puisne Judge

W. A. Morehead Esqre — 3d Puisne Judge

Read Calendar of Case No. 8 of 1849 on the file of the Sessions Court of Coimbatore.—

(Here enter No. 337 of 1849)

The Court of Foujdaree Adalut approve of the recommendation made by the Sessions 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 three 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 Coimbatore for his information.—

(Sent in No. 875

Read Calendar of Case No. 26 of 1849 on the file of the Sessions Court of Cuddapah

(Here enter F. C. No. 1839 of 1849)

The

The Court of Foujdaree 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 sent to the Session Judge of Cuddapah for his information and guidance by precept returnable within XV days from and after its receipt.—

(Sent following Precept No 876

Read letter dated the 1st Instant from the Acting Sessions Judge of Cuddalore reporting that no case was pending trial before the Sessions Court of Cuddalore exceeding 25 days calculated from the date of commitment during the last month.—

(Here enter F.C. No 1808 of 1849)

Read letter dated the 29th Ultimo from the Sessions Judge of Calicut, transmitting the Warrant issued for the execution of the Sentence of death passed on the Prisoner in Case No XXXVII of 1849 on the Calendar of the Sessions Court Tillah Calicut and Copy of the Subordinate Judge's report according to the Circular Order dated the 3d May 1830—

(Here enter F.C. No 1812 of 1849)

Read Report dated the 31st Ultimo submitted by the Acting Session Judge of Tinnevelly, of Cases pending before him up to the 31st August 1849 in which the Trial has been delayed beyond 25 days.—

(Here enter F.C. No 1814 of 1849)

Read Calendar of Case No 38 of 1849 submitted by the Session Judge of Cuddapah under date the 1st Instant.—

(Here enter F.C. No 1815 of 1849)

Read Report dated the 1st Instant submitted by the Session Judge of Calicut, of a Case pending on the 31st July and committed for trial during the month of August 1849 before the Session Court.—

(Here enter F.C. No 1820 of 1849)

Read Report dated the 1st Instant submitted by the Session Judge of Bellary, of a Case pending on the 31st July 1849 before the Session Court of Bellary for longer than 25 days.

(Here enter F.C. No 1822 of 1849)

Read Return dated the 3d Instant from the Acting Session Judge of Cuddalore to the precept of the Foujdaree Udalut under date the 27th August 1849 directing to reduce to eight yeard

years the imprisonment awarded to the 6th
Prisoner in Sessions Case No. 5 of 1849 and the
the corporal punishment awarded to him be re
=mitted should it not be carried into execution

(Here enter F.C. No. 1823 of 1849)

Read Report dated the 1st Instant
submitted by the Sessions Judge of Salem of
Cases pending before him on the 31st August
1849 for a period in excess of 25 days calcula
-ted from the date of commitment.-

(Here enter F.C. No. 1824 of 1849)

Read letter dated the 1st Instant
from the Sessions Judge of Masulipatam, re
=porting that there are no Criminal Cases
pending beyond 25 days between 31st July
and 31st August 1849.-

(Here enter F.C. No. 1826 of 1849)

Read letter dated the 4th Instant
from the Sessions Judge of Nellore, reporting
that no Cases were pending for trial for a
period exceeding 25 days during the month of
August 1849.-

(Here enter F.C. No. 1828 of 1849)

Ex 1810

GSH

F.C.

Thursday,
20th September, 1849.

At a Court of the Foujdaree Udalut.

Present.

GSH G.S. Hooper, Esquire - 1st Puisne Judge -
EPT E.P. Thompson, Esquire - 2d Puisne Judge -
WMM W.M. Morehead, Esquire 3d Puisne Judge -

Read letter dated the 6th
Instant from the Acting Sessions Judge of
Cuddalore, submitting for the final Judge=
=ment of the Foujdaree Udalut the Record
of Case No. 25 of 1849 of the Calendar
of the Sessions Court.-

(Here Enter No. 1858 of 1849)-

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

1st Amoordum
2d Raukun
3d Sengunnun
4th Sinnien of Saraneoopum

5th

5. Sunnien of Goorcumpotty
6. Kistnien alias Coothayen
7. Narsina Pondaly
8. Munnadan
9. Putchay Coothy
10. Govindan
11. Carcongunnan
12. Coollan

and

13. Carran

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

The Court of Foujdaree Udalut observe that the Prosecutor in the three first statements before the Police dated 26th May 11th and 16th June, gave simple and satisfactory reasons for not recognizing any of the Prisoners on the night of the robbery.—Her subsequent declarations before the Tahsildar and Acting Joint Magistrate both dated the same day viz 22nd June—in which she declares she identified the

the 2d. 3d. and 10th prisoners, and her deposition before the Session Court in which she says she recognized the 8th and 11th prisoners also, altogether five, are clearly false—She told no one that she identified any of the prisoners until 10 days after the robbery. See page 358 Sessions Judge's proceedings.—

The testimony of the 1st

2.

Witness, in consequence of the gross contradictions it contains and the improbable story he relates, is utterly valueless as evidence. The Court do not credit a word this Witness says.—

The 4th and 5th Witnesses

3.

speak to the 8th and 9th Prisoners fixing up the articles 1. 2 and 3 which were buried underground.—This transaction was reported by the Tahsildar to have been effected at 10 O'Clock at night.—See page 358 of Police Proceedings.—

That the property was

4.

See page 172. 174. buried by the prisoners and voluntarily restored by them is hard to be believed.—

The above, besides their

5.

confessions

confessions before the authorities, in the whole of the evidence against the Prisoners.—

6. There is of course, in most instances, some degree of reliance to be placed on confessions given before European Officers, but then the extent of that reliance must depend entirely on other circumstances connected with the case. Now in the trial under consideration, the circumstances, from first to last, are such that the Court feel no confidence whatever in the confessions given by the Prisoners before the acting Joint. Magistrate.

7. From the following table it will be seen that on the day following that on which the Prisoners' confessions were taken before the Police, other confessions from the same parties were taken by the Joint. Magistrate, and in one instance (the 9th Prisoner) the confession before both authorities were recorded on the

the same day. How is this to be understood? Unfavorably, the Court think, to the idea that the confessions were free and voluntary, and given without fear.—

Number of the Witnesses.	When examined by Police.	When examined by Joint. Magistrate	Number of the Prisoners.	When Examined by Police.	When Examined by Joint. Magistrate.
			1	18th June	19th June
1	16th June	19th & 25th June	2	18th "	19th "
2	21st "	22d "	3	17th "	19th "
3	21st "	22d "	4	20th "	22d "
4	22d "	22d "	5	21st "	22d "
5	22d "	22d "	6	16th & 18th "	19th "
6	22d "	22d "	7	21st "	22d "
7	22d "	25th "	8	21st "	22d "
8		25th "	9	21st & 22d "	22d "
9		25th "	10	20th "	22d "
10		25th "	11	21st "	22d "
			12	21st "	22d "
			13	21st "	22d "

8. Being of opinion that the evidence is wholly insufficient for conviction, or even for a requisition of security, the Court have ordered their unconditional release.—

&c

9. The Court observe that the confessions before the Criminal Court ought to have been received in detail.

10. The Joint Magistrate ought to have recorded at what place the examinations of the parties took place before him.

11. The Sessions Judge will be pleased in future not to send the whole Record tied up but to keep the papers of each department separate, so as that each may form a record of itself. the Police the Magistracy the Criminal and the Sessions Court.

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Cuddalore for his information and future guidance and that of the Principal Sudder Ameen and Joint Magistrate.

/Sent in No. 877/-

Read Calendar of Case No. 23 of 1849 of the Sessions Court of Hosur

/Hosur Entry No. 1825 of 1849/-

20th September, 1849.

Before disposing of this case, the Court of Foujdaree Adalut resolve to call upon the Sessions Judge to submit for their consideration an English translation of the entire Record.

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Hosur by Receipt returnable within XXV days from and after its receipt.

/Sent following Precept No. 878/-

Ex. 18 Cl.

lgh

F. 116.

Saturday, 22nd. September, 1849. At a Court of the Foujdaree Udalut.

Present.

W.R. G.L. Cooper, Esquire - 1st. Puisne Judge -

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

Dall W.A.C. Morehead, Esquire - 3rd. Puisne Judge -

Read Calendar of Case No. 30 of 1849 of the Sessions Court of Rajahmundry -

Here Enter F. 116. No. 1598 of 1849 -

1. The first Prisoner in this case was charged with "Murder", in having struck the Prosecutor's son on the chest with a Goad, from the effects of which blow he died; and, on conviction by the Sessions Judge of "Culpable Homicide", has been sentenced to six years' imprisonment with hard labor in irons -

2. With reference to the nature of the circumstances under which the blow was inflicted by the

the Prisoner, the Court of Foujdaree Udalut are of opinion that the ends of justice may be attained by a less severe sentence than that now recorded against him and on the recommendation of the Sessions Judge the Court will be prepared to mitigate the sentence to two years imprisonment with hard labor in irons.

3.

If the Sessions Judge upon reconsideration of the circumstances be disposed to concur in this view of the case, he will be pleased to submit the recommendation for mitigation accordingly but if he dissents, he will be pleased to submit a translation of the entire Record.

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

/Sent following Precept No. 879/-

Read again Calendar of the No. 26 of 1849 of the Sessions Court of Vizagapatam

/Here Enter F.C. No. 1674 of 1849/

Read

Read also Return dated 7th September 1849 made by the Sessions Judge of Vizagapatam to the Precept of the Foujdaree Udalut dated 29th August 1849 conveying their remarks on the above Calendar.—

/Here Enter F.C. No. 1886 of 1849/-

1. In accordance with the recommendation made by the Sessions Judge in the foregoing Return, the Court of Foujdaree Udalut resolve to sanction the mitigated sentences of four /4/ years' imprisonment with hard labor in irons proposed to be passed upon the prisoners

1st Deena.

2nd Hoosena.

2. And the Sessions Judge is hereby authorised to issue fresh Warrants accordingly.

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

/Sent in No. 880/-

Read Criminal Reports of

22nd September, 1849.

of the Sessions Court of Madura for
August 1849.

/Here enter F.C. No. 1890 of 1849/

Adverting to the Statement
of the Subordinate Judge that no remarks
have been made in these Reports in con-
sequence of the Sessions Judge being absent
on leave, the Court of Foujdaree Adalut
deem it proper to observe that it will
be necessary for the Sessions Judge to
review the Reports on his return to
Madura, at the expiration of his leave,
and submit such remarks as he may
deem it requisite to make thereon for
the consideration of the Court of
Foujdaree Adalut.

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

/Sent in. No. 881/-

Read Criminal Reports of
the Sessions Court of Cuddapah for August 1849

/Here enter F.C. No. 1893 of 1849/-

The

F.C.

22nd September, 1849.

Supplemental Report B
Case No. 103.

The Court of Foujdaree
Adalut require to be informed of the
value of the stolen property which is
stated to have been received by the Prisoner
in this case, and they direct that such
information be invariably specified in
all future similar cases.

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

/Sent following Precept No. 882/-

Read Criminal Reports
of the Sessions Court of Bellary for
August 1849.

/Here enter F.C. No. 1904 of 1849/-

Adverting to the opinion
recorded by the Sessions Judge in this
Report B
Case No. 138
number, that this case should have
been decided by the Assistant Magis-
trate, as falling within the limit of
his jurisdiction, entry having been
effected thro' an unfastened door, and

the

22d. September, 1849.

the case being one of simple theft", the Court of Foujdaree Udalut observe that if, as stated in the charge, the door was closed, (tho' not fastened) the offence was one of breaking, as laid down in Foujdaree Udalut Circular Order dated 28th January 1848, and was not therefore cognizable by the Magistracy.—

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

/Sent in. No. 883/

Read Criminal Report of the Sessions Court of Coimbatore for August 1849.

/Here enter F.C. No. 1905 of 1849/

Magistrate Report B.

The Court of Foujdaree Udalut direct that the attention of the Acting Magistrate be drawn to the omission of a heading to the Statement of charge of cases disposed of by the Magistracy during the period under review.—

Ordered D.

22d. September, 1849.

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

/Sent in No. 884/

Read Calendar of Case No. 43 of 1849 of the Sessions Court of Cuddapah.—

/Here enter F.C. No. 1892 of 1849/

Before disposing of this case the Court of Foujdaree Udalut deem it proper to direct that a translation of the entire Record be submitted for their consideration.—

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

/Sent following Precept. No. 885/

Entd.

J. N. 4.

Monday 24th September 1849

At a Court of the Fouydaree Udalut

Present

G. S. Hooper Esqre 1st Puisne Judge

C. P. Thompson Esqre 2nd Puisne Judge

W. A. Morehead Esqre 3d Puisne Judge

Read Calendar of Case No 7 of 1849 on the file of the Sessions Court of Chicacole.

(Herewith Jl No 1870 of 1849)

The Court of Fouydaree Udalut direct that the remarks recorded by the Sessions Judge in this Case may be communicated to the Principal Sudr Ameen of Vizagapatam and that any explanation which that Officer may have to offer in reference thereto may be submitted for the consideration of the Fouydaree Udalut.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chicacole for his information and guidance by Receipt returnable within

within XV days from and after its rec.

(Sent following Precepts No. 887)

Read again Calendar

Cause No. 25 of 1849 on the file of the C.

Court of Honore

(Here enter Fol. No. 1843 of 1849)

Read the Return numb.

date the 31st August 1849 from the

Judge of Honore to the precept of the

Tongdaree Udalut dated the 23d Augt.

1849 conveying their Orders on the forego.

Cause

(Here enter Fol. No. 1851 of 1849)

The Court of Tongdaree

Udalut approve of the recommendation

made by the Session Judge in this Ca.

that the periods of Imprisonment awa.

to the prisoners be reduced to five yea.

and the Court authorize the Session J.

to issue their warrant accordingly

Ordered that Extract fr.

these Proceedings be forwarded to the

Session Judge of Honore for his inform.

-ation and Guidance

(Sent No. 888)

Read Extract from the

Minutes of Consultation in the Judicial

Department, under date the 6th September

1849. conveying the observations and Orders

of the Right Honorable the Governor in

Council, on a Report from the Medical

Board, forwarding the General Annual

Return of Sick, amongst the Prisoners in

the various Jails throughout the Presidency

and of gangs of Convicts on the Roads, and

also a Return of the Sick located at the

various Civil Institutions at the Presi.

-dency during the Year 1848.

(Here enter Fol. No. 1840 of 1849)

The Court of Tongdaree

1.

Udalut direct that Copies of paras 7 and

8 of the Minutes of Consultation be sent

to the Session Judges of Coimbatore with

instructions to submit, in communication

with the European Medical Officer, a detailed

Report of the accommodation - Locality,

Diet, &c. both of the Jail and Hospital,

and the nature of the Prisoners' employment

The Session Judge of

2.

Salem will be pleased to report without

delay, the exact accommodation afforded

by the Jail at that Station; and the exact

number

numbers of inmates at the time of making
Return to this Precept. For information on
the former point, he will be pleased to put
in communication with the European Medical
Officer

3

It appears that the mortality
at Mangalore is attributed by the Medical
Officer to a change made in the "Mofussil System"
that is, merely fixing the respective arr-
=rangement of the Subordinate Judge instead
of leaving these arrangements to the Prisoners
own fancies. also in not allowing them to
spend the Batta as they pleased. It further
appears, however, that the sickness in Jail
is now very trifling. The Court of Foujdaree
Udalut resolve to call upon the Subordinate
Judge, in communication with the European
Medical Officer, to report more in detail on this
subject, and to state whether this form of Jail
Diarrhoea yet continues

Circular

4

The Government having noticed
the inefficient manner in which the Returns
from the Jails are filled up and the discrepancies
that exist as to Diet, Clothing and Work,
the Court of Foujdaree Udalut resolve to
point out to the Officers in charge of Jails
and

especially to those in charge of the
Jails at Dunlgauteherry - Cumbum
and Cannanore - that these Returns are
not to be considered as useless Forms - and
that all such Officers are expected to give
every information called for, with such remarks
as their own observations ought to enable
them to have ready

Officers in charge of Jails

Circular

5

will take notice that in their Returns
of "Diet" the weight in Rupees of the
food is to be stated, and whether the grain
is raw or cooked when delivered to the pri-
=soners by weight. The Expences of Guarding
should not be included in the dietary,
and the mode in which the Batta or
Money Allowance is given and expended,
should be stated

The Court of Foujdaree

Circular

6

Udalut resolve to call upon all Officers in
charge of Jails, in conjunction with the
European Medical Officers, to propose for
consideration a more regular and uniform
scale of Dietary, Clothing, and Labour
than that provided in the Circular Order
of the 2nd June 1831. The Government
is of opinion that there is now no

necessity

necessity for Dieting according to Division which, as far as judicial matters are concerned have been abolished, and that it might be left optional with the Judges or Magistrates to give a specified quantity of Rice or a specified quantity of some other grains, and that a portion of animal food once a week will be advisable.

7. On all these points the Officers in charge of Jails will be pleased to submit their views in detail.

Ordered that Extract for these Proceedings (para 1) be sent to the Sessions Judge of Coimbatore by Precept returnable within XX days from date of its receipt

(Sent following Precept No. 889)

Ordered also that Extract from these Proceedings (para 2) be sent to the Sessions Judge of Salem by Precept returnable within XX days from and after its receipt

(Sent following Precept No. 890)

Ordered also that Extract from these Proceedings (para 3) be sent to the Subordinate Judge of Nangalam by Precept returnable within XX days from

24th September 1849.

from and after its receipt

(Sent following Precept No. 891)

Ordered further that Extract from these Proceedings (paras 4 to 7) be sent to the Officers in charge of Jails for their information and guidance

(Sent in No. 892)

£ 2 11

F: C:

Tuesday 25th September 1849.

At a Court of the Fouzdaree Adalut.

Present.

G: S: Dooper Esqre —— 1st Puisne Judge

E: P: Thompson Esqre — 2nd Puisne Judge

W: A: Morehead Esqre — 3rd Puisne Judge.

Read letter dated the 4th September 1849. from the Session Judge of Masulipatam. submitting the record of the trial in Case No: 36. on the Calendar of the Session Court for 1849.-

(Here enter F: C: No: 186 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 prisoner

"Chemacoorty Audeemmah"

is sufficient to convict her of the crime charged, to convict her thereof; and under the provisions of Section XXXIV Act VII of 1843. and clause third, — Section VII and clause third Section VIII Regulation XV of 1803, sentence her to be banished to the — District of Guntoor, and imprisoned and kept to labor suitable to her sex for and during the period of (10) ten years.-

(Sent following letter No: 893)

Mr: W: A: Morehead.

Read.

Read letter dated the 12th Instant from the Sessions Judge of Bellary submitting the record of the trial in Case No. 30 on the Calendar of the Sessions Court for 1849.

(Here enter F: C: No. 1926 of 1849)

Wm. G: S: Hooper
and
Wm. W: A: Morehead.

The Court of Foujdaree Adawlut after a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the proof against the prisoner.

"Hunmadoo"

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. 894).

Read Calendar in Case No. 29 of 1849 submitted by the Sessions Judge of Honore under date the 30th Ultimo.-

(Here enter F: C: No. 1843 of 1849)

Read report dated the 1st Instant, submitted by the Sessions Judge of Mangalore of Cases pending on the 31st July and committed for trial in the month of August 1849 in the Sessions Court.-

(Here enter F: C: No. 1842 of 1849)

25th September 1849.

Read letter dated the 1st Instant, from the Sessions Judge of Tellicherry reporting that no case was committed for trial before the Sessions Court in August 1849.-

(Here enter F: C: No. 1844 of 1849).

Read Calendar in Case No. 40 of 1849 submitted by the Sessions Judge of Cuddapah under date the 5th Instant.-

(Here enter F: C: No. 1845 of 1849).

Read letter dated the 5th Instant, from the Sessions Judge of Coimbatore forwarding copy of an Extract from the proceedings of the Sessions Court under date the 4th September 1849.-

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

Read Calendar in Case No. 27 of 1849 submitted by the Sessions Judge of Coimbatore under date the 3d Instant.-

(Here enter F: C: No. 1850 of 1849).

Read letter dated the 5th Instant, from the Sessions Judge of Trichinopoly reporting that a Prisoner named Lenanoo was, on the 5th September 1849, transferred to the Jail at Tinnevelly on the recommendation of the Garrison Surgeon, Copy of whose certificate is herewith transmitted.-

(Here enter F: C: No. 1853 of 1849).

Read

Read Calendar in Case No. 31 of 1849. submitted by the Sessions Judge of Rajahmundry under date the 3rd. Instant.-

(Here enter F. C. No. 1854 of 1849).

Read return dated the 15th. Instant from the Sessions Judge of Masulipatam to the precept of the Foujdaree Adalut under date the 30th. Ultimo communicating their orders upon report A of Criminal Case No. 33 of 1849. on the file of the Sessions Court.-

(Here enter F. C. No. 1856 of 1849).

Read Calendar in Case No. 48 of 1849 submitted by the Sessions Judge of Combaconum under date the 7th. Instant.-

(Here enter F. C. No. 1857 of 1849).

Ds. 1849.

F. C.

Wednesday 26th. September 1849.

At a Court of the Foujdaree Adalut.

Present.

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

Read again Calendar of Case No. 36. of 1849. on the file of the Sessions Court of Cuddapah.

(Here enter F. C. No. 1780 of 1849).

Read also return under date the 12th. September 1849. from the Sessions Judge of Cuddapah to the precept of the Foujdaree Adalut dated the 7th. September 1849. conveying their orders on the foregoing case.-

(Here enter F. C. No. 1880 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.

P. Ramoodoo.

be reduced to three years; and the Court 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. 895)

Read

Read Calendar of Case No. 2/49 on the file of the Session Court of Cuddalore.

(Here enter F: C: No. 1903 of 1849).

Before finally disposing of the Case the Court of Foujdary Udalut desire to be informed upon what grounds the recommendation of the late Acting Session Judge was based that the period of Imprisonment awarded to the 1st prisoner should be reduced to eight years.-

Ordered that Extract from these Proceedings be sent to the Session Judge of Cuddalore for his information and guidance by X days from and after its receipt.-

(Sent following Precept No. 896).

Read Criminal Reports submitted by the Session Judge of Chingleput for the month of August 1849.-

(Here enter F: C: No. 1895 of 1849).

Report B. Cases Nos. 61, 62.

1.

The Court of Foujdary Udalut consider the sentence awarded to the 1st prisoner in these Cases who has been convicted of theft and has been sentenced to two years Imprisonment with hard labor in irons and to receive 100 lashes with a Cat o nine tails to be unnecessarily severe, and they accordingly direct that the period of Imprisonment, adjudged be reduced to six months.-

2.

The Court of Foujdary Udalut observe that in the report of Case No. 62 the name of the 1st prisoner should have been inserted in red ink, that individual having been concerned in the preceding case.-

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

(Sent following Precept No. 897).

Read Criminal Reports dated the 15th Instant, submitted by the Session Judge of Trichinopoly for the month of August 1849.-

(Here enter F: C: No. 1907 of 1849).

Read letter dated the 14th Instant, from the Session Judge of Calicut transmitting the Criminal Reports B. and other Statements from the Subordinate Judge of Calicut and Principal Sudr Ameen of Cochin for August last & stating that the Magistrate has had no case to include in those Reports during the said month.-

(Here enter F: C: No. 1910 of 1849).

Read Calendar in Case No. 14 of 1849. submitted by the Session Judge of Chingleput under date the 17th Instant.-

(Here enter F: C: No. 1912 of 1849)

Read

Read Calendar in Case No. 53 of 1849 submitted by the Acting Sessions Judge of Tinnevelly under date the 11th Instant.—

(Here enter F. C. No. 1913 of 1849)

Read Calendar in Case No. 53 of 1849 submitted by the Sessions Judge of Combaconum under date the 19th Instant.—

(Here enter F. C. No. 1924 of 1849)

Read Criminal Report dated the 15th Instant submitted by the Sessions Judge of Masulipatam for the month of August 1849.—

(Here enter F. C. No. 1928 of 1849)

Read Calendar in Case No. 29 of 1849 submitted by the Sessions Judge of Salem under date the 11th Instant.—

(Here enter F. C. No. 1931 of 1849)

F. C.

Thursday, 27th September 1849.

At a Court of the Fouzdaree Adalut

Present.

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

Read again Miscellaneous Petition presented on the 2d June 1849 by Coonchala Narroosoo of Zillah Nellore.—

(Here Enter F. M. P. No. 1230 of 1849)

Read also return under date the 24th July 1849 from the Sessions Judge of Nellore to the precept of the Fouzdaree Adalut dated the 2d July 1849 conveying their orders on the foregoing Petition.—

(Here Enter F. A. No. 1521 of 1849)

Under the circumstances stated by the Sessions Judge the Court of Fouzdaree Adalut are satisfied of the propriety of the Petitioners dismissal from his situation as Daloyet in the Court of the Principal Sudder Ameen of Nellore and they accordingly resolve to dismiss the Petitioners application.

Ordered

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

(Sent in Ltr No 900

Ordered also, that Extract from these proceedings be granted to the Petitioner on his application

Read Miscellaneous Petition presented on the 18th July 1849 by V. Veeramakaliamma Vakeel on behalf of Govoodaseekah Ramasamy of Zillah Coimbatore

(Here Enter I No 156 of 1849)

1. The Petitioner appeals from an order passed by the Acting Sessions Judge of Coimbatore under date the 11th April 1849 reversing an order passed by the Joint Magistrate in charge of Coimbatore, in confirmation of certain proceedings held by the Assistant Magistrate, whereby the Petitioner was adjudged the temporary possession of a Nunjaivanum or Garden claimed by one Collen Shetty, and which forms a portion of certain property now under litigation before the Principal Sudder Ameen of Coimbatore. The

2. The Court of Foujdaree Adalut see no reason to question the propriety of the order passed by the Acting Session Judge from which the Petitioner appeals, and with which the Court of Foujdaree Adalut accordingly refuse to interfere.-

3. It appears from the proceedings of the Session Court that if possession was ever given to the Petitioner of the garden in question, it was merely nominal, that the Petitioner has never been actually in possession of it and that Collen Shetty disputes the alleged sale to the Petitioner of the entire property of which it forms a part, and which is at the present time under litigation before the Principal Sudder Ameen.-

4. The Court of Foujdaree Adalut consider the arguments adduced by the Petitioner founded upon the rules of English Law to be of no weight under the circumstances of the case, and as it is not the practice of the Court of Sudder and Foujdaree Adalut to hear a Vakeel orally in support of a Petition presented on the Criminal side of

the

the Court, the Vakeel's request to that effect cannot be complied with.—

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

Read again Miscellaneous Petition presented on the 23d July 1849 by Vakeel Sam Eggre Vakeel on behalf of Baboo Vatsim Ahem Saik of Zillah Combaconum.

(Here Enter T. D. No 161 of 1849)

Read also return under date the 3d September 1849, from the Sessions Judge of Combaconum to the precept of the Tonjeare Adalut dated the 9th August 1849 conveying their orders on the foregoing Petition.—

(Here Enter T. D. No 1821 of 1849)

1.

On perusal of the foregoing letter the Court of Tonjeare Adalut observe that the deposition of the Curnum referred to in the foregoing Petition was the 18th of the month and not the 20th as is asserted by the Petitioner.

2.

It is reported by the Sessions Judge that no such person as Ramooniah was examined in the case to which the Petitioner refers

T. A.

27th September 1849.

refers, but it appears that one Christnien deposed to his having seen Sawmy Pillay at the Cutcherry on the day referred to, on going there to pay his Kist.—

3.

The receipt granted by the Shroff for the money paid by that individual was called for by the Sessions Judge and has been found to correspond with the date mentioned by him.—

4

Under these circumstances the Court of Tonjeare Adalut resolve to reject this application.—

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

(Sent in No 901

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

Read Miscellaneous Petition presented on the 20th August 1849 by Pareya Sawmy Taver of Zillah Tinnevelly.—

(Here Enter T. D. No 182 of 1849)

The Petitioner prays to be

1.

furnished

furnished with copy of a Letter from the
Court of Toojearee dealt to the Joint
Magistrate in charge of Tinnevelly under
date 19th March 1845, regarding his Fathers
and further prays that the Sessions Judge
may be directed to furnish him with a
certificate, that he visited his Father when
his sickness.-

2.

The Court of Toojearee declines
decline to comply with the prayer of this

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

Read Miscellaneous Petition
presented on the 27th August 1849 by Lutch
=mayem of Zillah Combaconum

(Here Enter F R No 1824 of 1849)

1

The Petitioner in reference to the
orders of the Court of Toojearee dealt
dated the 29th January last rejecting his
application for the reversal of the sentence
awarded to his father prisoner in case No
of 1848 on the file of the Sessions Court of
Combaconum.-

2.

This Petition is dismissed-

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

Read Criminal Reports of the
Sessions Court of Tinnevelly for August 1849.-

(Here Enter F R No 1906 of 1849)

The Court of Toojearee dealt

Report B
Case No 103.

1.

observe that in this case the charge of "uttering
counterfeit coin" not having been proved
against the Prisoner, the case should have
been disposed of by the Magistracy, in
whom alone is vested the power of punish=
=ing parties convicted of "possessing counter=
=feit coin".-

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

(Sent in No 902

Read again Calendar of case
No 16 of 1849 of the Sessions Court of Tellicherry-

(Here Enter F R No 1627 of 1849)

Read also Miscellaneous Petition
forwarded by the Sessions Judge of Tellicherry
on

27th September 1849.

on behalf of Eddaken Kandy Kalenen and filed in this Court on the 27th August

(Here Enter F. M. No 180 of 1849)

1.

This is an application for the reversal of the sentence of 4 years imprisonment recorded against the Petitioner in the above case on his conviction of Forgery.

2.

The Court of Foujdaree Adalut see no reason to question the justness of the Petitioner's conviction, and accordingly see to reject his Petition.—

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

(Sent in No 903

Read again Calendar of Case No 27 of 1849 of the Sessions Court of Tinnevelly—

(Here Enter F. R. No 1658 of 1849)

Read also Miscellaneous Petition forwarded by the Sessions Judge of Tinnevelly on behalf of Heena Mootoo, and filed in this Court on the 3d September 1849.—

(Here Enter F. M. No 188 of 1849)

Ord

F. R.

27th September 1849.

This is an application for the reversal of the sentence of imprisonment recorded against the Petitioner on his conviction in the above case of "Highway Robbery" attended with aggravating circumstances.

The Court of Foujdaree Adalut,

2.

seeing no reason to doubt the justness of the Prisoner's conviction, decline to interfere on his behalf.—

Ordered, therefore, that the prayer of this Petition be rejected, and that Extract from these proceedings be forwarded to the Sessions Judge of Tinnevelly for his information and for communication to the Petitioner.—

(Sent in No 904

Read letter dated 14th receiving 24th instant from the Sessions Judge of Masulipatam, referring for the final judgment of the Foujdaree Adalut, the record of case No 35 of 1849 of the Calendar of the Sessions Court.—

(Here Enter F. R. No 1929 of 1849)

The Court of Foujdaree Adalut,

Mr G. L. Hooper and Mr. A. Morehead

on a deliberate consideration of all the

the circumstances of the case in evidence by them, being of opinion that the Prisoner "Curruk Lomadoo"

is not convicted on presumptive proof, or the evidence of credible witnesses, or on his own confession, of the crime charged, do acquit him thereof; but considering that strong suspicion tho' not amounting to conviction, attaches to him, the Court direct that he be required, under clause sixth Section II Regulation XV of 1803, to find two sureties in 10 Rupees each surety, for his good behaviour and appearance when required within one year or in default thereof that he be detained in custody for one year.-

1. The Court of Foujdaree adalut deem the evidence insufficient for the conviction of the Prisoner.

2. The Court are of opinion that the person named Dooddala Reddy named by the Prisoner (Page 7 Police Record) as his employer in the village Nimmadooroo, should have been examined.- The Place also where the Prisoner resides in the above village ought to

to have been searched.-

Ordered that Extract from these proceedings be sent to the Sessions Judge of Masulipatam for his information.-

(Sent in No 905

Read letter dated 1st September 1849 from the Sessions Judge of Honore Reporting that no cases were pending before him for more than 25 days during the month of August 1849.-

(Here Enter F.R No 1852 of 1849)

Read Criminal Reports dated 1st September 1849 submitted by the Sessions Judge of Chittoor for the month of August 1849.-

(Here Enter F.R No 1879 of 1849)

Read Report dated 14th Instant submitted by the Sessions Judge of Cuddapah of persons apprehended and delivered to the Joint Magistrate in the month of August 1849.-

(Here Enter F.R No 1885 of 1849)

Read Report dated 12th September 1849 submitted by the Sessions Judge of Guntoor of the Criminal cases disposed of in the month of August 1849.-

(Here Enter F.R No 1888 of 1849)

Read

27

27th September 1849.

Read Criminal Report to
1st Instant submitted by the Sessions
of Combaconum for the month July

(Here Enter F & Ro 1396 of 1849)

Read Report dated 12th Inst.
submitted by the Sessions Judge of Mayu
of Persons apprehended and delivered to
Subordinate Judge and tried in the month of
August 1849.

(Here Enter F & Ro 1397 of 1849)

Read Criminal Report dated
11th Instant submitted by the Sessions
Judge of Tellicherry for the Month of July
Ult.

(Here Enter F & Ro 1399 of 1849)

J. U.

Monday
1st October, 1849.

At a Court of the Foujdaree Adalut.

— Present —

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

Read Letter dated the 22d ultimo from the Sessions Judge of Combaconum, referring for the final judgment of the Foujdaree Adalut the Record of Case No 52 of the Calendar of the Session Court of 1849.

(Here Enter F Ro No 1960 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 prisoner,

2d Nagalingapoketty,

is not convicted on presumptive proof, or on the evidence of credible Witnesses or on his own confession, of the crime charged, do accordingly acquit him; and do direct that he be set at liberty.

Mr. C. P. Thompson
Mr. W. A. Morehead

The Session Judge recommends
1. that the 3d and 4th prisoners be required to furnish security.

But the Court of Foujdaree Adalut
2. decline

observe that as the assessors found that [illegible]
only — attached to three prisoners and a
finding has been constantly called to the
amount to an acquittal, the Sessions has
confidential demands from the court
by as he might see fit, and upon the pri
ing it, to release them. This course he
immediately adopted.

3.

In the 3d para of the Lett
forming the trial, the Sessions Judge state
in consequence of the number of Gang Robb
committed in the district, the Police
exhorted to exert themselves in discovering
perpetrators: and that several arrests
recently made upon information obtained
from informers"

4.

Before disposing of this case
it respects the 1st Prisoner the Court of Sess
Udalut deem it necessary to require the
Judge to furnish them with full informa
respecting these informers" in who they
in what way their services as "informers"
tained, and when and to what extent
information was communicated. He
is silent regarding them. and it does not
that any one of them was present.

5

The Court further require
to be explained whether or not the

— — — — of the information furnished by these
persons, there existed — other grounds of suspic
tion against the prisoners of their having
been concerned in this affair: and if so, what
those grounds or circumstances of suspicion
were.

6.

The 2d Witness before the Sessions
Court Rangana Naick a Sebbandy - (Rep: 8th Aug
states as follows: I brought him (1st prisoner)
down - being asked why he had concealed him
self, he said nothing: and being taken to an
Ellapita Topp or and asked if he had any
of the stolen things with him, he refused
to answer. At about 3 P.M. the said
Ramasawmy Tyen bringing the said 1st Pri
soner with him, told the Tahsildar —
that he had promised to discover the stolen
things": — "so we all went to his house".

7.

The Court of Inquiry Adalut
require information on the following points
connected with the foregoing statements —

1st How far is the Tope from the House in
which the Prisoner was concealed?

2d Why was he taken to the Tope?

3d Under whose charge was the prisoner
kept in the Tope from 9 A.M. to 3 P.M.?

4th Was there any public Cutcherry or Chaul
at Aduvumgoody.

5 Wit

1st October 1849.

5 What is Ramasawmy Sgt ?

6 What plan did the said Ramas
bringing the 4 Prisoners ? gone ?

7 Where was the Sergt meant to
go all night ?

8

The Sessions Judge ask to pu
to furnish the information now called for
least possible delay.

9

The Court of Foujdaree Ad
observe that although Mookuttears
Officers may in certain cases declare
only against accused persons, officers of
have not the same discretion allowed the
must state in their verdict that the
either "Guilty" or "not Guilty" and the Sessions
will in future cases be careful not to
any verdict or finding which is not found
as to one of these two points.

Ordered that the abstract for
Proceedings be sent to the Sessions Judge
Cuddapah for transmission by Precept returnable with
fifteen days from and after its receipt

/Sent following precept dt 908/

Read miscellaneous Petition
presented on the 22 September 1849 by Sadhu
Vakil on behalf of Kamiah Gadee Ramasawmy
of Chinna Kaishnoor in Gollah Cuddapah

/Here Enter No 2 of 149 of 1849/

Jno
1st October 1849.

The Petitioner appeals from an order
passed by the Sessions Judge of Madura under date
the 26th June last rejecting the Petitioner's applica-
tion for the remission of a fine of Rupees 200
imposed upon him (the Petitioner) by the Sub-
ordinate Criminal Judge for having neglected
a requisition for his attendance to give evidence in
an investigation pending before the Sub Collector
of Madura under the provisions of Regulation IX of
1822.

Before finally disposing of this Peti-
tion the Court of Foujdaree Adalat desire to be
informed under what Law the fine adverted to
was imposed upon the Petitioner.

Ordered that Extract from these proceedings
be sent to the Sessions Judge of Madura for his
information and guidance by precept return-
able within three days from and after its re-
ceipt.

/Sent following precept dt 909/

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

Read Calendar of Case No 31 of
1849 on the file of the Sessions Court of Bellary

/Here Enter No No 1883 of 1849/

The prisoner in this case having

1.

been

1st October 1849.

been on a former occasion convicted and punished
for the offence of House-breaking and theft. The
Court of Sonjaara Adalat do not approve of
the recommendation made by the Sessions Judge
in this case that the period of Imprisonment
awarded should be reduced to eighteen months
2.
The Court are however of opinion
that the prescribed period of Imprisonment
may with propriety be mitigated to three years
and do they authorize the Sessions Judge to pass his sentence
accordingly.-

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

Sent in Nº 910 /.

Cronshala Sinnen late Deputy
of the Principal Sudder Ameen Court of Adaw
moves the Court to return the Enclosures
in his Miscellaneous Petition Nº 123 of 1849.

Ordered accordingly.-

End 4th.

J. W.

Tuesday
2d October 1849

At a Court of the Tondaree Adalut

Present

G. S. Hooper Esqre ——— 1st Puisne Judge
C. D. Thompson Esqre ——— 2d Puisne Judge
W. A. Morhead Esqre ——— 3d Puisne Judge

Read Letter dated the 18th Ultimo (received
26) from the Agent of the Governor in Vizagapatam
referring for the final judgment of the Tondaree
Adalut the record of Case No 8 of his Criminal
Calendar of 1849.

Here enter the No 1949. of 1849.

In this case the Prisoner

1. Boray Mootheyander.

is charged with the murder of his Father.

The Agent convicts him; but con-
2. siders that at the time he committed the
act, he was of unsound mind and recommends
that he be kept in safe custody as a Criminal
Lunatic.

The Civil Surgeon in his Letter
3. to the Agent of the 5th Instant records his opinion
that the prisoner is of unsound mind.

The Court of Tondaree Adalut
4. convict the prisoner of the murder of his Father.

but

but are of opinion that he must, at the time of the commission

of the crime charged, have been insane, and therefore not

responsible for the consequences of his act. They

therefore recommend that he be kept in safe custody for

the rest of his natural life.

Ordered that the above sentence and extract from the minutes of consultation in the Judicial department be sent to the Agent for the Governor of Fort Saint George at Vizagapatam for his information.

Sent in No 911

Read again Letter dated 1st June from the Agent for the Governor of Fort George at Vizagapatam submitting for the sentence of the Sessions Judge of Tanjore dated the records of case No 8 of 1849 on his calendar.

(Here enter No 1949 of 1849.)

Read also Letter dated 15th August from the Acting Secretary to Government in the Judicial department ordering confirmation of the sentence of transportation for life of a Convict Prisoner committed to the Sessions Court of Tanjore by the Agent to the Governor at Vizagapatam.

(Here enter No 2169 of 1849.)

Mr E. P. Thompson and Mr W. A. Morehead

The Court of Tanjore having taken deliberate consideration of the whole circumstances of the case as written before them, being of opinion

that the proof against the Prisoner

"Bonay Moottegaador"

is sufficient to convict him of the crime charged, do convict him thereof; and under the orders of Government passed under Act No of 1849, direct that he be kept in safe custody for the rest of his natural life.

Ordered that the above sentence and extract from the minutes of consultation in the Judicial department be sent to the Agent for the Governor of Fort Saint George at Vizagapatam for his information.

Sent in No 912

Read Criminal Reports submitted by the Subordinate Judge of Salem for the month of August 1849.

(Here enter No 1901 of 1849.)

Read Criminal Reports submitted by the Agent to the Governor of Fort Saint George at Ramnad for the Month of August 1849.

(Here enter No 1918 of 1849.)

Read Calendar of case No 8 of 1848 submitted by the Sessions Judge of Masulipatam, under date the 19th July 1848

(Here enter No No 1922 of 1848.)

Read

Read calendar of case No
1849 committed by the Sessions Judge of
Chingleput under date the 1st September 1849.
(Here enter Fee No 1933 of 1849)

Read return dated the 11
September 1849 from the acting Sessions Judge
Tinnevelly to the precept of the Tinjanore Zillah
under date the 1st September 1849 requiring
him to ascertain and report for the information
of the Court of Tinjanore Zillah what orders ha
been passed by the Magistrate on the Report
to him by the Head of Police regarding the co
duct of the Village Vairavan of
(Here enter Fee No 1935 of 1849)

Read Criminal Reports sub-
mitted by the Sessions Judge of Salem un
date the 14th September 1849, for the Month
of August 1849
(Here enter Fee No 1930 of 1849)

Read letter dated the 11th Septe
ber 1849 from the Sessions Judge of Salem re
porting the transfer of a Prisoner named Ra
from the Jail at Salem to that at Trichy at the
recommendation of the Medical Officer.
(Here enter Fee No 1937 of 1849)

Read Return dated the 21
September 1849 from the Sessions Judge of Salem
Salem to the precept of the Tinjanore Zillah Court

date the 10th September 1849 directing that the sen-
tence passed on the 1st 2d and 3d Prisoners in Ca-
lendar Case No 22 of 1849 be cancelled and
that they be required to produce two securities
for their good conduct and appearance in the
sum of Rupees 20 each for two years.
(Here enter Fee No 1945 of 1849)

Read letter dated the 14th Septembe
1849 from the Agent to the Governor in Ganjam
submitting Criminal Reports for the Month
of August 1849.
(Here enter Fee No 1948 of 1849)

Read calendar of Case No 33
1849 committed by the Sessions Judge of Rajah-
mundry under date the 21st September 1849.
(Here enter Fee No 1950 of 1849)

Read letter dated the 24th September
1849 from the Sessions Judge of Cuddapah, re-
porting the escape of 3 Prisoners from the Jail
on the 17th September 1849.
(Here enter Fee No 1955 of 1849)

Read Calendars of Cases Nos
13 and 16 of 1849 submitted by the Sessions Judge
of Guntoor under date the 25th September 1849.
(Here enter Fee Nos 1959 & 1960 of 1849)

Read Calendar of Case No 17
1849 committed by the Sessions Judge of Chingleput under

under date 20th September 1849.-

(Here Enter Flo No 1972 of 1849)

Read Calendar of Case No 82 of 1849 submitted by the Sessions Judge of Salem under date the 22d September 1849.-

(Here Enter Flo No 1974 of 1849)

Read return dated the 27th September 1849. from the Sessions Judge of Cuddapah to the precept of the Sunderee Adalat dated the 22d September 1849. directing the Sessions Judge to inform the value of the Stolen property which is said to have been received by the prisoner Case No 103 of the Supplemental Report for 1849.

(Here Enter Flo No 1975 of 1849)

Read return dated the 29th September 1849 from the Sessions Judge of Chingleput to the precept of the Sunderee Adalat under date the 20th September 1849. directing that the period of 2 years imprisonment be reduced to one month in Criminal Cases Nos 61 and 62 in Criminal Reports B for the month of August 1849.

(Here Enter Flo No 1976 of 1849)

Read appendix, submitted by the Sessions Judge of Madura under date the 21 September 1849. to Criminal Reports for August

(Here Enter Flo No 1982 of 1849)

F. No.

Wednesday
3rd. October 1849. } At a Court of the Foujdaree Udalut.

Present.

GHK — G. A. Hooper Esqr. —— 1st. Puisne Judge.
OPT — O. P. Thompson Esqr. —— 2nd. Puisne Judge.
WAM — W. A. Morehead Esqr. —— 3rd. Puisne Judge.

Read Calendar of Cases. No. 33 of 1849. of the Sessions Court of Chittoor. (Here enter F. No. 1922 of 1849.)

1. The Prisoner in this case was charged "with forging Counterfeit Coins at Arcot in the Zillah of Chittoor", and, on conviction, has been sentenced by the Sessions Judge to 7 years' imprisonment with hard labor in irons.

2. The Court of Foujdaree Udalut require to be informed of the date on which the above crime is supposed to have been committed; and the Sessions Judge will, at the same time, be pleased to specify the number of Coins forged, as well as the pieces of money, which they were intended to represent.

Ordered

3rd. October 1849.

Ordered, that Extract of these Proceedings, be forwarded to the Sessions Judge of Chittoor by Precept returnable within V days, from the date of its receipt.

/Sent Following Precept No. 919/

Read again Calendar of No. 31 of 1849 on the file of the Sessions Court of Cuddapah.

/Here enter F. No. No. 1760 of 1849/

Read the returns made on the 12th. September 1849 from the Sessions Judge of Cuddapah to the precept of the Fouzdaree Udalut dated the 8th. September 1849 conveying their orders on the foregoing case.

/Here enter F. No. No. 1881 of 1849/

The Court of Fouzdaree Udalut after perusal of the recommendations by the Sessions Judge in this case, that the period of Imprisonment awarded to the 1st. 2nd. and 3rd. Prisoners be reduced to seven years, and the Court entirely agree with the Sessions Judge to assume his recommendations

Ordered

3rd. October 1849.

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

/Sent pm. No. 920/

Read Criminal Reports submitted by the Sessions Judge of Nellore for the month of August 1849.

/Here enter F. No. No. 1900 of 1849/

Report B
Cases Nos. 103 and 104.

The Court of Fouzdaree Udalut require to be furnished with an explanation in regard to the apparent irregularity of the sentences passed in these cases, the 1st. and 2nd. Prisoners in Case No. 103 convicted of Killing Cattle valued at Rupees 10 having been sentenced to one years imprisonment, while to the prisoner in Case No. 104 who has been convicted of stealing cattle valued at Rupees 37 only six months imprisonment has been awarded.

Ordered, that Extract from these Proceedings, be forwarded to the Sessions Judge of Nellore, for his information and guidance by precept returnable within V days

3rd October 1849.

days from and after its receipt.

Sent following precept. No 921

Read Criminal Reports submitted by the Acting Agent to the Governor of Fort St George at Vizagapatam for the month of August 1849.

Here enter F. No. 945 of 1849

Case No 28.

In order to judge of the propriety of the sentence awarded in this case the Court of Fougdaree Udalute desired to be informed in what manner the prisoners effected their entry into the Prosecutors house.

Ordered, that Extracts from these Proceedings be forwarded to the Agent to Governor of Fort St George at Vizagapatam for his information and guidance, by first returnable within 7 days, from and after its receipt.

Sent following precept. No 922

Read again Calendar of Case No 17 of 1849 of the Sessions Court of Tychinopoly

Here enter F. No. 5721 of 1849

Read

F. No.

3rd October 1849.

Read also Return dated 28th September 1849 made by the Sessions Judge of Tychinopoly to the Precept of the Fougdaree Udalute dated 28th August 1849, demanding a translation of the entire Record in the above Case.

Here enter F. No. 1984 of 1849

Before passing their final Orders on this case the Court of Fougdaree Udalute deem it proper to call upon the Sessions Judge to submit for their consideration a translation of "The Report of the Village Moonsif to the Acting Police Aueen," marked in the Memo of Police Documents omitted to be sent as Document No 1.

Ordered, that Extracts from these Proceedings be forwarded to the Sessions Judge of Tychinopoly by Precept returnable within 7 days, from and after its receipt.

Sent following precept. No 923

Read Criminal Reports submitted by the late Acting Sessions Judge

3rd October 1849

Judge of Cuddalore for the month of August 1849.

/Here enter F. No. & 1914 of 1849/

Cases Nos 86 87 & 90 and 91.

1.

The Court of Foujdaree Udalut require an explanation with reference to the apparent irregularity of the sentences awarded in these cases; the 1st prisoner in Cases Nos 86 and 87 convicted of stealing property valued at Rupees 5-13- having been sentenced to fifteen months Imprisonment while to the prisoner in Case No. 91 who has been convicted of stealing property valued at Rupees 68-14- only six months Imprisonment has been awarded.

2.

The Court of Foujdaree Udalut resolve to direct the attention of the Sessions Judge to the wording of the sentences entered in the reports under review.-

Ordered, that Cottack for these Proceedings, be forwarded to the Sessions Judge of Cuddalore, for his information and guidance; by precept returnable within 8 days, from and after its receipt.

4th W.S.

/Sent following precept No 924/

Thursday,
4th. October, 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 Miscellaneous Petition presented on the 30th. July 1849 by Sum=ganee Causing of Zillah Nellore.—

Ordered enter F. Mis. P. No. 164 of 1849.—

The matter mooted in this Petition having been finally disposed in the Court's Proceedings under date 2d. and 18th. of June and 2d. July 1849, the Court decline to issue any further Orders in the matter.—

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

Read Miscellaneous Petition presented on the 30th. August 1849 =

by

4th. October, 1849.

by Pennamma of Zillah Combacon

Vide Inter. F. M. P. No. 187 of 1849

1. This is a further appl
for the reversal of the sentence pron
against the Petitioner's husband, w
was convicted in Case No. 32 of 1849
the Calendar of the Sessions Court
Combaconum of "Forgery", and wa
adjudged to 4 years' imprisonment
hard labor in irons.—

2. The Petitioner is refus
the Proceedings of the Court of Fou
Udalut dated 13th. August last, a
informed that the Order therein s
forth is final.—

Ordered, that Extr
from these Proceedings be given to t
Petitioner on her application.—

Read Miscellaneous P
presented on the 3d. September 1849 by
Appah Vakeel on behalf of Petitio
Mullaven and others of Zillah
Vide Inter. F. M. P. No. 191 of 1849

1. The Agent of the

4th. October, 1849.

Petition is to induce the Court of Foujdaree
Udalut to issue a Precept to the Gover=
=nor's Agent at Ganjam, commanding
that Officer to cause the removal of a
House, which, the Petitioners allege,
has been built across the Government
Road by one Vobula Chetty Suttiappah,
an inhabitant of that Zillah.—

2. The Petitioners are referred
to Mr. Onslow the present Agent at
Ganjam, who will dispose of the
matter at issue as may to him seem
fit.—

3. Should the Petitioners
be still dissatisfied with the Order
which may be issued by that Officer
it will be open to them to prefer an
appeal to the Court of Foujdaree
Udalut, presenting at the same time
a certified copy of the Order of the
Agent appealed from.—

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

Read

th October, 1849.

Read Minute Memorandum
presented on the 3rd September 1849 by
Cadamburee of Zillah Salem.—

/Have entered F. M. P. No. 195 of 1849/-

1. This is an application for
the reversal of the sentence recorded
against the Petitioner's husband, who
was convicted in Case No. 19 of 1849
of the Session Court of Salem of the
crime of "Severe Wounding", and sen-
tenced by the Court of Foujdaree Ad
to transportation for life.—

2. The Court of Foujdaree
Udalut, having been satisfied by a
full consideration of the entire Rec
of the Prisoner's guilt, decline to
direct his release.—

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

Dd 18th

F. M.

Friday,
5th October, 1849.

At a Court of the Foujdaree Udalut.

Present:—

G. L. Hooper, Esquire — 1st Puisne Judge.
E. P. Thompson, Esquire — 2d Puisne Judge.
W. A. Morehead, Esquire — 3d Puisne Judge.

Read Criminal Reports
submitted by the Session Judge of
Rajahmundry for the month of
August 1849.—

/Have entered F. M. No. 1952 of 1849/-

The Court of Foujdaree
Udalut concur in the opinion recorded
by the Session Judge in the 5th para.
of his proceedings of the 14th September
last that the enquiry therein referred
should have been made by the
Officer in charge of the Jail.—

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

/Sent in No. 930/- Read

5th October, 1849.

Read Criminal Reports of the Sessions Court of Chicacole for August 1849.

/Here enter F.C. No. 1969 of 1849/-

The Court of Foujdaree Udalut require to be informed of the cause of one Naigue having been employed in excess of the prescribed number in guarding the Convicts worked outside the Jail during the period under review. —

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

/Sent following Precept. No. 931/

Ad 1810.

F. U6.

Monday, 8th October, 1849. At a Court of the Foujdaree Udalut.

Present.

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

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

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

Read again Miscellaneous Petition presented on the 30th July 1849 by Vardaloo and Chengiah of Tillah Chittoor

(Here Enter F.M.P. No. 165 of 1849).

Read also return under date the 1st September 1849 and Supplemental return under date the 18th September 1849 from the Session Judge of Chittoor to the precept of the Foujdaree Udalut dated the 13th August 1849 directing the transmission of an English Translation of the record of case No. 26 of 1849 on the file of the Session Court.

(Here Enter F.U6. No. 1819 of 1849).

The Court of Foujdaree Udalut

1.

8th October, 1849.

Udalut see no reason to question the propriety of the acquittal of the prisoner the foregoing case.

2. The Court observe that it would have been more satisfactory if the Sessions Judge had examined a Medical Officer with reference to the possibility of the 2d Petitioner's thigh having been broken in the manner described by the witnesses for the prosecution and they consider that the Subordinate Judge was in omitting to examine the witnesses named by the prisoner to prove that the 2d Petitioner's thigh was broken elsewhere and in a different manner to that alleged in the charge.

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

/Sent in No. 935/-

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

Read

8th October, 1849.

Read Miscellaneous Petition presented on the 6th August 1849 by Rama Pillay of Zillah Combaconum.—

/Here Enter F. M. D. No. 169 of 1849/-

This is an application for

1. the interference of the Court of Foujdaree Udalut to set aside the sentence of six months imprisonment passed by the Additional Sudder Ameen of Combaconum on the Petitioner's relative one Kristnapillay and two others on their conviction of having preferred a false charge of "Robbery" against one Appathuray Moodr and others.—

The Court of Foujdaree

2. Udalut see no reason for their interference in the matter, which, they observe, has been finally disposed of.—

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

Read

8th. October, 1849.

Read Miscellaneous Petn.
presented on the 6th. September 1849 by
Sreenevasa Chetty Vakeel on behalf of
Lutchmanadoss of Tellicherry.

(Above Entd. F. M. P. No. 197 of 1849.)

1. The Petitioner appeals from
an order passed by the Sessions Judge of
Tellicherry under date the 31st. July 1849
directing that certain Jewels with reference
to which the Petitioner was committed
for trial before the Principal Sudder
Ameen upon a Criminal charge of which
he was acquitted by that Officer, should
be delivered to the Prosecutor in the case
in which the charge in question was pre-
ferred, upon Security.

2. The Court of Foujdaree
Udalut resolve to direct that the
English Translation of this Petition
be forwarded to the Sessions Judge who
will be pleased to report with reference
to the allegations it contains regard-
ing the proceedings of the Police or
authorities.—

3. The Sessions Judge will be
pleased to examine the individual
stated by the Petitioner to have mort-
gaged to him the Jewels referred to,
and he will abstain from carrying out
the order from which the Petitioner
appeals until the case shall have been
finally disposed of by the Foujdaree
Udalut.—

4. The Sessions Judge will
also be pleased to submit for the con-
sideration of the Court of Foujdaree
Udalut the report in Form A of Case
No. 89 on the file of the Court of the
Principal Sudder Ameen.—

Ordered, that Extract
from these Proceedings be forwarded to
the Sessions Judge of Tellicherry by
Precept returnable within X days
from and after its receipt.—
(Sent following Precept. No. 936.)

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

Ponnummal

8th October, 1849.

Pennanna of Co
-ronum, moves the Court to return
the Enclosures in her Miscellaneous
Petition No. 153 of 1849.—

End #

Ordered accordingly.

F.C.

Tuesday,
9th October, 1849.

Present.

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

Mr. G.S. Hooper.

Read letter dated the 29th ultimo, from the Session Judge of Calicut, referring for the final Judgment of the Foujdaree Udalut, the Record of Case No. 45 of 1849 of the Calendar of the Session Court.—

Here Enter F.C. No. 2000 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 Prisoner, "Bapangare Cheroty" is sufficient to convict her of the crime of severe wounding with intent to kill,

for

for which according to the Mahomm
Law as declared in futwas of this
Officers, discretionary punishment
awardable, do convict her therefo
under the provisions of Clause third
VII and Clause third Section VIII Regul
XV of 1803, and Section XXXIX. Act VII of
sentence her to be imprisoned for (10) Ten
years, and to be banished during the
period of her sentence from the Distric
in which her place of abode is situate
and kept to labor suitable to her Se
in the Zillah of Coimbatore.

/Sent following letter No. 940/-

Read return under date
the 29th September 1849 from the Sessions
Judge of Nellore to the precept of the
Poojdaree Udalut dated the 10th September
1849 calling for an English Translation
of the record of case No. 90 of 1849 on
the file of the Subordinate Criminal
Court.

/Here enter F.C. No. 1977 of 1849/-

Before finally disposing

of this case the Court of Poojdaree
Udalut direct that the padlock and
the key belonging to it by which the
godown was secured on the night of
the robbery laid to the prisoner's charge
may be forwarded for their inspection—

Ordered, that Extract
from these Proceedings be forwarded to
the Sessions Judge of Nellore by precept
returnable within one day from and
after its receipt.

/Sent following Precept No. 941/-

Ld. Addl.

GK

F. U.

Wednesday 10th October 1849.- At a Court of the Foujdaree Udalut.-

Present-

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

Read again Calendar of Case No. 27 of 1849 on the file of the Session Court of Cuddalore.-

(Here enter F. 26. No. 1903 of 1849.)

Read also return under date the 28th September 1849 from the Session Judge of Cuddalore to the precept of the Foujdaree Udalut dated the 26th September 1849 conveying their orders on the foregoing case.-

(Here enter F. 11. No. 1980 of 1849.)

Under the circumstances stated in the foregoing return the Court of Foujdaree Udalut approve of the recommendation made by the late Acting Sessions Judge in this case that the period of imprisonment awarded to the 1st prisoner should be reduced to eight years, and the Court authorize the Sessions Judge to issue his warrant accordingly.-

Ordered

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

(Sent in No. 945

Read Calendar of Case No. 33 1849 on the file of the Sessions Court of Chittoor

(Here enter F. C. No. 1971 of 1849)

The Court of Sunjdaree Adalut observe that the offences charged against the prisoner in this case having been alleged to have been committed at different times, should have been entered in the separate indictments.—

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

(Sent in No. 946

Read Calendar of Case No. 29 of 1849 on the file of the Sessions Court of Salem

(Here enter F. C. No. 1973 of 1849)

1. The Court of Sunjdaree Adalut consider that the period of imprisonment awarded to the 1st prisoner in this case may with propriety be reduced to six months, and upon the recommendation of the Sessions Judge they will be prepared to sanction a

a mitigation of punishment to that extent.—

2. Should the Sessions Judge be unable to concur in the opinion above recorded, the Court of Sunjdaree Adalut direct that an English translation of the record may be submitted for their consideration.—

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

(Sent following precept No. 947

Read report dated the 3d Instant submitted by the Sessions Judge of Cuddapah of Cases pending on the 31st August and committed for trial during the months of September 1849 before the Sessions Court.—

(Here enter No. 2018 of 1849.)

Read Calendar of Case No. 33 of 1849 submitted by the Sessions Judge of Bellary under date the 2d Instant.—

(Here enter No. 2020 of 1849)

Read letter dated 1st Instant from the Sessions Judge of Honore reporting that

that no cases were pending before his Court for more than 25 days during the month of September

(Here enter No. 2028 of 1849.)

Read return dated the 8th Inst. from the Sessions Judge of Chittoor to the precept of the Sonjdaree Udalut under date the 3d Inst. requiring to be informed of the date on which the crime in Calendar No. 33 of 1849 is supposed to have been committed, and the number of cases forged to be specified, as well as the prices of money they were intended to represent.-

(Here enter No. 2031 of 1849.)

Read Criminal Reports dated the 1st Instant - submitted by the Sessions Judge of Coimbatore for the month of September 1849.

(Here enter No. 2032 of 1849.)

2d Rec.

F. U.

Thursday, 11th October 1849.- At a Court of the Sonjdaree Udalut.-

-Present-

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

E. P. Thompson Esqre — 2d Puisne Judge.-

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

Read Miscellaneous Petition presented on the 27th August 1849. by Veerabundiah of Zillah Nellore.-

(Here enter F. U. P. No. 186 of 1849.)

The Court of Sonjdaree Udalut are precluded from taking this Petition into consideration in consequence of the improper remark it contains regarding the motives which actuated the Joint Magistrate in charge in the proceedings held by him in the matter to which the Petitioner refers.-

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

Read Miscellaneous Petition presented on the 3d September 1849 by Chinnavencata Nayedoo of Zillah Chittoor.-

(Here enter F. U. P. No. 194 of 1849.)

This

11th October 1849.

1. ~~No. 1.~~ This is an application for the remission of the sentence passed upon Petitioner's Brother, who was convicted in Case No. 30 of 1849 of the Sessions Court of Chittoor of House breaking and Theft, and adjudged to suffer the mitigated punishment of years imprisonment with hard labor in irons.-

2. The Court of Sudder Adalut being satisfied of the justness of the Prisoner's conviction, decline to interfere on his behalf.-

Ordered, therefore, that the prayer of this Petition be rejected and that Extract of these proceedings be given to the Petitioner in this application.-

Read Calendar of Case No. 1874 of 1849 of the Sessions Court of Chingleput.-

(Here enter No. 1923 of 1849.)

1. In this Case one prisoner, named

Macawoun

was convicted of theft, and a sentence of 7 years imprisonment with hard labor in irons was passed upon him by the Sessions Judge.-

2. But in consideration of the petty nature of the offence the Sessions Judge recommends that the period of imprisonment awarded to the Prisoner be reduced to 2 years.-

The

11th October 1849.-

3. The Court of Sudder Adalut resolve to mitigate the sentence to the extent proposed by the Sessions Judge, and they authorize that Officer to issue his warrant accordingly.-

Ordered that Extract of these proceedings be sent to the Sessions Judge of Chingleput for his information.-

(Sent in No. 949

Read Calendars of Cases Nos. XLII and LII of 1849 submitted by the Sessions Judge of Salem under date the 29th Ultimo.-

(His letter Nos. 2003 and 2005 of 1849.)

Read Calendar of Case No. 48 of 1849 submitted by the Sessions Judge of Cuddapah under date the 2d Instant.-

(Here enter No. 2007 of 1849.)

Read letter dated the 27th Ultimo from the Sessions Judge of Arnee - reporting that he visited the Jail at Sirey on the 24th Idem having been absent from the Bench for that purpose for 8 days during the Dusserah holidays, viz. from the 19th to the 26th September.-

(Here enter No. 2011 of 1849.)

Read Calendar of Case No. 27 of 1849 submitted by the Sessions Judge of Arnee under

11th October 1849.—

under date the 28th ultimo.—

(Here enter No. 2012 of 1849.)

Read report dated the 1st Instant submitted by the Session Judge of Calicut of cases pending on the 31st August and committed for trial during the month of September 1849.—

(Here enter No. 2015 of 1849.)

Read report dated the 1st instant submitted by the Session Judge of Mangalore of cases pending on the 31st August and committed for trial in the month of September 1849 in the Sessions Court.—

(Here enter No. 2016 of 1849.)

Read letter dated the 1st Instant from the Session Judge of Tellicherry—reporting that no case was before his Court during September 1849 for a period in excess of 25 days from date of commitment.—

(Here enter No. 2017 of 1849.)

F. C.

Friday
12th October 1849

At a Court of the Foujdaree Udalut.

Present

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

Read again Calendar of Case No. 30 of 1849 on the file of the Session Court of Rajahmundry

(Here enter F. C. No. 1598 of 1849.)

Read also Miscellaneous Petition presented on the 22d September 1849 by R. Teroomalrow Vakeel on behalf of Ealy Condiah of that Zillah.

(Here enter F. C. M. P. No. 198 of 1849.)

Read also Return under date the 28th September 1849 from the Session Judge of Rajahmundry, to the Precept of the Foujdaree Udalut dated the 22d September 1849, conveying their Orders on the foregoing case.

(Here enter F. C. No. 1992 of 1849.)

The Court of Foujdaree Udalut approve

approval of the recommendation made by the
Session Judge in this case that the period of
Imprisonment awarded to the 1st Prisoner
be reduced to two years Imprisonment and
the Court authorizes the Session Judge to issue
his warrant accordingly.

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

(Seal to No. 953)

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

Read Calendar of Cases No. 3
of 1849 of the Session Court of Chittoor.

(Here enter F. Co. No. 2002 of 1849)

1

The Court of Foujdaree Udalut
approve the recommendation made by the
Session Judge in this Case, that the sentence
recorded against the 1st and 2d Prisoners in
this Case, on their conviction of "House breaking
by night and Theft", be mitigated to five (5) years
imprisonment with hard labor in irons

And the Session Judge is hereby
2
authorized to issue his warrant accordingly.

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

(Seal to No. 954)

Read Calendar of Case No. 2 of
1849 of the Session Court of Honore.

(Here enter F. Co. No. 2008 of 1849)

The Court of Foujdaree Udalut
resolve to comply with the recommendation
made by the Session Judge in this case, that the
sentence recorded against the 1st 2d and 3d Prisoners
on their conviction of "Gang Robbery" be mitigated
to 8 years imprisonment with hard labor in irons.

And being of opinion that the
2
grounds upon which the 4th 5th and 6th Prisoners
have been placed upon security, are insufficient
to justify such requisition, the Court resolve
to direct their immediate and unconditional
discharge.

Ordered that Extract from these
Proceedings be forwarded to the Session Judge of Honore
by Receipt returnable within 10 days from and after
its receipt.

(Seal to following Receipt No. 955) Read

12th October 1849

Read the following letter of the 22d ultimo from the Agent for the Govr. Fort St. George on the District of Ganjam

(Here enter F.C. No. 2019 of 1849)

1 In the foregoing letter the Agent submits a Summary of the evidence taken before against a Prisoner named Talochola Jaggapa Row, who was charged with the crime of Theft and Theft, and convicting him, he recommends that a sentence of imprisonment for two years and 150 lashes be passed upon him.

The Court of Foujdaree Udalut concur in the conviction of the Prisoner, and the resolve under the provisions of Clause fourth, Section II Regulation X of 1822, and Section XXXII Act XXIV to confirm the proposed sentence.

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

Sent in No. 956

Read again Calendar of Cases No. 47 of 1849 of the Session Court of Cambaconum

(Here enter F.C. No. 1908 of 1849)

Read

F.C.

12th October 1849

Read also Return dated 10th September 1849 from the Session Judge of Combaconum, to the Precept of the Foujdaree Udalut dated 28th August 1849, calling for an English translation of the entire Record of the above Case

(Here enter F.C. No. 1876 of 1849)

In this Case seven Prisoners were

1 charged with Gang Robbery, and on conviction by the Session Judge, have been sentenced to fourteen years imprisonment with hard labor in irons.

The Record of the case was

2 called up by the Court of Foujdaree Udalut on perusal of the Calendar, and after a very careful consideration thereof, the Court are constrained to dissent from the Session Judge in respect to the sufficiency of the evidence upon which the Prisoners have been convicted.

The confessions alleged to have

3 been made by the Prisoners before the Police, with the delivery by the 1st, 2d, 3d, 5th and 6th Prisoners of different small sums of Rupees, would appear to be the only proof existing against them; but

the

the Court consider the evidence of the Witness
before the Session Court to be sufficient
to shew that a most improper course had
taken by the Police under the guidance of
"Ramasawmy Sahib" and the Court
remark that they are at a loss to understand
why this individual was not examined
effect the detection of the Culprits commi
on this Robbery, and with this Returned
record, the Court find it impossible to pr
any Returns on any evidence which the
might produce against the Prisoners

The Court of Tongalore Udal
accordingly direct that the whole of the Ev
be immediately and unconditionally relea

Ordered that Extract from the
proceedings be forwarded to the Session Judge
Combaconum by Parcel returnable within
days from and after its receipt

(Sent following Parcel No 957

Read letter dated the 1st instant
from the Session Judge of Chingleput, reporting
that no Cases were pending trial at the close of last Mo

(Here enter F. C. No 1989 of 1849)

Read

Read letter dated the 1st instant
from the Session Judge of Cuddalore, reporting
that no case was pending trial for a period in
excess of 25 days during the Month of September last

(Here enter F. C. No 1990 of 1849)

Read letter dated the 28th ultimo
from the Session Judge of Gumtoor, submitting
an explanation with reference to the remarks of
the Tongalore Udalut on the trial of Case No 14 of
1849 on the Session Court's file

(Here enter F. C. No 1991 of 1849)

Read Calendar of Case No 35 of
1849 submitted by the Acting Session Judge of
Tinnevelly under date the 27th ultimo

(Here enter F. C. No 1994 of 1849)

Read Report dated 1st instant
submitted by the Session Judge of Combaconum
of Case No 51 of 1849 pending trial in this Court
on the 1st October 1849.

(Here enter F. C. No 1995 of 1849)

Read Report dated 1st instant
submitted by the Session Judge of Salem of Cases
pending trial for a period in excess of 25 days during
the Month of September last.

(Here enter F. C. No 1997 of 1849)

Read

12th October 1849

Read letter dated the 9th inst
from the Session Judge of Masulipatam stating
that no cases were pending trial in his Court
during the Month of September last.

(Here enter F Dis No 1994 of 1849)

Read Report dated the 8th inst
submitted by the Session Judge of Nellore
pending trial on his Court for more than
of 25 Days during the Month of September last

(Here enter F Dis No 1995 of 1849)

Read letter dated the 6th inst
the Session Judge of Bellary, transmitting the
original death Warrant executed by him on
No 30 on the Sessions Calendar for 1849. together
a copy of the Subordinate Criminal Judge's letter
which accompanied it

(Here enter F Dis No 2001 of 1849)

GJH

F W.

Tuesday
16th October 1849. At a Court of Foujdaree Adalut.

Present.

The Hon'ble G. J. Hooper Esqre — 1st Puisne Judge
" E. P. Thompson Esqre — 2d Puisne Judge
" W. A. Morehead Esqre — 3d Puisne Judge.

Read Calendar of Case No 57
of 1849 on the file of the Sessions Court of
Combaconum.

(Here Enter F A No 2023 of 1849)

The Court of Foujdaree Adalut
resolved to direct that an English translation
of the record of this case 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
XI days from and after its receipt.

(Sent following Precept Sl. No 960

Read the following letter under
date the 3d Instant from the Agent for the
Governor of Fort St George at Vizagapatam.

(Here Enter F A No 2027 of 1849)

In

16th October 1849

1. In the foregoing letter the officer submits a summary of the evidence taken by him against two prisoners named Mawe and Punneandee who were charged, the first as "uttering Counterfeit Coin" and the second with being an accessary to the fact, and convicting them of the crimes with which they were respectively charged he recommends that the 1st Prisoner be sentenced to 5 years, and the second to 2 years imprisonment with hard labour in irons.

2 The Court of Inquiry have the honor to concur in the conviction of the Prisoners & they resolve under the provision of Clause first Section VI Regulation II of 1822 to confirm the sentence proposed to be passed upon them.

Ordered that Extract from these proceedings be forwarded to the officer for the Governor at Harniah for his information.

Rs 180

Sent in A° 961

J. C.

Wednesday 17th October, 1849.

At a Court of the Foujdaree Adalut

Present

W. 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 6th Instant, from the Session Judge of Mangalore submitting the record of the trial in Case No. 33 on the Calendar of the Session Court for 1849.—

(Here enter J. C. No. 2047 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,

1st Teampoo Shetty—

is sufficient to convict him of the crimes 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. 962.)

Read

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

Read statement dated the 10th Instt submitted by the Sessions Judge of Trichinopoly of the realized by the labor of Prisoners in the 3rd Quarter of

(Here enter F. C. No. 2054 of 1849).

Read return dated the 10th Instant from the Sessions Judge of Cuddalore to the precept of the Forjdaree Docket under date the 3rd Instt Sepa an explanation with regard to the sentences award by the Principal Sudr Ameen in Criminal case Nos. 86, 87, 90 and 91 of 1849 and directing the attention of the Sessions Judge to the wording of the sentence entered in the Criminal Report for august last.

(Here enter F. C. No. 2055 of 1849).

Read letter dated the 9th Instant from the Sessions Judge of Coimbatore reporting the escape of a Prisoner detained under a requisition of Security; and forwards translations of the statement taken from the Jailor and two Peons on guard over the Prisoner at the time of his escape and Copy of his order thereon.—

(Here enter F. C. No. 2065 of 1849).

Read report dated the 12th Instant, submitted by the Sessions Judge of Trichinopoly of a case pending for trial before the Sessions Court in excess of 35 days from the date of commitment.—

(Here enter F. C. No. 2067 of 1849).

Read

17th October 1849.

Read Calendars in Cases Nos. 23 and 26 of 1849. submitted by the Sessions Judge of Nellore under date the 13th Instant.—

(Here enter F. C. Nos. 2070 and 2071 of 1849).

Read Criminal Reports dated the 15th Instant, submitted by the Sessions Judge of Chingleput for the Month of September 1849.—

(Here enter F. C. No. 2078 of 1849).

Read Calendar in Case No. 21 of 1849. submitted by the Sessions Judge of Trichinopoly.— under date the 12th Instant.—

(Here enter F. C. No. 2083 of 1849).

Read report B. dated 5th Instant, submitted by the Sessions Judge of Salem of Persons apprehended in the Zillah of Salem and delivered to the Head Assistant Magistrate in charge of the Sub Division in the Month of September 1849.—

(Here enter F. C. No. 2084 of 1849).

L. 810.

F. U.

Thursday 18th October 1849. } At a Court of the Foujdaree Udalut.

Present

Sd/ C. J. Hooper Esquire — 1st Puisne Judge

Sd/ E. P. Thompson Esquire — 2d Puisne Judge

Sd/ W. A. Morehead Esquire — 3d Puisne Judge

Read letter under date the 23d July 1849 from the Session Judge of Combatore.

/ Here Enter F.U. No. 1528 of 1849 /

In the foregoing letter the

1 Session Judge refers for the opinion of the Foujdaree Udalut the question whether prisoners sentenced to furnish security in sureties for his good behaviour and appearance when required can be legally permitted to deposit the amount prescribed in lieu of producing the sureties required.

The Court of Foujdaree Udalut

2 are clearly of opinion that it was the intention of the Legislature in framing the provisions of the Law under which prisoners are called upon to furnish security for their good behaviour and appearance when required that a Surety or sureties should give bail

in

F. U.

this Case that the

Thursday
18th October 1849

A Court

Present

Sessions Judges

Hon'ble G. J. Hooper Esquire — 1st Puisne Judge
E. P. Thompson Esquire — 2d Puisne Judge
W. A. Morehead Esquire — 3d Puisne Judge

Read letter under date the 23d July 1849 from the Sessions Judge of Coimbatore.

Here Enter F.U. No. 1528 of 1849

In the foregoing letter the Sessions Judge refers for the opinion of the Foujdaree Adalut the question whether prisoners sentenced to furnish security in sureties for his good behaviour and appearance when required can be legally permitted to deposit the amount prescribed in lieu of producing the sureties required.

The Court of Foujdaree Adalut are clearly of opinion that it was the intention of the Legislature in framing the provisions of the Law under which prisoners are called upon to furnish security for their good behaviour and appearance when required that a Surety or Sureties should give bail

18th October 1849.

in the amount prescribed; but that the deposit of the amount by the party bound security was not contemplated, except in those cases in which persons are required to enter into their personal recognizances under the provisions of Clause first Section V Regulation VI of 1827.

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

(Sent in No. 966)

Read Calendar of Case No. 1167 of 1849 on the file of the Sessions Court of Calicut.

/Here enter F. R. No. 2029 of 1849/

The Court of Foujdaree Adawlut approve of the recommendation made by the Sessions Judge in this case that the period of Imprisonment awarded to the 1st Prisoner be reduced to five years, and that adjudged to the 2nd and 3rd prisoners to four 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 Calicut for his information and guidance.

(Sent in No. 967)

Read letter under date the 9th October 1849 from the Sessions Judge of Chittoor reporting his having visited the Gangs of Convicts at Arcot and Vellore.

/Here enter F. R. No. 2044 of 1849/

The Court of Foujdaree Adawlut observe that no orders are necessary regarding the Convicts at Arcot, the Government having directed that the Convicts in question should be removed, as soon as the work in which they are now employed shall have been completed.

2. The Court of Foujdaree Adawlut approve of the suggestion made by the Sessions Judge that monthly Returns of the work done by the convicts at the stations referred to should be furnished by.

F. U.

Thursday 18th October 1849. } At a Court of the Fouzdaree Adalut

Present

Sd/ R. G. J. Hooper Esquire — 1st Puisne Judge

Sd/ E. P. Thompson Esquire — 2d Puisne Judge

Recd W. A. Morehead Esquire — 3d Puisne Judge

Read letter under date the 23d July 1849 from the Session Judge of Coimbatore.

/ Here Enter F.U. No. 1528 of 1849 /

In the foregoing letter the Session Judge refers for the opinion of the Fouzdaree Adalut the question whether prisoners sentenced to furnish security in sureties for his good behaviour and appearance when required can be legally permitted to deposit the amount prescribed in lieu of producing the sureties required.

The Court of Fouzdaree Adalut are clearly of opinion that it was the intention of the Legislature in framing the provisions of the Law under which prisoners are called upon to furnish security for their good behaviour and appearance when required that a Surety or Sureties should give bail in

Proceedings be forwarded to the Sessions Judge of Salem for his information and guidance.

/ Sent in No. 970 /

Read Calendar of Cases No. 2 of 1849 on the file of the Sessions Court of Tanjore

/ Here enter F. H. No. 2025 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 and 2nd prisoners should be reduced, and being of opinion that in the case of these prisoners a sentence of three years Imprisonment with hard labor in irons will be sufficient to meet the demands of justice, the Court of Foujdaree Adalut direct that the Sessions Judge will issue his warrant for the Imprisonment of the prisoners for that period.

Ordered, that Extract from these

these Proceedings be forwarded to the Sessions Judge of Tanjore for his information and guidance.

/ Sent in No. 971 /

Read Report dated 11th Instant submitted by the Sessions Judge of Mangalore of persons apprehended and delivered to the Subordinate Judge and tried in the month of September 1849.

/ Here enter F. H. No. 2090 of 1849 /

Read Criminal Report dated 10th Instant submitted by the Sessions Judge of Tellicherry for the month of September 1849.

/ Here enter F. H. No. 2091 of 1849 /

Read Statement dated 11th Instant 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 July to 30th September 1849.

/ Here enter F. H. No. 2093 of 1849 /

Read

15th October 1849.

Read Report dated 11th instant submitted by the Sessions Judge of Masulipatam in Criminal Case No. 60 of 1849 disposed of by the Sessions Judge.

/Here enter S.R. No. 2095 of 1849/

Read Statement dated 10th instant submitted by the Sessions Judge of Masulipatam of amount realized by the labor of Prisoners in the 3d Quarter of 1849.

/Here enter S.R. No. 2096 of 1849/

Ed. H.

L. K.

F. 11.

Friday 19th October 1849. } At a Court of the Foujdaree Adalut

Present

W.A.G.A. Hooper Esquire — 1st Puisne Judge

E.P. Thompson Esquire — 2d Puisne Judge

W.A. Morehead Esquire — 3d Puisne Judge

Read letter dated 11th instant, from the Sessions Judge of Masulipatam, submitting for the final Judgment of the Foujdaree Adalut the Records of Case No. 39 of 1849 of the Calendar of the Sessions Court.

/Here enter F.A. No. 2092 of 1849/

The Court of Foujdaree Adalut

Mr. E.P. Thompson and Mr. W.A. Morehead

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

1st Pantu Saheb

2nd Laul Khan

3d Khandu, alias Abdool Khandu

and

4th Soojanan

is sufficient to convict them of the crime

of

19th October 1849.

of Murder, do commit them thereof
under the provisions of Section X of
Section VIII of 1848, sentence the Prisoner
to suffer death by being hanged at the
usual time and place of execution and
the Prisoner,

2nd Said Paul Phen

3rd Thereupon also stood up

4th Sheehan

to be likewise tried to such plea as aforesaid
beyond sea, as the Prisoner in Custody
shall afterwards there to be imprisoned
and kept to hard labor in irons, on the
public Roads or other public works
and during the term of their natural lives
each following Calendar day

L. Ellis

Lyk

F. U.

Saturday 20th October 1849.

At a Court of the Fujdaree Udalut.

Present

G. S. Cooper Esqr. ——— 1st Pansee Judge
C. D. Thompson Esqr. ——— 2d Pansee Judge
W. A. Morehead Esqr. ——— 3d Pansee Judge

Read again terminable Reports submitted by the Session Judge of Sillhet for the month of June 1849.

Also Letter Sessions No 1532 of 1849.

Read again also Miscellaneous Petition presented on the 16 August 1849 by Nawab Zeinudeen of Zillah Sillhet.

Also Letter Sessions No 179 of 1849

Read again also return under date the 29th September 1849 from the Session Judge of Sillhet to the precept of the Fujdaree Udalut dated the 10th September 1849 calling for an English Translation of the records of case No 90 of 1849 on the file of the Subordinate Criminal Court.

Also Letter Sessions No 1977 of 1849.

Read also return under date the 13th October 1849 from the Session Judge of Sillhet to the precept of the Fujdaree Udalut dated the 9th October 1849 conveying their further orders on

20th October 1849

Proceedings be sent to the Superintendent of Police for his information and guidance.

Sent in at 9821/5

Ld H.

20th October 1849

in the foregoing case.

The Table Court 2062 of 1849

Ordered that a Warrant be issued by the Superintendent of Police & the forgery there the Board of Inquiry decided and decided that the prisoner & the case be referred.

Ordered that a Warrant be issued by the Superintendent of Police & the forgery there the Board of Inquiry decided and decided that the prisoner & the case be referred.

Proceedings be sent to the Superintendent of Police for his information and guidance.

Sent in at 9821

Ordered also

1

No 46.

Monday - 22nd October 1849 — At a Court of the Tondiarpu Adalat.

— Present —

Lt & R.G. S. Hooper Esqr — 1st Puisne Judge

C.P.S. C. P. Thompson Esqr — 2nd Puisne Judge

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

Read Calendar of Case No 50 of 1849 in the file of the Sessions Court of Caddapah (Thro Cutcherry No. No 2057 of 1849)

Before pronouncing the sentence awarded in this case, the Court of Tondiarpu Adalat desire to be informed what statement the prisoner made when arraigned before the Court of Session.

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

Sent following precept No 984

Read Calendar of Case No 56 of 1849 in the file of the Sessions Court of Caddapah (Thro Cutcherry No 2056 of 1849)

Before confirming the sentence awarded in this case the Court of Tondiarpu Adalat desire

Record

deem it necessary to direct that a statement of
the circumstances which led to the appre-
hension of the prisoners together with a list
of the stolen property discovered with them
and the deposition of the witnesses who
proved it on the prisoners Trial, and of
the witnesses who prove it to be the Property
may be submitted for their consideration
2 The Superintendent will then call
to state regarding each of the articles of
property discovered whether they were taken
in the last furnished by the Prosecutor
Ordered that Extract from the
Proceedings be sent to the Sessions Judge of
Tuticorin for his information and guidance
by precept returnable within Ten days from
and after the receipt.

(Sent following precept No 985)

Read again Calendar of Appeals
7th 1849 on the file of the Sessions Court of Tuticorin

(Here take File No 1231 of 1849)

Read again also letter dated
date the 21st September 1849 from the Sessions
Judge of Tuticorin to the precept of the Soy-
dapet Adalat dated the 21st August 1849 direct-
ing the redemption of the Kayatar Translation of
the proceedings of the foregoing case

(Here take File No 1231 of 1849)

Read also return under date the 8th
October 1849 from the Sessions Judge of Tuticorin
to the precept of the Soydapet Adalat dated
the 5th October 1849 directing the Satisfaction of
the report made by the Village Monsiff to
the Acting Police Jemadar in the foregoing
case

(Here take File No 2043 of 1849)

The Court of Soydapet Adalat
see no reason to question the propriety of
the sentences awarded in the foregoing case
Ordered that Extract from the
Proceedings be sent to the Sessions Judge of
Tuticorin for his information -

(Sent in No 986)

Read Miscellaneous Petition
presented on the 1st October 1849 by M. Narayanah
and another of Tuticorin praying

(Here take the P. No 209 of 1849)

The Petitioners are referred
to the order of the Court of Soydapet Adalat
dated the 25th July and 11th September last

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

Read Miscellaneous Petition
presented on the 3rd September 1849 by J
Appeal Vakeel in behalf of Muthuppan a

Peyerlar

22nd October 1869.

Regulation of Zillah Savings

Whereas by the 4th Section of Act
No 2 of 1869 it is enacted that the Petitioner be required to
produce before the Court of Sessions
Adalat under whose
orders he shall be confined
a Certificate from the Police Officer
in charge of the Police District
wherein he resides that he has
complied with the provisions of
the said Act

Ordered that Notice for the
proceedings be given to the Petitioner to that effect
accordingly

Sgd C.P.S.

Friday

22nd October 1869.

Mr W. A. Morshead

At a Court of the Zemindary Adalat

Present

G. S. Hooper Esqr ____ 1st Puisne Judge

C. P. Thompson Esqr ____ 2nd Puisne Judge

W. A. Morshead Esqr ____ 3rd Puisne Judge

Read letter dated 7th September 1869 from the Sessions Judge of Rajahmundry submitting for the final judgment of the Court of Zemindary Adalat the Records of Case No 16 of Sessions of 1869 on the file of the Sessions Court there Case No 2103 of 1869/

The Court of Zemindary Adalat on a deliberate consideration of all the circumstances of the case in evidence before them by opinion that the Prisoner Sreeraka Gangadoo 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 considering that strong suspicion, tho' not amounting to conviction, attached to him they direct that he be required under Clause Tenth, Section II Regulation XI of 1816 and Section XXXIX, Act XX of 1863, to find

funds two sureties of 50 Rupees each duly for good behaviour and to appear when required within three (3) years, or in default that he be detained for 31 three years confinement.

The Court of Sessions after making every allowance for the nature of the Records of the above case, regret the delay which has occurred in the Trial to be unnecessarily and culpably great.

Ordered that Extract from the Proceedings be forwarded to the Sessions Judge of Rajahmundry for his information

Shaik Ali No 989/

Read letter dated the 2d October 1849 from the Magistrate of Malabar stating for the consideration of the Sessions Judge a matter between the Sabordinate Judge of Calicut and himself, of a grave nature that it affects his character, as a Magistrate publicly:-

Vizag Letter Rec. No 2033 of 1849/

Read also Letter dated the 20th October from the Sabordinate Judge of Calicut requesting that the Magistrate may be directed to forward the Sabordinate Judge with a copy of his reference to the Sessions Judge of Malabar

Sabordinate Judge.

Vizag Letter Rec. No 2077 of 1849/

It is admitted at the commencement of the Letter from the Magistrate of Malabar that the reference is exclusively on personal matters.

It would appear that the Sabordinate Judge of Calicut Goodayar, has allowed himself to indulge in remarks regarding the general Police administration of the District of Malabar which the Court fully the Magistrate considers to be entirely unfounded, entirely out of place.

The Court of Sessions deeply regret the arrangement and inconvenience to which the Magistrate of Malabar has been subjected by the matters referred to in the correspondence above recorded: but they have no hesitation in recording their opinion that his character as a Public officer is too well established to be affected by any idle reports.

The Court considers the Goodayar's Letter to be a very improper one, considering what has already passed: and the Court likewise disapproves his conduct in respect of the expression of his opinion as to the Magistrate's acts, as very objectionable, and in no way leading to promote the general interests of the District.

at

28th October 1849.

6

Mr. Ackland states the Magistrate's opinion that it is to be regretted that the Malabar should in this single occasion have departed from that practice and sought professional advice for proper characteristics in ordering the way he deals the Coroner's Warrants of the Police Hospitals, and again, after the lapse of several days, sending his Letter to the Coroner which itself was an ex-parte statement calculated to create a collision of opinion, and probably, therefore, it would have been far better to have avoided.

6

The Magistrate's Letter of the 7th August, however, that a copy of the Magistrate's Letter should be furnished to the Coroner of Police, which they accordingly direct the Magistrate now to do.

Ordered that Extract from these Proceedings be sent to the Coroner of Police and the Magistrate of Malabar for their information.

/ Sent to Mr. Ackland /

Wednesday
24th October 1849.

No.

At a Court of the Pongolarees Malabar.

Present

H. K. Cooper Esqre. —— 1st Puisne Judge.
G. P. Thompson Esqre. —— 2nd Puisne Judge.
W. N. Morehead Esqre. —— 3rd Puisne Judge.

Read Letter dated the 7th August 1849 from the Magistrate of Malabar forwarding an Appeal dated the 30th July 1849 addressed to the Registrar of the Pongolarees of Mr. Brown, Mahomed which Appeal the Sessions Judge of Malabar, which Appeal the Sessions Judge of Malabar had previously declined to grant (Vide Letter No. 1038) of 1849.

Read also Letter dated the 13th September 1849 from the same Officer forwarding a translation of the Proceedings held by the Head of Police and the Assistant Magistrate in the case of the sudden death of Mr. Brown Mahomed, called for on the Letter from the Pongolarees Malabar of the

24th October 1849

the 25th August 1849

(Home Judl P.C. No 1919 of 1849)

Read the Letter dated the 9th Ultimo from the Magistrate of Malabar reporting the discovery of one more in the Tabular Statement attached to the 28th para of his Letter of the 30th July last, and explaining the circumstances under which the mistake occurred

(Home Judl P.C. No 1943 of 1849)

Read also Letter dated the 10th October 1849 from the Magistrate of Malabar, forwarding in expansion to the Judges Letters of the 4th and 11th August last relative to Athan Mahomed Sahib and the state of the Police in South Malabar

(Home Judl P.C. No 2015 of 1849)

1 It appears that on the 11th May last the Head of Police of Ernad reported the sudden death of one Pathapallee Athan Mahomed while in prison in the Taluk Cutcherry, where he had been detained on a Criminal charge. The Magistrate states the deceased was a Moplah of considerable influence

24th October 1849

influence, and extensively connected property

(The Head of Police was absent on duty, when this death occurred; but he returned the same day and held an inquest 2 who found that the deceased had "Died by the Visitation of God"

Notwithstanding this verdict, the Head of Police deemed it his duty to take the usual precaution of forwarding the dead body for the inspection of the European Apothecary attached to the Malabar out post of Manjeri Six miles from his Cutcherry

The Apothecary sent back the corpse with a Certificate to the effect that though he could not decide as to the exact cause of death, he believed it to have proceeded from natural causes

Very many connexions of the deceased were called to give evidence, and 4 they all unhesitatingly allowed that the body of Athan Mahomed bore no marks of violence, and that they had no complaint to make on the subject of his death

(The Sessions Judge of Calicut 5 whose

24th October 1849

whose attention had been attracted to the matter was not satisfied with the results above stated; and thought it necessary that a Court and searching enquiry into the case of Abbas Mahomed should be made by an European Officer.

6 The grounds of this opinion are chiefly that the Sessions Judge had received anonymous communications to the effect that the death of the deceased had been caused by ill treatment and that the evidence of the Civil Surgeon and the Certificate of the Apothecary were alike "suspicious".

7 The Magistrate upon receiving this communication, deputed his European Assistant Mr Bullett to the spot with instructions to enquire into the matter and after having recorded their depositions in his report on which he formed his opinion that the death of Abbas Mahomed had been a natural one and that the charge against the Head Peon of Police of having caused it by ill treatment, was entirely false and calumnious.

8 With this Report the Sessions

F 110

24th October 1849

Judge appears to have been not satisfied and the Magistrate has therefore deemed it his duty to appeal to the Faujdaree Adalut from what he considers the unjust and unfounded reflections cast upon the Official character of himself and his subordinates Europeans and Natives by the Sessions Judge.

The Court of Faujdaree Adalut

9 have very attentively read and considered the whole of the Papers referring to this matter; and they are perfectly satisfied that the death of Abbas Mahomed resulted entirely from natural causes. The Prisoner, seen by many people when on Confinement, complained of no harsh measures having been adopted towards him.

His death was witnessed by

10 his Son in Law and many others all of whom distinctly state that he did not die from any injuries inflicted upon him while in confinement. The evidence given to his having been allowed by the Tahseeldar in an upstairs house near the Cutcherry is, in the opinion of the Faujdaree Adalut, not only evidently false, but also, malicious.

The

24th October 1849

11 The Court of Bengalese Witnesses are satisfied that Mr. Allen Mahomed has a valuable Garden, and that he Views attached to the Head of Chakwa in respect of the premises. The Court are further of opinion that the same is used by the Witnesses in keeping of the Gardens Garden of Mr. Allen Mahomed was forcibly entered and other Acts Felon Offence was made forcibly would have followed.

12. The Court of Bengalese Witnesses do not think it necessary to enter the the cause of alleged ill treatment.

13. It does not appear to the Court of Bengalese Witnesses that the Defendant of Chakwa, in regard to the enquiries and first of the contents of the Petition was given to the Magistrate any great cause of complaint. These enquiries were entirely of a private nature, and on the grounds of the Bengalese Witnesses could not by any possibility lead to the results which are feared by the letter, the Magistrate states he apprehends from the same grounds. The Court have

24th October 1849

unfolding of instructing Takeuchi to a formal unfolding of instructing Takeuchi to a formal trial on criminal charges.

In respect of the conclusion to which the Magistrate arrived at by the Magistrate as to the likelihood consequences of the release of the Defendant on Bail. The Court of Bengalese Witnesses are unable to concur with the Magistrate. The case in question was entirely Magistrate. The case in question was entirely of a private one, and of the guilty have left a private one, and of the guilty have only been allowed to escape, it is much to only been allowed to escape, it is much to be regretted. But it must be borne in mind be regretted. But it must be borne in mind that the Sessions Court went fully into that the Sessions Court went fully into the case and on a careful and complete con- the case and on a careful and complete con- sideration of it in all its bearings, acquitted sideration of it in all its bearings, acquitted the accused: while, at the same time, the Magis- the accused: while, at the same time, the Magis- trate observes "I am perfectly certain that trate observes "I am perfectly certain that the Sessions Judge acted with an earnest the Sessions Judge acted with an earnest and upright desire to find out the truth, and and upright desire to find out the truth, and that if he had fallen into any error, the that if he had fallen into any error, the error was one of Judgment alone" error was one of Judgment alone"

The Bengalese Witnesses are of The Bengalese Witnesses are of opinion that it is to be regretted that the opinion that it is to be regretted that the Magistrate has taken up the matter in the Magistrate has taken up the matter in the way he has done. He has led to much un- way he has done. He has led to much un- pleasant proceedings without any counterbalancing pleasant proceedings without any counterbalancing advantage

26th October 1849

advantage so far as the public Interest is concerned. At the same time the Court of Session think much of such of the correspondence and the unpleasant feelings which it must [illegible] have been spared, had the Superior Judge of Calicut agreed, as the Sangatana Malabar Law that no reason he ought to have agreed, to appoint the Head of Police from all the application of the Court of Adawlut held on 16th

Adverting to para 6 of the Letter of the Head Assistant Magistrate of Calicut dated the 5th Magistrate of Malabar regard to certain cases of alleged violation of the Revenue (Salaries) Regulations the Court of Sangatana Malabar remarks as to the fact of copy of the Report A of these cases which is to be found to of the Returns called for by Magistrate

Orders Ordered that Extracts from these Proceedings be forwarded to the Superior Judge of Calicut for his information

(Sd) Sutton Registrar

Ordered also that Extracts

No 96.
26th October 1849

from these Proceedings be forwarded to the Magistrate of Malabar, for his information, by first opportunity after the receipt

of the following papers viz

1 Extract Calendar of Record No 20 of 1849 on the file of the Superior Court of Tanjore

2 Petition of Appellant dated 3rd Oct. No 2068 of 1849

The Court of Sangatana Malabat

1 after perusal of the recommendation made by the Superior Judge in this case that the sentence of Imprisonment awarded

2 passed on Appellant be reduced to eight years, and that they authorize the Superior Judge to act accordingly

The Court of Sangatana Malabat

2 are not satisfied of the propriety of the conviction of the 3rd prisoner, and they direct that an English Translation of those portions of the record which have reference to that prisoner may be submitted for their consideration

The Court of Sangatana Malabat

3 require an explanation of the delay which has

Nos 100 and 102 of 1849.

24th October 1849. shall succeed on the disposal of this case with reference to the longhand found which he stated under the assistance of the foreman.

Ordered, that Certificate from these Proceedings be forwarded to the Sheriff Clerks of Renfrewshire for the information and guidance of Jurymen both in the Sheriff & Justice of Peace Courts.

Sent following Journals to Mr Gray

F. W.

Thursday 25th October, 1849.

At a Court of the Foujdaree Adalut.

Present.

G. S. Dooper Esqr. ——— 1st Py Judge

E. P. Thompson Esqr. ——— 2nd Py Judge

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

Read letter dated 7th Ultimo from the Sessions Judge of Rajahmundry, submitting for the final Judgment of the Foujdaree Adalut the Record of Case No. 23 of 1849. of the Calendar of the Sessions Court.—

(Here enter No. 2148 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,

"Gyaraga Atchiah"

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

Mr. E. P. Thompson and Mr. W. A. Morehead

The Court of Foujdaree Adalut regret that they are unable to discover in the above Case any sufficient grounds for exempting the Prisoner from

from Capital punishment.-

2. In Case No. 12 of 1848, to which the Sessions Judge refers as a precedent, there were peculiar circumstances which seemed, in the opinion of the Court to render the extreme penalty of the law, inexpedient. In the Case under consideration no circumstances of the like kind appear.-

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

(Sent in No. 997).

Read again Miscellaneous Petition presented on the 3rd September 1849, by T. Appiah Vakeel on behalf of Camiah Naiken Zemindar of Anna Naikanoor in Zillah Madura.-

(Here enter F. Gr. P. No. 189 of 1849)

Read also return under date the 11th October 1849, from the Sessions Judge of Madura, to the precept of the Foujdaree Adalut dated 1st October 1849, conveying their orders on the foregoing Petition.

(Here enter F. Gr. No. 2064 of 1849).

Under the circumstances represented in the foregoing return, the Court of Foujdaree Adalut see no reason to question the propriety of the sentence of which the Petitioner complains, and they accordingly resolve to reject the Petitioner's application.-

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

(Sent in No. 998).

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

Read Miscellaneous Petition presented on the 3rd September 1849, by Jalal Saib late Jail Duffadar in the Zillah Court of Salem.

(Here enter F. Gr. P. No. 193 of 1849).

1. The Petitioner prays the Court of Foujdaree Adalut to order his restoration to his situation from which he has been dismissed, under orders from the Foujdaree Adalut.-

2. The Court of Foujdaree Adalut resolve to reject this application, the re-employment of the Petitioner having been left to the discretion of the Subordinate Judge of Salem.-

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

Read Criminal Reports submitted by the Sessions Judge of Salem for the month of July 1849.-

(Here enter F. C. No. 1696 of 1849).

The

Report B.
Case No. 126.

1

The Court of Foujdaree Adalut observe that the charges preferred against the pris in this case should have been entered as separate indictments, the offences charged having been com at different times and places.

Case No. 136.

2.

The Court of Foujdaree Adalut direct that the Report A containing the proceedings held by the Sessions Judge in this Case, may be subm for their consideration.

3.

In the report of prisoners release during the period under review, the Court of Fouj Adalut observe several cases in which prisoners have been committed by the officers of the Magistra of Salem upon suspicion of having committed Criminal offences.—

4

The illegality of the requisition of Security made by the officers of the Magistracy of Salem on a former occasion attracted the notice of the Court of Foujdaree Adalut, and the Court direct that a detailed explanation in regard to ea of the cases above adverted to, may be submitted for their consideration.—

5.

The commitments of three persons two of whom were committed for "having falsely accused a woman of adultery", and the third on Talicum for "neglect of duty and bad character" also require explanation

6.

The Court of Foujdaree Adalut direct that the Sessions Judge will issue instructions to the Subordinate Judge, to bring to his immediate notice, all cases in which prisoners may appear to have been improperly committed by the officers of the Magistracy to the Jail under his charge.—

Magistrates Report
Case No. 1.

7.

The Court of Foujdaree Adalut observe that the detention of persons during the night in the Village Choultries on the ground of their being bad Characters is illegal, and they direct that the practice may be discontinued.—

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

(Sent following Precept No. 999).

Read again Calendar of Case No. 29 of 1849 on the file of the Sessions Court of Salem.

(Here enter F. G. No. 1973 of 1849).

Read also return under date the 13th October 1849 from the Sessions Judge of Salem, to the precept of the Foujdaree Adalut dated the 10th October 1849 conveying their orders in the foregoing case.—

(Here enter F. G. No. 2076 of 1849)

The

Report B.
Case No. 126.

1

The Court of Foujdaree Adalut observe that the charges preferred against the [illegible] in this case should have been entered as separate indictments, the offences charged having been committed at different times and places.-

Case No. 136.

2.

The Court of Foujdaree Adalut direct that the Report A containing the proceedings held by the Sessions Judge in this case, may be submitted for their consideration.-

3.

In the report of prisoners who during the period under review, the Court of Foujdaree Adalut observe several cases in which prisoners have been committed by the officers of the Magistracy of Salem upon suspicion of having committed Criminal offences.-

4

The illegality of the requisitions for security made by the officers of the Magistracy of Salem on a former occasion attracted the notice of the Court of Foujdaree Adalut, and the Court direct that a detailed explanation in regard to each of the cases above adverted to, may be submitted for their consideration.-

5.

The commitments of three persons two of whom were committed for "having taken accused a woman of adultery", and the third on Talicate for "neglect of duty and bad character" also require explanation

6. The Court of Foujdaree Adalut direct that the Sessions Judge will issue instructions to the Subordinate Judge, to bring to his immediate notice, all cases in which prisoners may appear to have been improperly committed by the officers of the Magistracy to the Jail under his charge.-

Magistrates Report Case No. 1.

7. The Court of Foujdaree Adalut observe that the detention of persons during the night in the Village Choultries on the ground of their being bad characters is illegal, and they direct that the practice may be discontinued.-

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

(Sent following Precept No. 999).

Read again Calendar of Case No. 29 of 1849 on the file of the Sessions Court of Salem.-

(Here enter F. C. No. 1973 of 1849).

Read also return under date the 13th October 1849 from the Sessions Judge of Salem, to the Precept of the Foujdaree Adalut dated the 10th October 1849, conveying their orders in the foregoing case.-

(Here enter F. C. No. 2076 of 1849)

The

The Court of Foujdaree Udalut
approve of the recommendation of the Sessions
in this case that the period of Imprisonment
awarded to the 1st Prisoner should be reduced
six months; and they authorize the Sessions
to issue his warrant accordingly.—

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

(Sent in No. 1000).

L. S.

Mangalore Calendar
Case No. 17 of 1849.

Certificate of Pardon
to
Soobrayа.

Whereas under date the 13th May
1848, the Court of Foujdaree Udalut were pleased
authorize the Session Judge of the Zillah of Kan
to tender an offer of pardon to Soobraya, on condi
of his making a full disclosure of every circum
within his knowledge relative to the murder comm
at about 1 O'Clock A. M. of the 3rd March 1848
the person of Alibaye an Inhabitant of the Village
Karanj in the District of Mangalore.—

And whereas the Court of Foujdaree
Udalut are of opinion that the conditions of the said
grant

25th October 1849.

grant of pardon have been sufficiently fulfilled.—

Now these are to certify and declare
that in consideration thereof the Court of Foujdaree
Udalut have been pleased under the provisions
of Section XX Regulation VIII of 1802, to confirm
the pardon conditionally tendered as aforesaid, to
the said Soobraya in so far as regards the acts
herein referred to.—

And the Court do hereby confirm
the said Pardon accordingly.—

Given under my hand and the
Seal of this Court this 25th day of October 1849.—

(Signed) F. Lushington
Senior Deputy Registrar.

Read Calendar of Case No. 28 of
1848 on the file of the Session Court of Nellore.—
(Here enter F. C. No. 1980 of 1848).

In this case in which the prisoner
1
has been convicted of Perjury, the Session Judge
has recommended that the prescribed period of
Imprisonment be reduced to three years.—

The Court of Foujdaree Udalut
2.
consider that the punishment which the Prisoner
has already undergone is sufficient to meet the
demands of justice, and they accordingly direct
that he be unconditionally released.—

Ordered that Extract from these
Proceedings be sent to the Session Judge of Nellore
for

for his information and guidance, by precept within II days from and after its receipt.—

(Sent following Precept No. 1003)

Read Calendar of Case No. 3647 1849 on the file of the Session Court of Salem

(Here enter F. 86: No. 2082 of 1849).

The Court of Foujdaree Adalut approve of the recommendation made by the Session Judge in this case that the period of Imprisonment awarded to the prisoner should be reduced to three years; and they authorize the 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. 1003).

Read Criminal Reports of the Session Court of Tinnevelly for September 1849.

(Here enter F. 86: No. 2110 of 1849).

1. The Court of Foujdaree Adalut observe in the above Reports no less than 5 Cases in which Security has been required from the Prisoners. These frequent demands for Security by the Principal Sudder Ameen would seem to imply either an imperfect enquiry into the merits of Cases coming before him, or an objectionable distrust of his own judgment.—

The

Report B.

Cases Nos. 101, 104, 113, 114 and 122.

2. The Court of Foujdaree Adalut, therefore request that the Acting Session Judge will call for the Proceedings held by the Principal Sudder Ameen in each of the Cases noted in the Margin, and, after ascertaining the nature of the grounds on which the requisition for security is founded, pass such order as may seem called for, reporting the result for the information of the Court of Foujdaree Adalut.—

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

(Sent following Precept No. 1004).

Read Criminal Reports submitted by the Session Judge of Cuddalore for the month of September 1849.

(Here enter F. 86: No. 2094 of 1849).

Case No. 102. 1. The Court of Foujdaree Adalut observe that the acquittal of the 2nd prisoner in this Case on the ground that he had been committed to the Session Court for trial in Case No. 96 was incorrect; and that the trial of this Case should have been deferred pending the result of the trial in Case No. 96 when if acquitted by the Court of Session he would have been liable to be tried upon the charge preferred

25th October, 1849.

preferred against him in this Case.-

Case No. 106. 2.

The wording of the heading affixed to the Statement of charges in this Case requires explanation; the term "ordeal" by which the offence charged against the Prisoner is designated not being sufficiently intelligible in the sense in which it has been apparently applied.-

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Cuddalore for his information and for communication to the Principal Sudder Ameen of that Zillah by precept returnable within III days from and after receipt.-

(Sent following Receipt No. 2005)

Read Criminal Report dated the 15th July 1849 submitted by the Sessions Judge of Trichinopoly for the month of June 1849.-

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

Read Criminal Report dated the 15th Instant submitted by the Sessions Judge of Trichinopoly for the months of September 1849.-

(Here enter F. C. No. 2096 of 1849).

No. 1849.

F. W.

Friday 26th. October 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 7th. Ultimo, from the Session Judge of Rajahmundry, submitting for the final Judgment of the Foujdaree Adalut the Record of Case No. 17 of 1849 of the Calendar of the Sessions Court.—

(Here enter F. A. No. 2131 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. Morla Appigaudoo.
2d. Doolapally Vamoloogaudoo.
4th. Lunka Moosiligaudoo
and
5th. Lunka Pillay Appigaudoo.

is sufficient to convict them of the crime charged, do convict them thereof: and sentence the prisoners,

2d. Doolapally Vamoloogaudoo
and
5th. Lunka Pillay Appigaudoo.

to be imprisoned and kept to hard labor in irons, on the

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

the public roads or other public works for and during the period of (18) eighteen months. the prisoners,

1st Morta Appigandoo

and

4th Lunka Moosilegandoo.

to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of (1) one year,

But being of opinion that the Prisoner

3rd Doolapally Vamooloogandoo.

is not convicted on presumptive proof, or on the evidence of credible witnesses, or on his own confession the Court do accordingly acquit him and direct that he be set at liberty.-

1.

The Court of Foujdaree Adalut have been unable to concur with the Sessions Judge in the acquittal of the 1st and 4th prisoners in this case against whom they consider the evidence fully sufficient to establish the fact of their having been concerned in the assault committed upon the deceased.-

2.

With regard to the conduct of police authorities in this matter the Court of Foujdaree Adalut are not disposed to think that much, if any, blame attaches to them.-

3.

It seems to the Court of Foujdaree Adalut

Adalut to be very possible that the reasons given by the Prosecutor (deceased's brother) and by the mother and widow of the deceased for not complaining to the Police for three days after the assault was committed, in fact until the death of the deceased occurred, are correct; and that as the quarrel and assault took place in a large lane among the Checkler's houses it may not have been known to the Police before the complaint was made; or that if it was known, in the absence of any complaint, it was considered to have been a common assault from which no serious consequences were likely to ensue.-

The 1st Witness has evidently

4

exaggerated the injury done to himself if indeed his story be not altogether false; but the Court of Foujdaree Adalut see no sufficient reason for the suspicion entertained by the Sessions Judge that it was trumped up in collusion with the police "to save them from the imputation of neglect."-

The Court however are of opinion

5.

that the Village Moonsif was guilty of neglect in omitting to see the deceased on the evening upon which the Prosecutor states that he informed him that his brother had been beaten and was at the point of death.-

This

6.

This deferring to enquire into the matter until the following morning should be brought to the notice of the Magistrate-

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

(Sent following letter No. 1057).

Read Criminal Report B dated the 15th Instant submitted by the Sessions Judge of Bellary for the Month of September 1849-

(Here enter F: C: No. 2100 of 1849).

Read Criminal Report B. dated 1st Instant submitted by the Sessions Judge of Combaconum for the Month of September 1849-

(Here enter F: C: No. 2102 of 1849).

Read letter dated the 13th Instant from the Sessions Judge of Calicut transmitting the Criminal Reports B and other Statements from the Subordinate Judge of Calicut and Principal Sudr Ameen of Cochin for September last and stating that the Magistrate had had no case to include in those reports during the said month-

(Here enter F: C: No. 2104 of 1849).

Ent W.

F: C:

Saturday 27th October 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 again Letter dated the 22d Ultimo, from the Sessions Judge of Combaconum referring for the final Judgment of the Foujdaree Adalut, the Record of Case No. 52 of the Calendar of the Sessions Court, of 1849-

(Here enter F: C: No. 1960 of 1849).

Read also return dated the 18th October 1849. from the Sessions Judge of Combaconum to the precept of the Foujdaree Adalut under date the 1st Instant conveying their observations and orders on the Record of Case No. 52 on the Calendar of the Sessions Court for 1849-

(Here enter F: C: No. 2124 of 1849).

The Court of Foujdaree Adalut

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

1st Moorooguneedien,

is sufficient to convict him of the crime charged, do convict

6. This deferring to enquire into the matter until the following morning should be brought to the notice of the Magistrate—

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

(Sent following letter No. 1057)

Read Criminal Reports B dated the 15th Instant submitted by the Sessions Judge of Bellary for the Month of September 1849—

(Here enter F: C: No. 2100 of 1849).

Read Criminal Reports B. dated 1st Instant submitted by the Sessions Judge of Combaconum for the Month of September 1849—

(Here enter F: C: No. 2102 of 1849).

Read letter dated the 13th Instant from the Sessions Judge of Calicut transmitting the Criminal Reports B and other Statements from the Subordinate Judge of Calicut and Principal Sudr Ameen of Cochin for September last and stating that the Magistrate had had no case to include in those reports during the said month—

(Here enter F: C: No. 2104 of 1849).

Ld W.H.

F: C:

Saturday 27th October 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 22nd Ultimo, from the Sessions Judge of Combaconum referring for the final Judgment of the Foujdaree Adalut the Record of Case No. 52 of the Calendar of the Sessions Court, of 1849—

(Here enter F: C: No. 1960 of 1849).

Read also return dated the 18th October 1849. from the Sessions Judge of Combaconum to the precept of the Foujdaree Adalut under date the 1st Instant conveying their observations and orders on the Record of Case No. 52 on the Calendar of the Sessions Court for 1849—

(Here enter F: C: No. 2124 of 1849).

The Court of Foujdaree Adalut

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

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

1st Mooroogunnden,

is sufficient to convict him of the crime charged, do

Convict

convict. Sinn thereof; and under the provisions of 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 (14) fourteen years.

(Sent following letter No. 1009).

Read Criminal Report B dated the 15th Instant submitted by the Sessions Judge of Nellore for the Month of September 1849.-

(Here enter F. C. No. 2106 of 1849).

Read Criminal Report No. dated the 12th Instant, submitted by the Agent to the Governor of Fort St. George at Kurnool for the Months of August (Supplemental) & September 1849.-

(Here enter F. C. No. 2107 of 1849).

Read report B dated the 1st Instant, submitted by the Session Judge of Rajahmundry of Persons apprehended in the Zillah of Rajahmundry and delivered to the Criminal Judge in the Month of September 1849.-

(Here enter F. C. No. 2108 of 1849).

Read letter dated the 17th Instant, from the Session Judge of Trichinopoly reporting with reference to Circular Order Foujdaree Adalut dated 8th June 1829 the death on the Evening of the 13th Instant of Sroolen 9th Prisoner in Calendar of Case No.

No. 17 of 1849. on the file of that Court, whose trial is now under reference to the Foujdaree Adalut.-

(Here enter F. C. No. 2113 of 1849).

Read Criminal Report B dated the 17th Instant submitted by the Session Judge of Cuddapah for the Month of September 1849.

(Here enter F. C. No. 2114 of 1849).

Read report B dated the 1st Instant submitted by the Session Judge of Chittoor of Persons apprehended in the Zillah of Chittoor and delivered to the Sub Criminal Judge in the Month of September 1849.-

(Here enter F. C. No. 2116 of 1849).

Read return dated the 18th Instant from the Session Judge of Combaconum to the precept of the Foujdaree Adalut under date the 12th Idem directing that the whole of the Prisoners in Case No. 47 of 1849. be immediately and unconditionally released.-

(Here enter F. C. No. 2120 of 1849).

Read letter dated the 17th Instant from the Acting Session Judge of Tinnevelly reporting that a convict, Curpen banished to this Zillah was forwarded to Trichinopoly for the benefit of his health as recommended by the Zillah Surgeon.-

(Here enter F. C. No. 2126 of 1849).

Read

Read Criminal Report dated the 16th Instant submitted by the Sessions Judge of Madura for the Month of September 1849.

(Here enter F: C: No. 2130 of 1849).

Read letter dated the 18th Instant from the Acting Sessions Judge of Tinnevelly submitting the Magistrates Criminal Report for the month of September 1849. together with an Extract from the Proceedings of the Sessions Court under date the 18th Instant.

(Here enter F: C: No. 2136 of 1849).

Read return dated the 18th Instant, from the Agent to the Governor of Fort St. George, at Vizagapatam to the precept of the Foujdaree Adalut under date the 3d Idem calling for explanation in Case No. 28 of the Agents file.

(Here enter F: C: No. 2139 of 1849).

Read report B 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 September 1849.

(Here enter F: C: No. 2144 of 1849).

F. C.

Monday 29th October, 1849.

At a Court of the Foujdaree Adalut.

Present.

G. L. Hooper, Esquire - 1st Puisne Judge.
E. P. Thompson, Esquire - 2d Puisne Judge.
W. M. Morehead, Esquire - 3d Puisne Judge.

Read Extract from the Minutes of Consultation under date the 18th October 1849 - No. 681 - forwarding for disposal copy of the Calendar of Case No. 32 of 1849 on the file of the Sessions Court of Bellary, irregularly forwarded to Government by the Subordinate Judge of that Zillah.

(Here enter F. C. No. 2111 of 1849).

Read also Extract from the Minutes of Consultation No. 686 - under date the 19th October 1849, communicating copies of letters from the Subordinate Judge of Bellary having reference to the case above referred to.

(Here enter F. C. No. 2119 of 1849).

Read

Read also Calendar of Case
No. 32 of 1849 on the file of the Sessions
Court of Bellary.

Vide entry Fdo. No. 2021 of 1849.

1. The Prisoner in this case
was charged with having severely wounded
one Boorgachetty with a sword.—

2. The Prisoner does not deny
the offence charged against him, but
pleads that he was deranged at the
time that it is said to have been com-
mitted and on this ground, he has
been acquitted by the Sessions Court.

3. Before finally disposing
of this case the Court of Foujdaree
Udalut resolve to direct that the
Sessions Judge will ascertain by the
examination of witnesses, whether or
not the state of mental derangement
under which the prisoner is said to
have laboured, when he committed the
act laid to his charge, is to be attri-
buted to the effect of intoxicating
drugs, as stated in the letter of the
Zillah

Zillah Surgeon dated the 9th Instant.—

4. The Sessions Judge will
likewise be pleased to take a deposi-
tion from the Zillah Surgeon with
reference to those of the witnesses ex-
amined to prove the state of the pri-
soner's mind, when the act charged
against him was committed, in order
that the opinion of the medical officer,
as to the justness of the inference
drawn by the witnesses from the facts
and circumstances deposed to, may be
ascertained.—

5. The Court of Foujdaree
Udalut direct that in all cases in
which prisoners may be acquitted on
the ground of insanity, the Calendars
may be transmitted to Government,
through the Court of Foujdaree Udalut,
and not to Government direct.—

Ordered, that Extract
from these Proceedings be forwarded to
the Sessions Judge of Bellary for his
information and guidance by
precept

precept returnable within x days from
and after its receipt.—
/Sent following Precept. No. 1013/

Read Criminal Reports
submitted by the Governor's Agent in
Ganjam for the month of September 1849
/Here enter F.C. No. 2121 of 1849/

Assistant Agent's
Report B—
Case No. 41—

1.

The Court of Foujdaree
Udalut observe that of the Prisoner in
this Case was convicted of the charge
preferred against him, namely, that
of "Escaping from Custody" it was
not competent to the Assistant Agent
to direct his unconditional release.—

2.

The Agent will be pleased
to call upon his Assistant to furnish
explanation upon this point, and
which appears to have occurred in
the disposal of the case.

Ordered, that Extract
from these Proceedings be forwarded
to the Governor's Agent in Ganjam
by Precept returnable within x
days

x From 11th July to also in regard to the great delay on 1st September.

days from and after its receipt.—
/Sent following Precept. No. 1014/

Read again Calendar of
Case No. 43 of 1849 on the file of the
Sessions Court of Cuddapah.—
/Here enter F.C. No. 1892 of 1849/

Read also return under
date the 19th October 1849 from the
Sessions Judge of Cuddapah to the
precept of the Foujdaree Udalut dated
the 22nd September 1849, directing the
submission of an English transla-
tion of the record of the forgoing
case.—
/Here Enter F.C. No. 2125 of 1849/

The Sessions Judge will
be pleased to expedite the translation
of the record of the foregoing case.—

Ordered, that Extract
from these Proceedings be forwarded to
the Sessions Judge of Cuddapah for
his information and guidance.—
/Sent in No. 1015/

Read.

Read Calendar of Case No. 37 of 1849 of the Sessions Court of Cuddapah.

Here enter F. No. No. 2133 of 1849.

Before confirming the sentence passed in this case, the Court of Foujdaree Udalut require to be furnished with an explanation of the circumstances which led to the apprehension of the Prisoners.

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

Sent following Precept No. 1016.

Read Calendar of Case No. 44 of 1849 of the Sessions Court of Cuddapah.

Here enter F. No. No. 2134 of 1849.

1. The Court of Foujdaree Udalut are of opinion that the sentence recorded against the Prisoner in this case on his conviction of Perjury may with propriety be reduced to two (2) years' imprisonment with hard labor in irons, and, on the recommendation of the Sessions Judge, the Court will be prepared to mitigate his sentence accordingly.

Should, however, the

2. Sessions Judge dissent from the above view of the case, he will be pleased to submit a translation of the entire Record for the consideration of the Court of Foujdaree Udalut.

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

Sent following Precept No. 1017.

Cr. TB.

W/A

F.C.

Tuesday /
30th October, 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 letter under date the 19th October 1849 from the Magistrate of Cuddapah.—

/Here enter F.C. No. 2127 of 1849/-

1. The Magistrate requests permission to re commit certain parties formerly committed to the Subordinate Criminal Court on a charge of "Housebreaking and Theft" and released by that tribunal, and to offer a conditional pardon to two other parties who have confessed their being accessories to the same offence.—

2. Before passing orders on this case the Court of Foujdaree Udalut direct that translations of the confessions

30th. October, 1849.

confessions made by the parties refer=
to, and the report of the case as
posed of by the Subordinate Judge
be submitted for their consideration

Ordered, that Extract
from these Proceedings be forwarded
the Magistrate of Cuddapah for
information and guidance by first
returnable within V days from and
after its receipt.—

/Sent following Precept No. 1022/

Read Criminal Report
submitted by the Acting Sessions Judge
of Chicacole for the month of Sep=
tember 1849.—

/Entered F/C. No. 2145 of 1849/

The Court of Sessions

Udalut direct that the Principal
Sudder Ameen will submit an ex=
planation with regard to the remarks
observable in the report forwarded
by him of this case to the Court
of Session.—

The Court of Sessions

Udalut

Vizagapatam 1.
Principal Sudder
Ameen's Report
Case No. 37.—

Case No. 40.— 2.

30th. October, 1849.

Udalut regret to observe the great in=
=attention manifested by the Princi=
=pal Sudder Ameen in the disposal
of this case to which the attention
of that officer has been directed by
the Acting Session Judge.—

Ordered, that Extract
from these Proceedings be forwarded to
the Acting Session Judge of Chicacole
for his information and guidance
and for communication to the
Principal Sudder Ameen of Viza=
=gapatam by precept returnable
within XV days from and after
its receipt.—

/Sent following Precept No. 1023/

Extr.

Ly R

F.U.

Thursday
1st November 1849

At a Court of the Foujdaree Udalut

Present

GSH — G. S. Hooper Esqre — 1st Puisne Judge
CPT — C. P. Thompson Esqre — 2d Puisne Judge
WAM — W. A. Morehead Esqre — 3d Puisne Judge

Read Calendar of
Case No. 29 of 1848 of the Sessions Court
of Nellore
(Herewith F.U. No. 1978 of 1848.)

The Court of Foujdaree
1.
Udalut having had occasion to re-consider
the Futwah and sentence passed in the
above Case, are of opinion that under all
the circumstances the period for which
the Prisoners have been sentenced to
furnish Security may with propriety be
abridged

The Court of Foujdaree
2.
Udalut accordingly direct that the said
Prisoners

1 Vautipenta Ramireddi
2. Chimalamarri Ramaya

be

be immediately and unconditionally dis-
=charged.

Ordered that Extract from
these Proceedings be forwarded to the
Session Judge of Tellore by Precept re-
=turnable within III days from and after
its receipt

(Sent following Precept No. 1026

Read again Calendars of
Cases Nos. 14 and 15 of 1849 of the Sessions
Court of Chittoor

(Here enter F. No. Nos. 1013 & 1014 of 1849)

Read also again Miscella-
=neous Petitions presented on the 2nd July 1849
by Condummah, Vengummah, and Mootta-
=many of Zillah Chittoor

(Here enter F. M. P. Nos. 144, 145 and 146 of 1849)

Read also again Return dated
31st July last, from the Session Judge of
Chittoor, to the precept of the Foujdaree
Udalut under date the 23rd idem, requi-
=ring to report the value of the several articles
of stolen property stated to have been found
in the possession of the 1st 2nd 3rd 4th and 5th
Prisoners in Cases Nos. 14 and 15 of the
Calendar of 1849 - upon which Prisoners
the Articles in question were respectively found

whether they were capable of positive iden-
=tification, and whether the prisoners either
on their defence or at any other time before
the trial closed complained of ill-treatment
at the hands of the police

(Here enter F. No. No. 1576 of 1849)

Read also Return dated
22nd August 1849 and Supplemental Return
dated 14th September 1849 made by the Session
Judge of Chittoor to the precept of the Fouj-
=daree Udalut dated 11th August 1849, - re-
=quiring explanation of certain discrepancies
between the remarks in Calendars Nos. 14
and 15 of 1849, and the Statements given
in the enclosures in the return from the
Session Judge to this Court's Precept
of the 23rd July 1849, and also a translation
of all the evidence which might have re-
=ference to the 4th and 5th Prisoners in
Case No. 14.

(Here enter F. No. Nos. 1752 & 1838 of 1849)

In the foregoing Return,
1.
the Session Judge explains, that the dis-
=crepancies observed by the Court of Fouj-
=daree Udalut in their Proceedings under
date 11th August 1849 arose from a mistake
in the heading of the enclosures.

This

1st November 1849.

2. This explanation the Court of Joujdaree Udalut do not consider to be altogether satisfactory. The Statement in question were specially called for by the Court to enable them to dispose of certain Petitions presented on behalf of the Prisoners in Cases Nos. 14 and 15, asserting their innocence of the charge of which the Sessions Judge had convicted them, and they ought to have been free from all mistakes

3. The error pointed out by the Joujdaree Udalut in the 3d and 4th Paras of their Proceedings is also attributed by the Sessions Judge to an oversight, which consi-dering that the conviction of the 4th prisoner mainly depended upon the places where the stolen articles were discovered, is a serious one.

4 The explanation of the Sessions Judge in para: 6 that "he apprehends these goods might be safely said to be in the "possession of the Prisoners, though not found "on their persons, but intrusted to the care of "a dependant follower" the Court cannot but view as a most extraordinary announcement to be made by a Judicial Officer. The Sessions Judge recorded in the Calendar

J. Uc.

1st November 1849.

No. 15 that the property in question "was found in their (1st 2d and 3d Prisoners') possession at Pondicherry", and he now explains that it was found with the mother of the 1st and 3d Prisoners, which, in his opinion, is the same as saying that it was found in the possession of the three Prisoners

5. The Court have considered the record as far as the 4th and 5th prisoners are concerned and find that the only evidence against the 4th Prisoner is the discovery of articles 26, 27 and 28 in his house. and the giving up of 33, 34, and 35 by the 4th Witness whose evidence and the part he took in the business, is, in the opinion of the Court, open to great suspicion - No 28 was not identified as belonging to the Prose-cutor and the Prisoner produced evidence, not as trustworthy as that of the prosecutor, to prove that the Articles 26 and 27 belong to himself. The value of Nos 26 and 27 is only Rupees 3-6-"

6. Against the 5th Prisoner there is no evidence - Articles 36 to 42, said to be ornaments made from stolen gold, were found in his house, and on this ground and the Prisoner's Talook confession the Sessions

Sessions Judge convicted and sentenced him
four years' imprisonment

7

The conduct of the 4th Prisoner
if his evidence is believed, is open to much
suspicion. He deposed to having received
a mortgage some articles from the 4th Prisoner
and several of greater value from the 6th
without suspecting that the goods had been
stolen nor notifying the circumstance to the
Police Authorities, which he ought to have
done

8.

The evidence of the witness
the Sessions Judge accepts as good against the
4th Prisoner, but rejects as far as the 6th Prisoner
whom he releases, is concerned

9.

On the foregoing grounds the
Court of Tanjore Dedalab, deem it sufficient
that the evidence against the 4th and 6th
Prisoners is insufficient to justify their
conviction; resolve to direct their unconditional release in respect to the charges preferred against them in Case No 10.

10

And before confirming the
Sentence passed upon the 4th Prisoner in
Case No 5, the Court of Tanjore Dadalab
resolve to call upon the Sessions Judge to
submit for their consideration, a translation

of

1st November 1849

of such parts of the Record of this Case as
may have reference to the said Prisoner

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

Sent following Precept No 1027

4. 7d.

F.C.

Friday,
2d. November, 1849. At a Court of the Foujdaree Udalut.

Present.

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

Read again Calendar of
Case No. 7 of 1849 on the file of the
Session Court of Chicacole. —
(Here enter F.C. No. 1870 of 1849) -

Read also return under
date the 18th. October 1849 from the Acting
Session Judge of Chicacole to the
precept of the Foujdaree Udalut dated
the 24th. September 1849 requiring an
explanation from the Principal Sudder
Ameen of Vizagapatam with reference
to the remarks recorded by the Sessions
Judge on the foregoing case. —
(Here Enter F.C. No. 2152 of 1849)

The Court of Foujdaree
Udalut are of opinion that no
sufficient

sufficient grounds existed for the commitment of the case referred to, but they absolve the Principal Sudder Ameen from the imputation of having omitted to go into the case, the depositions submitted showing that several questions were put by him to the witnesses.—

Ordered, that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Chicacole for his information & for communication to the Principal Sudder Ameen of Vizagapatam.—

/Sent in No. 1034/-

Read Calendar of Case No. 22 of 1849 on the file of the Sessions Court of Tellicherry.—

/Here Enter F.C. No. 2157 of 1849/-

1.

With reference to the suggestion made by the Sessions Judge in this case that all Examiners as well as female witnesses should be examined again before the committing officer, whatever they may have deposed to before

before the Police," the Court of Foujdaree Udalut observe that this is a point upon which it is the province of the Sessions Judge to issue to the Principal Sudder Ameen such instructions as he may think fit.—

2.

The Court of Foujdaree Udalut direct that the requisition of security under which the Prosecutor and witnesses in this case have been placed be annulled.—

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

/Sent in No. 1035/-

Read Calendar of Case No. 37 of 1849 on the file of the Sessions Court of Tinnevelly.—

/Here Enter F.C. No. 2160 of 1849/-

In consideration of the extreme youth of the prisoner in this case the Court of Foujdaree Udalut are of opinion that the prescribed

prescribed period of Imprisonment may with propriety be reduced to two years and they accordingly direct that the Acting Sessions Judge will issue his warrant for the imprisonment of the prisoner for that period.—

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

/Sent in. No. 1036/-

Read Calendar of Case No. 41 of 1849 of the Sessions Court of Masulipatam.—

/Here enter F.C. No. 2170 of 1849/

1.

The Court of Foujdaree Udalut approve the recommendation made by the Sessions Judge in the above Case, that the sentence of imprisonment recorded against the Prisoner on his conviction of "Highway Robbery" be mitigated to 8 years' imprisonment with hard labor in irons.—

And

F.C.

2.

And the Sessions Judge is hereby authorised to issue a fresh warrant accordingly.—

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

/Sent in. No. 1037/-

Read Calendar of Case No. 48 of 1849 submitted by the Sessions Judge of Madura under date the 21st Ultimo.—

/Here enter F.C. No. 2150 of 1849/-

Read return dated the 19th Ultimo, from the Sessions Judge of Chicacole to the precept of the Foujdaree Udalut under date the 5th idem passed on review of the Criminal Reports for the month of August, requiring to be informed of the cause of one Naique being employed in excess of the prescribed number.—

/Here enter F.C. No. 2154 of 1849/-

Read

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 have sentenced the Prisoner to Transportation for life, being of opinion that the reasons assigned by the Sessions Judge in his recommendation for a sentence of imprisonment in this country are not such as would justify a deviation from the provisions of Act XXIV of 1844.—

2. The Court observe that the Inquest Papers were not transmitted with the record.—

Ordered, that a Extract from these Proceedings be forwarded to the Sessions Judge of Madura for his information.—

/Sent following letter No. 1038/

Ent 7th

F. Ud.

Monday, 5th November, 1849. At a Court of the Foujdaree Udalut.

Present.

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

Read again Calendar of Case No. 15 of 1849 of the Sessions Court of Guntoor.—

/Here enter F. Ud. No. 1917 of 1849/—

Read also Miscellaneous Petition presented on the 27th September 1849 by Vencummah of Zillah Guntoor.—

/Here enter F. Ud. No. 201 of 1849/—

This is an application for the reversal of the sentence of 7 years' imprisonment recorded against the Petitioner's son on his conviction in the above case of the crime of "Housebreaking and Theft".—

1. The Court of Foujdaree Udalut see no reason to doubt the correctness

Read letter dated the 18th Ultimo, from the Sessions Judge of Tellicherry reporting that no amount was realized by the labor of Prisoners in the Jail during the 3d quarter of 1849.

Here enter F.C. No. 2156 of 1849.

Read Calendar of Case No. 24 of 1849 submitted by the Sessions Judge of Nellore under date the 23d Ultimo.

Here enter F.C. No. 2158 of 1849.

Read letter dated the 23d Ultimo, from the Sessions Judge of Combaconum, submitting the Proceedings held on the Magistrates Calendars Vizt. for the 2d Quarter of 1849.

Here enter F.C. No. 2162 of 1849.

Read Calendar of Case No. 38 of 1849 submitted by the Sessions Judge of Bellary under date the 23d Ultimo.

Here enter F.C. No. 2165 of 1849.

Read Calendar of Case No. 28 of 1849 submitted by the Sessions Judge of Cuddalore under date the 24th Ultimo.

Here enter F.C. No. 2169 of 1849.

Read the following Letter dated 25th October 1849 from the Sessions Judge of Madura submitting for the final judgment of the Court of Foujdaree Udalut the Record of Case No. 51 on the Calendar of the Sessions Court of Madura for 1849.

Here Enter F.C. No. 2190 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 Prisoner, "Palany" is sufficient to convict him of the crime of "Wilful Murder", do convict him thereof; and sentence him to be transported to such place or places beyond Sea, as the Governor in Council shall appoint

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

5th November, 1849.

correctness of the Prisoner's conviction or the justness of the sentence pronounced upon him. The Court according by resolved to reject this Petition.—

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

Lt 1849

F. U.

Tuesday, 6th November 1849. Act a Court of the Foujdaree Udalut

Present

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

Read Calendar of Cases Nos. 42 and 43 of 1849 on the file of the Session Court of Madura.

(Here enter F. U. No. 2192 of 1849)

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in these Cases that the prescribed period of Imprisonment be reduced to two months, and they authorize the Sessions Judge to issue his warrant accordingly.

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

(Sent in No. 1045)

Read Calendar of Case No. 50 of 1849 on the file of the Sessions Court of Madura

(Here enter F. U. No. 2191 of 1849)

Before finally disposing of this case the Court of Foujdaree Udalut desire to be informed what circumstances led to the apprehension

of

of the Prisoner and to the discovery of the property which the prisoner was charged and [illegible] received.

Ordered that Extract proceedings be sent to the Sessions Judge -dura for his information and guidance [illegible] returnable within 10 days from and after the

(Sent following Precept No. 1046)

Read again Letter dated 2[illegible] 1849 from the Session Judge of Tellicherry

(Here enter T. R. No. 1215 of 1849)

Read also Letter dated 2[illegible] 1849 from the Session Judge of Tellicherry Precept of the Tanjore Udalut dated 26[illegible] requiring information as to whether the fine [illegible] by the Joint Magistrate in the Case wherein the above Letter was in the nature of supplementary or after an Examination had been by himself into the merits of the Case, or on report from the Head of Police under Section IV. Regulation III. of 1821.

(Here enter T. R. No. 1613 of 1849)

From the foregoing Session Judge it appears that the sentence of Magistrate was passed upon a consideration proceedings held in the Case by the Head and under those circumstances the Court that the Joint Magistrate was guilty

to reverse his Subordinates decision.

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

(Sent in No. 1047)

Read return dated 19th ultimo, from the Session Judge of Honore to the precept of the Tanjore Udalut under date the 12th October 1849, directing that the 4th, 5th and 6th Prisoners in Case No. 24 on the Calendar for 1849, who had been placed under requisition of security, be unconditionally released.

(Here enter T. R. No. 2178)

Read, Criminal Report A dated 20th Ultimo submitted by the Session Judge of Masulipatam for the month of October 1849.

(Here enter No. 2181)

Read Calendar in Case No. 32 of 1849, submitted by the Session Judge of Cuddapah under date the 26th ultimo.

(Here enter No. 2182)

Read Calendar in Case No. 40 of 1849, submitted by the Session Judge of Mangalore under date the 22d Ultimo.

(Here enter No. 2184)

Read return dated 27th Ultimo, from the Session Judge of Nellore, to the precept of

6th November 1849.

of the Foujdaree Udalut under date the 25th
1849, directing unconditional release of the
in Calendar No. 28 of 1848.

(Here enter F. U. No. 2186)

Read Statement dated
Ultimo, from the Subordinate Judge of C
-nnur shewing the amount realized by
labor of the Prisoners for the 3d Quarter

(Here enter F. U. No. 2187)

Read Statement dated 8th
September 1849, from the Session Judge of
-pur, shewing the amount realized by the
of Prisoners for the 3d Quarter 1849.

(Here enter F. U. No. 2188)

F. U.

Wednesday 7th November 1849.

At a Court of the Foujdaree Udalut.

Present.

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

Read Calendar of Case No. 45 of 1849.
of the Sessions Court of Mangalore.

(Here enter F. U. No. 2198 of 1849).

The Court of Foujdaree Udalut approve
1. of the recommendation made by the Session Judge
in this case, that the Punishment to which the
Prisoner has rendered himself liable on his conviction
of "Perjury" be mitigated to one years imprisonment
with hard labor.

And the Session Judge is hereby
2. authorized to issue his Warrant accordingly.

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

(Sent in No. 1048)

Read report dated the 6th Ultimo
submitted by the Session Judge of Guntoor of the labor
of Convicts in the Jail for the Month of September 1849.

(Here enter F. U. No. 2037 of 1849)

7th November 1849.

Read Statement dated the [illegible]
submitted by the Sessions Judge of Cuttack
Batta paid to Prosecutors and Witnesses
before the Session Court from 1st January to
1849.-

(Here enter F: C: N: 228 of 18

Read report dated the 3rd Inst
submitted by the Sessions Judge of Cuttack
Cases pending on the 30th September and com
for trial during the Month of October 184[illegible]
remained on the file of the Sessions Court f
for more than 25 days.-

Ent [illegible]

(Here enter F: C: N: 2232 of

Sgd R

7th November 1849.

Read Statement dated the [illegible]
submitted by the Sessions Judge of Cuttack
Batta paid to Prosecutors and Witnesses
before the Session Court from 1st January to
1849.—

(Here enter F: C: No. 228 of

Read report dated the 3rd
submitted by the Sessions Judge of Cuttack
Cases pending on the 30th September and
for trial during the Month of October 184
remained on the file of the Sessions Court
for more than 25 days.—

Ent [illegible]

(Here enter F: C: No. 2932

[illegible]

F. W.

Thursday 8th November, 1849.

At a Court of the Foujdaree Adalut.

Present.

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

Read Miscellaneous Petition —

presented on the 29th October 1849. by Mr. Venkata appanna Naidoo Mookhtar Vakeel on behalf of Chutra Sing of Zillah Masulipatam.—

(Here enter F. M. P. No. 225 of 1849).

The Petitioner prays the Court of Foujdaree Adalut to order the release of his son Toolajaram 4th prisoner in Case No. 39. of 1849 on the file of the Sessions Court of Masulipatam.—

2. The Court of Foujdaree Adalut on an attentive consideration of the record of the case to which the Petitioner refers, have convicted the Petitioner's son, the 4th prisoner, of the offence laid to his charge and have sentenced him to transportation for life.—

3. The Court of Foujdaree Adalut see nothing in this Petition which would lead them to question the propriety of the said Sentence, and

and they accordingly resolve to dis-
Petition.—

Ordered that Extract fo
Proceedings be furnished to the Petitio
on his application.—

Read return dated the 5
1849. from the Sessions Judge of Cuddap
Precept of the Foujdaree Adalut under dat
Idem, directing him to report whether the
Prosecutors in Case No. 21 of the Calendar
are considered to be out of all danger.—

(Here enter F. C. No. 1855

Read report dated the 6
1849. submitted by the Sessions Judge of C
of Cases pending on the 31st July, and com
for trial during the month of August 184

(Here enter F. C. No. 1857 of

Read letter dated the 1st
from the Sessions Judge of Chingleput
that no Cases to be reported on as require
Circular letters dated 10th October 1846, and
January 1845 were pending during last
before the Sessions Court.—

(Here enter F. C. No. 2255 of

Read letter dated the 1st
from the Sessions Judge of Cuddalore, re

8th November 1849.

that no case was pending trial before him on
the 31st October 1849. for a period exceeding 25 days,
calculated from the date of commitment.—

(Here enter F. C. No. 2221 of 1849).

Read report dated the 1st Instant,
submitted by the Sessions Judge of Calicut, of cases
pending on the 30th September and committed for trial
during the month of October 1849.—

(Here enter F. C. No. 2241 of 1849).

Read return dated the 3rd Instant,
from the Acting Sessions Judge of Tinnevelly, to the
precept of the Foujdaree Adalut under date the 25th
Ultimo, directing him to call for the proceedings held
by the Principal Sudder Ameen in Cases Nos. 101, 104,
113, 114 and 122, and, after ascertaining the nature of the
grounds on which the requisition for security is
founded, to pass such order as may seem called for,
reporting the result for the information of the Court
of Foujdaree Adalut.—

(Here enter F. C. No. 2244 of 1849).

Read letter dated the 1st Instant,
from the Sessions Judge of Tellicherry, reporting that
no case was before Session Court of Tellicherry during
October 1849. for a period in excess of 25 days from date
of commitment.—

(Here enter F. C. No. 2247 of 1849).

Ed Bd

J. V.

Friday 9th November 1849

Act on bond of the Foujdaree Adalat

Present

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

C. P. Thompson Esqr. ——— 2d Puisne Judge

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

Read again Calendar of Case No 20 of 1849 on the file of the Sessions Court of Cuddapah.

Here Enter the No 2087 of 1849

Read also return under date the 24th October 1849 from the Sessions Judge of Cuddapah to the precept of the Foujdaree Adalat dated the 22d October 1849 conveying their orders on the foregoing case.—

Here Enter No 2177 of 1849

Before finally disposing of this case the Court of Foujdaree Adalat resolve to direct that English translations of the depositions given by the 1st and 2d Witnesses and of the confession made by the Prisoner before the Police authorities may be submitted for their consideration.—

Ordered that Extract from these proceedings be sent to the Sessions Judge of Cuddapah by precept returnable within three

three days from date after the receipt.

(Sent following precept to 1057.

Read Calendar of Case No. [illegible]
1849 on the file of the Sessions Court of Cuddapah
(Here Enter No. 2163 of 1849)

Under all the circumstances
of this case the Court of Sanction considers
that the person of Subramanian
properly be released & the
Court accordingly direct that the Sessions
Judge make upon his warrant for the release
-ment of the prisoner for that purpose.

Order that Extract for the
Proceedings be sent to the Sessions Judge of Cuddapah
for his information and guidance by precept
returnable within three days from date after
its receipt.

(Sent following precept to 1054

Read Criminal Report dated
the 15th October 1849 submitted by the Sessions
Judge of Nellore for the Month of September last.
(Here Enter the No. 2165 of 1849)

Read Calendar of Case No. [illegible]
of 1849 submitted by the Sessions Judge of Masulipatam
under date the 22d October 1849.
(Here Enter the No. 2196 of 1849)

Read Calendar of Case No. 32

9th November 1849.

of 1849 submitted by the Sessions Judge of Trichinopoly under date the 26th October 1849.
(Here Enter the No. 2190 of 1849)

Read Calendar of Case No. 34
of 1849 submitted by the Sessions Judge of Tanjore under date the 24th October 1849.
(Here Enter the No. 2197 of 1849)

Read Calendar of Case No. 52
of 1849 submitted by the Sessions Judge of Madura
under date the 31st October 1849.
(Here Enter the No. 2217 of 1849)

Read Letter dated the 1st November
1849 from the Sessions Judge of Masulipatam
reporting that there are no Criminal Cases
pending beyond 25 days between 30th September
and 31st October last.
(Here Enter the No. 2222 of 1849)

Read Return dated the 2d
November 1849 from the Sessions Judge of
Nellore to the Precept of the 1st November
ordered under date the 1st November 1849
directing the unconditional release of the
Prisoners in Case Calendar No. 29 of 1848.
(Here Enter the No. 2223 of 1849)

Read report, under date the
1st November 1849 from the Sessions Judge of
Salem, of Cases pending before him for a
period in excess of 25 days calculated from

the

9th November 1849.

date of transmittal

Here enter the No 2232 of 1849

Read report under date the
November 1849 submitted by the Sessions
of Salem of cases pending before the
Court during the month of October 1849

Here enter the No 2236 of 1849

Read Calendar of Cases
of 1849 submitted by the Sessions Judge of
Salem under date the 31st October 1849

Here enter the No 2229 of 1849

Read Calendar of Cases
of 1849 submitted by the Sessions Judge of
Salem under date the 5th December 1849

Here enter the No 2331 of 1849

J. No.

Saturday
10th November 1849.

At a Court of the Tondaree Adalut

Present:—

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

Calendar of Persons punished by the Magistracy from 1st January to 31st March 1849 Case No 25

Read Letter dated 22d September 1849, from the Sessions Judge of Salem, submitting the biennial Statements for the 1st Half of the year 1849.

Here enter the No 1953 of 1849

The Court of Tondaree Adalat observe that in the case noted in the margin both the Prisoners being Police officers should have been punished under Regulation III of 1819.

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

Seal in No 1055

Read again Calendar of Case No 37 of 1849 of the Sessions Court of Cuddapah

Here enter the No 2133 of 1849

Read also Return dated 2d November 1849 made by the Sessions Judge of Cuddapah to the precept of the Tondaree Adalat

10th November 1849.

Read calendar of Case No 31 of 1849
submitted by the Sessions Judge of Coimbatore under
date the 31st October 1849.
(Here enter the No 2242 of 1849.)

Read calendar of Case No 55
of 1849. submitted by the Sessions Judge of Cuddapah
under date the 2d November 1849.
(Here enter the No 2238. of 1849.)

Read calendar of Case No 30 of 1849
submitted by the Sessions Judge of Rajahmundry
under date the 2d November 1849.
(Here enter the No 2243. of 1849.)

Ed 1865

10th November 1849.

Read calendar dated the 20th October 1849. requiring to be informed of the circumstances which led to the apprehension of the Prisoners in the above case.
(Here enter the No 2219 of 1849.)

Under the explanation afforded in the above Return, the Court of Sudder Adalut are satisfied of the propriety of the Magistrates for exercising under what the Prisoners have been placed.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Cuddapah for his information.
(Sent to No 1056.)

Read report dated the 1st November 1849 submitted by the Sessions Judge of Coimbatore, of Cases pending on the 30th September and committed for trial during the month of October 1849 before him.
(Here enter the No 2234 of 1849.)

Read Calendar of Case No 8
of 1849. submitted by the Sessions Judge of
Chingleput under date the 30th October 1849.
(Here enter the No 2235 of 1849.)

Read Calendar of Case No 57
1849 submitted by the Sessions Judge of Cuddapah
under date the 2d November 1849.
(Here enter the No 2237 of 1849.)

Read

F. Ud.

Monday,
12th November, 1849.

At a Court of the Foujdaree Udalut.

Present.

G.S. Hooper, Esquire - 1st Puisne Judge
C.P. Thompson, Esquire - 2d Puisne Judge
W. M. Morehead, Esquire - 3d Puisne Judge

Read Miscellaneous Petition presented on the 27th September 1849 by Jalal Saib late Jail Duffadar of Salem. —

(Here enter F. M. P. No. 204 of 1849) -

The matter contained in this Petition having been disposed of in the Proceedings of the Foujdaree Udalut dated 25th October last, the Court resolve to refer the Petitioner to the Order therein passed, which is final. —

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

Read

Read Miscellaneous Petition
presented on the 1st October 1849 by
Mootia Moodely late Deputy Jailor
at Trichinopoly.

//Here Enter F. M. P. No 207 of 1849//

1. The Petitioner prays that he
to reconsider the circumstances of
his dismissal from his situation of
Deputy Jailor in the Jail at Trichin-
opoly from which he has been removed
in accordance with the orders of
the Foujdaree Udalut dated the 17th
July 1849.

2. The Court of Foujdaree
Udalut observe that the Petitioner's
case was disposed of on a consideration
of the depositions taken in the
matter which led to his dismissal,
and the Court see no reason to ques-
tion the propriety of the orders con-
veyed in their proceedings of the 1st
October 1849, to which the Petitioner
is accordingly referred.

Ordered, that Extract from

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

Read again Calendar of
Case No. 17 of 1849 on the file of the
Sessions Court of Trichinopoly.—

//Here Enter F. C. No. 1721 of 1849//

Read also Miscellaneous
Petition presented on the 1st October 1849
by Valan and three others of Zillah
Trichinopoly.—

//Here Enter F. M. P. No. 211 of 1849//

Before finally disposing
of this Petition the Court of Foujdaree
Udalut resolve to direct that the
English Translation thereof be for-
warded to the Sessions Judge of
Trichinopoly, with instructions to
that Officer to report whether there
is any truth in the statement of
the Petitioners that Sundy the
fifth prisoner in the case referred
to is confined in the Jail Hospital
with a broken hand; and if so,
in what manner the injury in

question

question is supposed to have been occasioned.—

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

Sent following Precept No. 1059.

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

Read Miscellaneous Petition presented on the 9th July and 16th August 1849, by Mustapha Ally Khan Bahadur on behalf of Mahomed Gabul and others of Zillah Masulipatam.

1. This is an application for the interference of the Court of Foujdaree Udalut to set aside the sentence passed upon the Petitioners' relatives, who were convicted in Case No. 9 of 1849 of the Sessions Court

Court of Masulipatam of "Rioting assembly", and adjudged to suffer the mitigated punishment of one years imprisonment with hard labor in irons.—

2. Before passing their final Orders on this Petition, the Court of Foujdaree Udalut deem it proper to direct that a translation of the entire Record of the above Case be submitted for their consideration, together with copies of such correspondence as may have passed on the subject between the Judicial and Magisterial authorities.—

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

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

Sent following Precept No. 1059/— S

Ed 1849.

F. U.

Tuesday 13th November 1849.

At a Court of the Foujdaree Udalut

Present

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

Read again Calendar of Case No. 44 of 1849 of the Sessions Court of Cuddapah

(Here enter F. U. No. 2134 of 1849)

Read also Return dated 31st October 1849 made by the Sessions Judge of Cuddapah to the Precept of the Foujdaree Udalut dated 29th October communicating their observations on the above Case

(Here enter F. U. No. 2220 of 1849)

1. In accordance with the recommendation made by the Sessions Judge in the foregoing Return, the Court of Foujdaree Udalut sanction the mitigated Sentence of two years imprisonment

imprisonment with Hard Labour in irons which it is proposed to pass upon the Prisoner in the above Case

2. And the Sessions Judge is hereby authorized to issue a fresh Warrant accordingly

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

(Sent in No 1862)

Read letter dated the 31st Ultimo, from the Sessions Judge of Nellore, submitting for the final judgment of the Sunderum Udalut, the Proceedings in Case No 31 of the Calendar for 1849.

(Vide Enter Vol. No 2265 of 1849)

Mr C. P. Thompson and Mr W. A. Morehead

The Court of Sunderum 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, Veerabuppa" is sufficient to convict him of the crime of Wilful Murder, do convict him thereof and

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 in No 1863) 5

Dated 14th Nov.

GJK

F. 46.

Thursday
15th November 1849.

At a Court of the Tondaree Adalut

Present

G. S. Hoopey Esqre 1st Puisne Judge

C. P. Thompson Esqre 2d Puisne Judge

W. A. Morehead Esqre 3d Puisne Judge

Read Miscellaneous Petition pre-
sented on the 27th September 1849 by Cadoo Veeba
of Zillah Salem.

(Here enter F. P. No 202 of 1849.)

The Court of Tondaree Adalut
observe that the matter referred to in this Petition
has been finally disposed of in their proceedings
of the 5th October 1849 to which the Petitioner is
referred.

This Petition is dismissed.

2.

Ordered that Extract from these
Proceedings be given to the Petitioner on her applicn

Read Miscellaneous Petition
presented on the 12th September 1849 by C. Nara-
simmulu of Zillah Salem.

(Here enter F. P. No. 203. of 1849.)

The Court of Tondaree Adalut
observe that the Petitioner's son, the Prisoner in
the case to which the Petitioner refers, has been
released

released under the orders of the Sujdaree Adalut dated the 20th October 1849.-

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

Read Miscellaneous Petition presented on the 27th September 1849 by Tekaneram Sarogadee of Jellah Tehsildaree.

(Here enter the Petition No. 203 of 1849)

The Petitioner is referred to the order of the Court of Sujdaree Adalut under the 15th instant rejecting his application for the reversal of the sentence awarded to his brother, Prisoner in case No. 30 of 1849 on the file of the Sessions Court of Tehsildaree.

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

Read Miscellaneous Petition presented respectively on the 1st December 1849, 3rd January, 5th March and 17th April 1848 by S. Appaiah Patrudu on behalf of Chetumbaram Pillay of Jellah Tehsildaree.

(Here enter the Petitions Nos. 320 of 1849 and Nos. 5, 38, 82 and 136 of 1848)

Read also returns under date the 19th February 1848 and separate ones dated the 15th May 1848 from the Sessions Judge

of Tellicherry to the Precepts of the Sujdaree Adalut dated the 17th January 1848 enjoining their orders on the 1st and 2nd of the foregoing Petitions

(Here enter Nos. 191 and 166 of 1848)

The Petitioners it appears, was brought to trial before the Sessions Court of Tellicherry in Seven cases viz: Nos. 16, 17, 18, 19, 20, 21 and 22 of 1847 charged with fraud, Embezzlement, Bribery and extortion, and was acquitted and released unconditionally in all the cases excepting in three of these cases, viz: 17, 18 and 20, the Sessions Judge recorded his opinion that although the evidence was insufficient for the legal conviction of the Prisoner there was strong suspicion against him.

The Court of Sujdaree Adalut having perused the Calendars in all the Seven cases referred to, and having gone through the whole of the records of trial in cases Nos 18 and 20 can see no reason to doubt the correctness of the opinion recorded by the Sessions Judge or to relieve him from the imputation therein conveyed.-

The Court of Sujdaree Adalut accor-

15th November 1849

accordingly pardon to discharge the foregoing

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

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

(Sealed with Seal)

E.H.

J. U.

Friday
16th November 1849.

At a Court of the Zoujdaree Adalat

Present.

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

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

H. A. Morehead Esqr — 3d Puisne Judge

Read Calendar of Case No 53
of 1849 of the Sessions Court of Calicut.
(Here Calendar No 2259 of 1849)

The Court of Zoujdaree Adalat

1 approve of the recommendation made by the
Sessions Judge in this Case, that the punish-
ment awarded to the Prisoner on his convic-
tion of "Gang Robbery" be mitigated to 8
years imprisonment with hard labor in
irons.

And the Sessions Judge

2 is hereby authorized to give his warrant
accordingly.

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

(Sentence No 1071)

Reg

Read Calendar of Case No 56 of 1849 on the file of the Sessions Court of Hambantota

(True Extract Filed No 2220 of 1849)

The Court of Zoydarea Udalat observe that in the Calendar of Proceedings the entry of the Return made of the Sessions Judge in obedience to the Order of this Court is not accompanied by a Statement of the circumstances which led to this application

Ordered that Letters do issue from the Registry of this Court to the Sessions Judge of Hambantota for his information.

(Sent No 1072)

Read Calendar of Case No 53 of 1849 on the file of the Sessions Court of Kandy

(True Extract Filed No 2216 of 1849)

The Court of Zoydarea Udalat direct that a Translation of the Petition made by the Prisoners in this case together with a Statement of the circumstances which led to this application may be submitted for the consideration of the Zoydarea Udalat.

Ordered that Letters do issue from these Proceedings be sent to the Sessions Judge of Kandy for his information and guidance by precept returnable within three days from and after its receipt

(Sent following precept No 1073)

Read letter under date the 2d November 1849 from the Sessions Judge of Batticaloa submitting an English Translation of the Record of case No 56 of 1849 on the file of the Sessions Court for the final judgment of the Zoydarea Udalat

(True Extract Filed No 2254 of 1849)

Mr G L Hooper and Mr C P Thompson

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

"Poodiliya Malcahete
Ittepanachchi Nair"

is sufficient to convict him of the crime of Wilful Murder, do convict him thereof: and under the provisions of Section 5 Regulation VIII of 1802 sentence him to suffer death by being hanged at the usual time and place of execution.

The Court of Zoydarea Udalat have deemed it unnecessary to order the execution of the prisoner in this case to

takes

take place at the spot where the murder was committed for which he has been sentenced to suffer death, or to direct that his body should be suspended in chains as provided by the Regulation quoted.

Ordered that Extract from these proceedings be forwarded to the Register Sudder Adawlut for his information.

Ex: C.W.

Sent in Sp. 1074

F. W.

Saturday 17th November 1849.

At a Court of the Foujdaree Adawlut.

Present

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

Read Extract from the Minutes of Consultation under date the 21st August 1849 conveying the orders of the Right Honorable the Governor in Council upon the Statements of Contingent charges incurred by the several Judicial and Magisterial authorities for Fusly 1257.—

(Here enter S: & : No. 1435 of 1849).

1. In accordance with the instructions conveyed in the 2nd para of the foregoing Extract, the Court of Foujdaree Adawlut resolve to direct that on the occasion of Judicial officers drawing travelling allowance for attending the execution of prisoners, the distance for which such allowance is drawn be invariably specified in the statements in which the charge is entered.—

2. The Court further resolve to prohibit the payment of batta to Daloyets Naicks and Peons deputed to attend the execution of prisoners within the limits of the Zillah to which they belong; or to those employed

employed on any other ordinary duty within the limits of their own Zillah.—

3.

The Court of Foujdaree Adawlut direct the Sessions Judge of Chingleput to explain the disbursement of Rupees 127–12–2 for buying and repairing Mechanics and tools; Rupees 120 having been paid on the salary of an Iron smith for making & repairing the articles in question.—

4

Agreeably to the orders conveyed in the 8th para. of the above extract the Judges of the Foujdaree Adawlut resolve to direct that a Supplemental Statement showing the quantity and value of articles manufactured by the prisoners during the first six months may be forwarded for transmission to Government with the least possible delay; these statements do not apply to the Sessions Judge of Chingleput by whom the information in question has been already transmitted.—

5.

In all future Statements the Judges direct that a distinct account may be submitted of the whole charge for the maintenance clothing and contingencies of the prisoners, and the Set off from their labor calculated by estimate when they are employed in roads &c. with the net produce of manufactured articles.—

6.

An explanation of the orders noted as No. 4 at Page 100 of the Civil Abstract Rules the Governor

Governor in Council has declared that the batta to be granted in the cases provided for by the Rule should be at the rate of half the amount of the servants fixed salary for the period of his absence, and that it is not intended that the party should on each occasion draw one half of his monthly salary without reference to the actual period of his absence.—

The Governor in Council having

7.

approved of the Book form in which the statements from Madura are drawn up, as being very convenient for reference the Court of Foujdaree Adawlut direct that this form a Specimen of which is forwarded herewith may be adopted by the several Judicial and Magisterial authorities in submitting in future their Statements of contingent expenditure.—

Ordered, that Extract from these proceedings (paras: 1, 2, 4, 5, 6, and 7) be forwarded to the several Sessions Judges Subordinate Judges Principal Sudder Ameens Magistrates and Sudder Ameens of Salem and Chingleput for their information and guidance.—

(Sent in No. 1079)

Ordered also that Extract from the proceedings (para: 3) be forwarded to the Sessions Judge of Chingleput for his information and guidance by post returnable within III days from and after its receipt.—

(Sent following Receipt No. 1080)

Re

Read letter under date the 24th October 1848 from the Sessions Judge of Bellary.

(Here enter F. C. No. 2353 of 1848)

1

In the foregoing letter the Sessions Judge at the request of the Acting Magistrate has submitted for the decision of the Court of Foujdaree Adalut the following questions in regard to the jurisdiction of the Magistracy and Police with reference to cases of Cattle Stealing, killing &c.

1st. Whether or not the distinction between Petty cases of cattle stealing, adjudicable by the Magistracy and the Heads of District Police, and cases such as are to be sent on to the Criminal Courts, turns upon the value of the cattle stolen?

2nd. Whether malice is a necessary ingredient in the crime of poisoning, killing or maiming cattle, as made punishable by Section VIII Regulation XIII of 1832?

3rd. Whether the word "Petty" in Clause Second of the above Section, can be brought to bear upon cases of poisoning or killing Cattle or only upon Cases of maiming or wounding Cattle, and has reference to the value of the animals killed or injured?

2.

In regard to the 1st question proposed by the Acting Magistrate the Sessions Judge observes "that the Regulations do not provide for the jurisdiction in Cases of Cattle stealing being settled according

6

to the value of the cattle, and that the instances are numerous wherein the practice has been to deal with such cases upon other considerations, connected with the nature of such property, the consequent loss to the owners, and the liability thereof, from its exposure, to be stolen and that it will be for the Heads of Police and Magistracy to decide according to the best of their judgment, what cases are to be viewed as Petty and what as serious, the Regulations having left them this discretion".

In this opinion the Court of Foujdaree Adalut

3.

generally concur; and they also concur with the Sessions Judge in regard to the 2nd question propounded by the Acting Magistrate Viz. "that proof of malice is requisite to bring the accused under the penalties of Section VIII. Regulation XIII of 1832, and that in instances of killing or injuring Cattle otherwise than maliciously the matter would form subject for a Civil action".

The Court of Foujdaree Adalut

4

would observe that the term "poisoning" clearly implies malice, and that therefore the term "maliciously" has not been prefixed to it in the Section above quoted.

The Court of Foujdaree Adalut

5.

agree with the Sessions Judge that the question "whether

"whether value is to determine the meaning of the word
"Petty" in clause second of the Section in question acts
upon the same grounds as belong to the consideration
of whether cases of Cattle stealing are to be viewed as
Petty in reference to the value of the Cattle stolen" or
not.—

6.

In regard to the question whether the
term "petty" in the Clause in question can be brought
to bear upon poisoning or killing Cattle, the Court
of Fouzdaree Udalut observe that to the offence of
poisoning or maliciously killing one of the minor
beasts of pasture such as sheep goats &c. the term
in question may with propriety be applied.—

7.

The Court of Fouzdaree Udalut finish
this distinction adverted to in the proceedings of the
Fouzdaree Udalut dated the 11th July 1833 wherein it
is remarked that although "in Section III Regulation
VII of 1827 the petty cases of Cattle stealing punishable
by the Magistrate and the Heads of Police are not
defined; the Court of Fouzdaree Udalut have long
considered this offence to consist in the stealing of
one or two of the minor beasts of Pasture such as
sheep, goats &c., and that the theft of one or more
Horses, oxen, Buffaloes, or other beast of Tursew or
of three or more sheep goats or other minor beasts of
pasture the Judges have considered punishable only by the

17th November 1849.

Criminal Courts and that this distinction is obviously
recognized by Clauses first and second Section VIII.—
Regulation XIII of 1832 whereby "the poisoning or
maliciously killing maiming or wounding one or more
Horses, Oxen Cows Buffaloes or other Cattle" is made
punishable by the Criminal Court. Petty cases of
this description being by clause second of the same
section and Regulation declared punishable by the
Magistrate and the Heads of District Police".—

8.

In conclusion the Court of Fouzdaree
Udalut deem it proper to direct the attention of the
Acting Magistrate to the rule laid down in their
Circular Order No. 190 wherein it is declared that in
cases of Cattle stealing wherein Magistrates may
deem the penalties authorized by Section XXXII
Regulation IX of 1816 insufficient, those officers are
empowered to pass sentence to the extent authorized
in other cases of theft by Section VII Regulation
X of 1816.—

Ordered that Extract from these
proceedings be forwarded to the Sessions Judge
of Bellary for his information and for communi-
cation to the Acting Magistrate for the information
and future guidance of that officer.—

(Sent in No. 1081)

Read

Read Calendar in Cases Nos. 40 and 42
of 1849 submitted by the Sessions Judge of Combaconum
under date the 13th Ultimo.-

(Here enter F. C. Nos. 2079 of 1849)

Read Calendar in Case No. 63 of 1849
submitted by the Sessions Judge of Combaconum under
date the 29th Ultimo.-

(Here enter F. C. No. 2201 of 1849).

Read Calendar in Case No. 57 of 1849
submitted by the Sessions Judge of Calicut under date
the 6th Instant.-

(Here enter F. C. No. 2272 of 1849).

Read Calendar in Case No. 41 of 1849
submitted by the Sessions Judge of Bellary under date
the 7th Instant.-

(Here enter F. C. No. 2273 of 1849).

Read Calendars in Cases Nos. 46 and
47 of 1849 submitted by the Sessions Judge of
Masulipatam under date the 2nd Instant.-

(Here enter F. C. Nos. 2274 and 2275 of 1849).

Read Calendar in Case No. 45 of 1849
submitted by the Sessions Judge of Masulipatam
under date the 2nd Instant.-

(Here enter F. C. No. 2280 of 1849).

Read Calendar in Case No. 41 of 1849
submitted by the Sessions Judge of Rajahmundry under

under date the 5th Instant.-

(Here enter F. C. No. 2281 of 1849)

Read Calendar in Case No. 38 of 1849
submitted by the Acting Sessions Judge of Tinnevelly
under date the 5th Instant.-

(Here enter F. C. No. 2282 of 1849).

Read Calendars in Cases Nos. 41 and
42 of 1849 submitted by the Sessions Judge of
Cuddalore under date the 10th Instant.-

(Here enter F. C. Nos. 2284 and 2285 of 1849).

Read Calendars in Cases Nos. 37 and
39 of 1849 submitted by the Sessions Judge of Salem
under dates the 5th and 6th Instant.-

(Here enter Nos. 2296 and 2298 of 1849).

Read Calendars in Cases Nos. 42
and 43 of 1849 submitted by the Sessions Judge
of Rajahmundry under date the 8th Instant.-

(Here enter F. C. Nos. 2307 and 2308 of 1849)

Read return dated the 12th Instant
from the Sessions Judge of Cuddapah, to the
precept of the Foujdaree Adalut under date the 9th
Instant, directing to reduce the sentence passed on the
Prisoner in Case No. 51 of the Calendar for 1849.
to 6 Months imprisonment.-

(Here enter F. C. No. 2313 of 1849).

Entered.

[illegible] behalf of Sevanan Pillay of Tirukoil
[illegible]

(Short Cause Petn No 202 of 1848)

The object of this Petition is to obtain the Court of Tanjore recalled to reverse an order of the Sessions Judge of Coimbatore dated 20th April 1848, and to direct that a fine of Rupees 50 imposed by that officer upon the Petitioner for having been guilty of contempt of Court be refunded to him.

2 The Court of Tanjore recalled see no grounds for their interference in the manner solicited, and accordingly resolve to reject this Petition.

Ordered that extract of these Proceedings be given to the Petitioner if taken on his application.

Read miscellaneous Petition presented on the 11th October 1849 by Seven Sevlony Regr, taken on behalf of M: Court Bux Rama Iyer, late Sahukar of the Salt of Coimbatore.

(Short Cause Petn No 216 of 1849)

The

Monday
10th

Petitioner prays the Court of
Recalled to reconsider the orders con-
veyed in their proceedings of the 20th October
1847, directing his removal from the office
of Head of Police of the Talook of Coimbatore,
with reference to certain charges preferred
against him before the authorities of Malabar,
and brought to the notice of the Court of Tanjore
Recalled by the Magistrate of that District.

2 The Petitioner endeavours to shew
that no culpability can attach to him in
the matter which led to his removal from the
office of Head of Police of the Talook of Coimba-
tore, and prays the Tanjore Recalled to
permit his restoration to that office, or his
appointment to another of similar rank
and Emolument.

3 The Court of Tanjore Recalled
have attentively considered the arguments con-
tained in this Petition, but they adhere to
the opinion recorded in their proceedings of
the 20th October 1847, that the Petitioner can-
not with propriety be employed as Head of
Police in the Talook of Coimbatore, and they
accordingly decline to sanction his reappoint-
ment to that office.

4 The Court of Tanjore Recalled
can pass no orders in regards to the employment

J

19th November 1849

of the Petitioner as a Head of Police in Valavanur in the district of Trichinopoly, the Petitioner having, of his own accord, resigned situation, upon the orders to which herein refers having been ignored for his return from the Talook of Trichinopoly.

2. In regard to the restoration of Petitioners to another Talook the Court of Sessions Adalut leave to the acting Collector and Magistrate to act as he may think fit.

Ordered that Extract from these Proceedings be forwarded to the Acting Magistrate of Trichinopoly for his information.

(Sent on the 10th 1849)

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

Read Miscellaneous Petition presented on the 22d October 1849 by [illegible] Vakeel on behalf of Narrachee Lakshmi Valud Kaday Saiba.

(Here Enter F.M.P. No 217 of 1849)

The Petitioner prays the Court of Sessions Adalut to order the release of his son, the 1st Prisoner in case No 89 of 1849 on

F.M.

19th November 1849

the file of the Sessions Court of Maravilpattam.

2. The Court of Sessions Adalut observe that the Petitioner's son, after a careful consideration of the records, has been convicted on the clearest evidence of the murder laid to his charge, and has been sentenced to be executed.

3. This Petition is dismissed.

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

Read Calendar of Case No 25 of 1849 on the file of the Sessions Court of Nellore.

(Here Enter F.M.P. No 2185/)

Read also miscellaneous Petition presented on the 22d October 1849 by Venkiah of Gollah Nellore.

(Here Enter F.M.P. No 221 of 1849)

This Petition has for its object the issue of orders to the Sessions Court of Nellore directing the release upon bail of the 1st Prisoner in the foregoing case, pending the final judgment of the Sessions Adalut for which the trial has been referred.

2. The Court of Sessions Adalut observe that it is for the Sessions Court to

to determine whether, or not, the person
whom the Petitioner refers, should be
to remain at large upon bail.

2 The Court accordingly de
to pass any orders upon this applica

Ordered that a copy
these Proceedings be given to the Pet
on his application.

Read the undermentioned Petition
recorded on the 6th October 1849 by Mary
of Lillah Chungsput

Where date the 7th 22d of 1849

The Court of Sessions
observe that the matter mentioned in the
Petition was disposed of by the Provincial
& the Sessions Adalat under date
September 1849. From these Proceedings
Petitioner is accordingly now requested
informed that the order therein passed
is final

Ordered that a copy of
these Proceedings be given to the Petitioner
on his application.

Read Letter under date the
18th August 1849 from the Sessions Judge of the
forwarding for the information of the Court
Adalat a copy of a return made by the Joint
Magistrate of Howrah in pursuance of the Court

Court which accompanied an Extract from its Proceedings on review of a Case of Fraud disposed of by the Joint Magistrate in July 1849.

(Here enter the Nº 1754 of 1849)

It this Case the Prisoner was charged with having fraudulently obtained from one Veeakaneah four pieces of Gold valued at Rupees 269-11-, and Rupees 130- in Cash, and with having appropriated the same to his own use, and was sentenced by the Joint Magistrate to rise Months Imprisonment, with hard labor & irons under Section XII Regulation X of 1816.

2. The Sessions Judge, considering that the amount concerned in the fraud placed the case beyond the jurisdiction of the Magistracy, directed that the sentence passed by the Joint Magistrate should be quashed, and that the Prisoner should be committed for trial to the Sessions Court.

3. The Joint Magistrate has requested that the question of jurisdiction should be referred for the decision of the Sunjdaree Adalut

4. The Court of Sunjdaree Adalut are of opinion that the order of the Sessions Judge is correct; and that in all cases of fraud, the jurisdiction is to be decided

decided with reference to the value of
to the amount laid down in cases
theft.

Ordered that extract
these Proceedings be sent to the Sessi
judge of Karur for communication to
joint magistrate of Karur.-

/Sent in Nº 1084/

Read letter under date the
June 1848 from the Sessions judge of Trich

/Here enter the Nº 1350 of 1848/

The Sessions judge of Trich
letter has submitted to the opinion of
Court of Wujdaree Adalat the question whether it
competent for a magistrate acting
Section XII Regulation V of 1816, to
of Section XIV Section VIII, to punish for
being committed before him
Section XII Regulation XIII of 1832.

2.

The Court of Wujdaree A
are of opinion that in all cases
a magistrate is exercising the
powers vested in the magistracy by
XIV Sect VIII of 1843, which powers
to the amendment of the act in
were confined to the Criminal
it is competent to him to

for contempt or gross prevarication committed before
him, under the provisions of Section VII Regu-
lation XIII of 1832, the trial of such cases
being conducted by the magistrate in the
capacity of a Criminal Judge, and the
form of proceedure being the same as is
required to be observed in the Sadar Dewa
Criminal Courts in similar Cases.-

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

/Sent in Nº 1085/.

Read Calendar of Case Nº IV
of 1849. of the Cochin Calendar Sessions Court
of Calicut.-

/Here Enter the Nº 2205 of 1849/

1. The Court of Wujdaree Adalat
observe that this case is incorrectly num-
bered, and that it should have been
entered on the file of the Sessions Court irres-
pectively of the Court from which it was
committed.-

2. The Court of Wujdaree Adalat
approve of the recommendation made by the
Sessions Judge in this case, that the period of
Imprisonment awarded to the Prisoner be

reduced

19th November 1849

remands to four guards, and they and the
Defendant [illegible] to appear this morning at ten
o'clock.

Ordered that certified
these Proceedings be sent to the
[illegible] of Oakland for his information
& guidance.

[illegible]

[illegible] No 1086

Paid Constable of Oakland
1849 & the Defendant bound in Recognizance
(Hon Date [illegible] No 2216 Page 130)

1.

The Court [illegible] Defendant
being [illegible] whether he had any
to the Prisoner's sentence, then the
[illegible] to the Defendant
with [illegible] the Defendant, may, in the
that the term of his imprisonment be
[illegible] to four years.

2.

The Defendant [illegible]
remands to appear this morning at ten
with the foregoing resolution.

Ordered that certified
these Proceedings be sent to the Defendant
[illegible] of Oakland by Precept [illegible]
within three days from and after the receipt

[illegible]

Issued following Precept No 1087

F. Vo.

Tuesday
20th. November 1849. At a Court of the Tongdarees Udalut.

Present:

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

Read a letter under date the 13th. April 1848 from the Sessions Judge of Tinnevelly (Here inter F. Vo. & No 9th of 1848.)

At the requisition of the Magistrate of Tinnevelly the Sessions Judge has submitted for the opinion of the Court of Tongdarees Udalut two questions first whether with reference to Section VII Regulation XIII of 1832 a Magistrate is competent to fine for contempt or gross prevarication committed before him, and secondly what cases of petty Cattle stealing are to be considered exclusively punishable by the Native Police and what by the European Magistracy under Section III Regulation VI of 1824.

The Court of Tongdarees Udalut are of opinion that in all cases in which a Magistrate is exercising the extended powers vested

vested in the Magistracy by Section VII of 1843, which powers previous to the amendment of the Act in question were only those to the Criminal Courts, that is to enforce a fine for contempt of the provisions of Section VII Regulation of 1832, the trials of such cases being conducted by the Magistrate in the capacity of a Criminal Judge and the procedures being the same as is required observed in the Subordinate Criminal Courts.

3.

In regard to the remarks presumed by the Magistrate that the of Tongdares Udalut cannot in the opinion intended by the Sessions Judge in paras 3 of his letter of the 23d. March 1848 the disposal of cases of Cattle Stealing must depend in a great degree on the circumstances of the case and upon the prevalence of the offence.

4.

As a general rule for the guidance of the native police Authorities the Board of Tongdares Udalut are of opinion that the Petty may with propriety be empowered to

apply to cases of stealing the inferior beasts of pasture such as sheep, goats &c. in distinction to the superior animals such as horses cows buffaloes &c.

5.

The Court of Tongdares Udalut have declared in their Circular Order No. 190 that the Magistrates are empowered in cases of Cattle Stealing to exercise the extended powers vested in them by Section XIV Act VII of 1843.

Ordered, that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Tinnevelly, for communication to the Acting Magistrate.

(Sentence No. 1092)

Read again Calendar of Cases No. 40 of 1849 of the Sessions Court of Cuddapah.

(Here Inters. F. 86. No. 2036 of 1849.)

Read also Return dated 30th October 1849, made by the Sessions Judge of Cuddapah to the Precept of the Tongdares Udalut dated 22d October 1849 calling for certain Depositions and information connected with the above case.

(Here Inters. F. 86. No. 2209 of 1849.)

Read

20th November 1849

Read also Further Return dated 7th November 1849 made by the Sessions Judge of Cuddapah to the foregoing Precept of the Tanjadore Adalut dated 22d October 1849.

(Here Enter F. 86. No 2379 of 1849.)

Before disposing of this case the Court of Tanjadore Adalut deem it necessary to call upon the Sessions Judge to submit for their consideration copy of the List of Stolen property stated by the 5th witness to have been sent to the Head of Police by the Reddy and Cummum, and also copy of the List prepared in conformity with the provisions of the Tanjadore Adalut Circular Order dated 21st September 1824.

2d

The Sessions Judge will at the same time be pleased to state whether any other Witnesses besides the 5th and 6th deposed to the fact of the property found being that of the Prosecutor.

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Cuddapah by Precept returnable within 2 days, from and after its receipt.

(Sent following precept No 1093)

24 1849.

Thursday
22d November 1849

At a Court of the Tanjadore Adalut

Present

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

Read Calendar of Cases No 32 of 1849 of the Sessions Court of Honore.

(Here Enter Proc No 2295 of 1849.)

The Court of Tanjadore Adalut approve of the recommendation made by the Sessions Judge in this Case that the Sentence recorded against the Prisoner on his conviction of "Theft" be mitigated to that four years imprisonment with Hard Labor in irons

And the Sessions Judge is hereby authorized to issue his Warrant accordingly

2d

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

(Sent in No 1095)

Read Calendar of Case No 109

1849.

1849 of the Sessions Court of Salem

(Here enter the Nº 2310 of 1849)

1

The Court of Sudder Adawlut

approve of the recommendation made by

the Sessions Judge in this case, that the

Sentence recorded against the prisoner

in this conviction of Gang Robbery on the

Highway be mitigated to Rigorous

Imprisonment with hard labor for one

2

Order the Sessions Judge is

hereby authorized to effect the warrant accord-

ingly.

Ordered that extract from

these proceedings be forwarded to the Sessions

Judge of Salem for his information and guidance

(Sent as Nº 1096)

Read again Calendar of Cases

Nº 30 of 1849 of the Sessions Court of Malabar

(Here enter the Nº 2191 of 1849)

Read also Return dated 11th

November 1849 made by the Sessions Judge of

Malabar in pursuance of the Sudder Adawlut

to be informed what circumstances he took

the apprehension of the Prisoners in this

case, and to the discovery of the stolen

property.

(Here enter Sudder Nº 2314 of 1849)

Vide

Under the explanation afforded

in the above Return, the Court of Sudder

Adawlut are satisfied of the justness of the

Prisoner's conviction and of the propriety of

the Sentence passed upon him.

Ordered that Extract from

these Proceedings be forwarded to the

Sessions Judge of Malabar for his information

(Sent as Nº 1097)

Read Calendar of Cases Nº 1

of 1849 on the file of the Sessions Court of Rajahmundry

(Here enter Sudder Nº 2309 of 1849)

The Court of Sudder Adawlut

direct that the circumstances of the "charge

of cruelty" referred to by the Sessions Judge in

the remarks recorded by him in this case, and

with reference to which that Officer has directed

that the certificate of the Zillah Surgeon

should be forwarded to the Magistrate

may be reported for their information.

Ordered that Extract from

these Proceedings be forwarded 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 1098)

Read

22nd November 1849.

Read Calendar of Case No 1099 of 1849 on the file of the Sessions Court of Calicut (Case Entered Fo. No 3297 of 1849)

Considering the cruel and deliberate manner in which the aforesaid prisoner in this case murdered his wife which is stated to have resulted in the death of the deceased was committed, the Court of Sessions considers the sentence of three years imprisonment to which the prisoner has been sentenced by the Police Magistrate of Ferokabad inadequate to meet the demands of justice.

Ordered that Extract from these Proceedings be forwarded to the Sessions Court of Calicut for its information and guidance.

Read Calendar of Case No 1099 of 1849 on the file of the Sessions Court of Calicut (Case Entered Fo. No 2356 of 1849)

Before finally disposing of the case the Court of Sessions wishes to have an explanation of the delay in the apprehension of the Prisoner who was not apprehended until September although the Petition charges against them is said to have been committed in January, when according to the

22nd November 1849.

statement of the Petitioner, the 1st Prisoner was denounced may be submitted for their consideration.

2 The Court also direct that an English translation of the first report made to the Police authorities, may be transmitted.

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

(Sent following Precept No 1100)

Read Calendar of Case No 2197 of 1849 on the file of the Sessions Court of Trichinopoly (Case Entered Fo No 2196 of 1849)

Read also Miscellaneous Petition presented on the 25 October 1849. by S Veeraraghavacharry Pleader on behalf of Patchaiappa Chetty of Gillah Mangalore.

(Case Entered Fo No P No 222 of 1849)

The Petitioner who represents himself to be the Prosecutor in the foregoing case, prays the Court of Sessions Cuddalore to order that a Bond stolen from him by the Prisoner in the case in question and of the theft of which the prisoner has been convicted may be restored to him by the Sessions Court in whose custody it is at present retained.

The Court of Sessions Cuddalore direct

direct that the Bonds on execution be returned to the Petitioners on his application

Ordered that Extract of these Proceedings be given to the Petitioners Vakeel on his application -

Read Criminal Reports dated the 13th November 1849 submitted by the Sessions Judge of Madura for the month of October 1849

(Here Entered No 2320 of 1849)

Read Calendar of Case No 53, 1849 submitted by the Sessions Judge of Madura under date the 13th November 1849

(Here Entered No 2321 of 1849)

Read Criminal Reports under date the 1st November 1849 submitted by the Sessions Judge of Rajahmundry for the month of October 1849.

(Here Entered No 2322 of 1849)

Read Calendar of Case No 60 of 1849 submitted by the Sessions Judge of Coimbatore under date the 13th November 1849

(Here Entered No 2323 of 1849)

Read Criminal Reports under date the 15th November 1849 submitted by the Assistant to the Governor of Fort Saint George at Kaveripauk for the month of October 1849

(Here Entered No 2324 of 1849.)

Read Calendar of Case No 39 of 1849 submitted by the Acting Sessions Judge of Tanjore under date the 9th November 1849

(Here Entered No 2310 of 1849.)

Read Criminal Reports dated 31st — October — submitted by the Sessions Judge of Coimbatore for the Month of October 1849.

(Here Entered No 2319 of 1849.)

Ex: 77.

J. 76.

Saturday, 24th. November 1849. At a Court of the Foujdaree Udalut.

Present

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

Read letter dated the 15th. Instant, from the Sessions Judge of Rajahmundry, Submitting for the final judgment of the Foujdaree Udalut the Record of Case No. 24 of 1849 of the Calendar of the Sessions Court.—

(Here enter No. 2377.)

Mr. E. D. Thompson.— The Court of Foujdaree Udalut, on a deliberate consideration of all the circumstances of the case in evidence before them bring of opinion that the Prisoner,

1st. Pindem Mostado

is not convicted on presumptive proof or on the evidence of credible witnesses or on his own confession of the crime charged, do acquit him thereof and direct that he be set at liberty.—

1. The Court of Foujdaree Udalut observe from a perusal of the record of this case that both the Subordinate and Sessions Courts

at

at Rajahmundry adopt the practice of examining deponents on consecutive days on the information first given by them when their examination commenced.—

2.

This practice the Court of Foujdaree Udalut have declared to be irregular, and they direct that when the re-examination of a witness is necessary, he be required to make the affirmation prescribed by Act V of 1840.—

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

(Sent following letter No. 1106) cs

24th Nov.

fgh

F. U.

Monday. 26th. November 1849.

At a Court of the Foujdaree Udalut

Present

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

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

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

Read Miscellaneous Petition presented on the 11th. December 1848. by Dafsee Eranatchee of Zillah Chittoor.—

(Here enter F. M. P. No. 320 of 1848).

The Court of Foujdaree Udalut in their proceedings of this days date have directed that the Jewels to which the Petitioner refers should be returned to the parties in whose possession they were found, and they accordingly resolve to dismiss the Petitioner's application that the Jewels in question should be delivered to her upon Security.—

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

Read again Calendar of Case No. 30 of 1849 of the Sessions Court of Chittoor.—

(Here enter F. C. No. 1686 of 1849).

Read also Miscellaneous Petition presented on the 1st. October 1849. by Chengareddy of Zillah

Zillah Chittoor.

(Here enter F. Mc. P. No. 210 of 1849.)

1. This is an application for the reversal of the Sentence recorded against the Petitioner, third Prisoner in the above case.—

2. The Court of Foujdaree Adawlut observe that the 3rd Prisoner, to whom the Petitioner refers was released by the Sessions Judge.—

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

Read Miscellaneous Petition from Combaconum.—

(Here enter F. Mc. P. No. 230 of 1849.)

The Court of Foujdaree Adawlut observe that the matter adverted to in this Petition has been disposed of in their proceedings of the 15th August and 4th October 1849, to which the Petitioner is referred.—

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

Read letter under date the 17th June 1848. from the Sessions Judge of Rajahmundry.

(Here enter F. Mc. No. 1363 of 1848.)

1. With the foregoing letter the Sessions Judge has submitted copy of a Communication from the

26th November 1849.

the Magistrate of Rajahmundry forwarding one from the Joint Magistrate, having reference to an order passed by the Sessions Judge, directing the release of four prisoners charged in Case No. 48 on the file of the Subordinate Criminal Court with having received stolen property knowing it to be such.—

2. The prisoners in question are Banians in the town of Narsapore, and were charged with having purchased certain articles of stationary from the Brassalgee attached to the Joint Magistrate's office and on conviction by the Moofty Sudr. Ameen were sentenced to Imprisonment with labor for the period of eight months.—

3. The Sessions Judge upon an appeal having been preferred from the sentences awarded by the Moofty Sudder Ameen, directed that the prisoners should be released, the readiness with which the prisoners gave up the goods and the open way in which they exposed them for sale, being in the opinion of the Sessions Judge confirmatory of the impression that they did not know the articles to have been stolen.—

4. To this order the Magistrate and the Joint Magistrate object contending that the circumstances of the Case Viz. the discovery of

Government

Government property of a peculiar kind and
generally procurable in the possession of the
obtained by them in the manner in which they
admitted that they had received it, were fully
to justify their conviction of the offence laid
their charge.-

5. The Court of Foujdaree Udalut
concur in the opinions recorded by the Magistrate
Joint Magistrate — in this case, and they consider
it much to be regretted that the prisoners have been
permitted to escape the punishment awarded to them
by the Moofty Sudr Ameen, the infliction of which
Court consider to have been fully warranted by the
of the case.-

6. The Court however deem it inexpedient
to interfere with the order which has been passed
by the Sessions Judge.-

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

(Sent in No. 1114)

Read the following Letter dated
3rd November 1849 from the Sessions Judge of
Rajahmundry.-

(Here enter F. C. No. 2278 of 1849).

F. C.
26th November 1849.

The Sessions Judge of Rajah-
-mundry, at the request of the Magistrate, solicits
the opinion of the Court of Foujdaree Udalut in
respect to the propriety of an order passed by
him in renewal of one issued by the Magistrate,
regarding the claims advanced to certain property
by one Mullaparauzo Suyganatharauzo.-

2. Before deciding upon the merits of
the respective Orders referred for their consideration,
the Court of Foujdaree Udalut require to be —
informed under what Regulation, and by virtue
of what authority Mr. Prendergast interfered in
his capacity of Magistrate in a matter which
would appear to be of a purely civil nature.-

3. And the Sessions Judge, in submitting
this information from the Magistrate, will be
pleased to explain, why, instead of correcting the
evident error into which Mr. Prendergast had
fallen, he gave his sanction to that error by
reviewing the Magistrates Proceedings in his
capacity of Sessions Judge.-

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

(Sent following Precept No. 1115)

Read

Read Criminal Reports of the Sessions Court of Guntoor for October 1849.

(Here enter F: C: No: 2293 of 1849)

Report B

Cases Nos 45, 46, 47 and 48.

The same Prisoner having been convicted in each of these cases, it should have been explained in the sentences recorded in them that the punishment was cumulative.—

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

(Sent in No: 1116).

Read Calendar of Case No: 42 of 1849 of the Sessions Court of Salem.—

(Here enter F: C: No: 2329 of 1849)

1 The Court of Foujdaree Adalut approve the recommendation made by the Sessions Judge in this case, that the sentence recorded against the 2 Prisoners on their conviction of "Theft", be mitigated to four 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 Salem for his information and guidance.—

(Sent in No: 1117)

Read

Read Calendar of Case No: 41 of 1849 of the Sessions Court of Salem.—

(Here enter F: C: No: 2330 of 1849)

1. Before passing their final orders on the above case, the Court of Foujdaree Adalut resolve to call upon the Sessions Judge to submit for their consideration, a translation of the confession, stated to have been given by the 1st Prisoner, before the Police and Subordinate Court.—

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

(Sent following Precept No: 1118)

Read again Calendar of Case No: 65 of 1848 on the file of the Sessions Court of Cuddapah.—

(Here enter F: C: No: 2487 of 1848).

Read also return under date the 2nd December 1848 from the Sessions Judge of Cuddapah to the precept of the Foujdaree Adalut dated the 28th November 1848, directing that officer to propound a second question to the Law officers in the foregoing case.—

(Here enter F: C: No: 2603 of 1848).

1 The Court of Foujdaree Adalut observe that the 2nd question in this case should have been propounded

profounded in accordance with the provisions of Clause fourth Section II Regulation XV of 1803, and that the Law officer should have been required to declare by a second Futwah, "to what punishment the prisoner would have been liable under the Mahommedan Law for the crime committed by him if the Special exception by which Hud was barred, had not existed."

2. This course the Sessions Judge will now be pleased to adopt, and having passed the sentence required by the Regulations, the mitigation of the sentence to five years must be applied for.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Salem for his information and guidance by first return within III days from and after its receipt.

(Sent following Rent. No. 1119).

Read letter under date the 8th Instt. 1848. from the Magistrate of North Arcot.

(Here enter Jr. Rs. No. 2657 of 1848).

1. The Magistrate in the foregoing letter has requested the instructions of the Court of Foujdaree Udalut, in regard to the disposal of certain jewels, in deposit in Treasury at Chittoor, which formed the subject of a charge of Robbery, preferred by one Meenatchee before the late Acting Magistrate of North Arcot against her

her two daughters and certain other persons, inhabitants of Vellore, which charge was dismissed by the late Acting Magistrate; his proceedings in the matter having been subsequently confirmed in Appeal and by the Court of Foujdaree Udalut.-

2. The Jewels in question, which had been delivered up to the Police by the two daughters of the above mentioned Meenatchee, were ordered by the Court of Foujdaree Udalut to be retained by the Magistrate in deposit, until the proprietory right to them should be decided by a Civil Suit.-

3. The Magistrate considering that the Jewels in question were taken possession of by the late Acting Magistrate upon invalid grounds; the complaint preferred by Meenatchee having been pronounced to be unfounded, submits that the jewels should be returned to her daughters, in whose possession they were found.-

4 In this opinion the Court of Foujdaree Udalut as at present composed entirely concur, and they authorize the Magistrate of North Arcot to restore the Jewels in question to the parties, in whose possession they were found.-

Ordered that Extract from these Proceedings be forwarded to the Magistrate of North Arcot for his information and guidance.-

(Sent in No. 1120)

Read

Read again Miscellaneous Petition presented on the 13th August 1849 by V. Sethu Vakeel on behalf of Venkataramanah of Tellicherry

(Here enter F. St. P. No. 176 of 1849)

Read also Return dated 3rd October 1849 and further Return dated 24th October 1849 and by the Sessions Judge of Cuddapah to the Rule of the Foujdaree Adalut dated 3rd September 1849 for an English translation of the entire Records in Case No. 41 of 1848 of the Sessions Court of Cuddapah.

(Here enter F. St. No. 2044 and 2053 of 1849)

After a careful and deliberate consideration of the evidence set forth in the Record of the foregoing Case, the Court of Foujdaree Adalut are satisfied of the justness of the Prisoners' conviction, and accordingly decline to disturb the sentences which have been passed upon them.—

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

(Sent in No. 1121).

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

Read letter under date 17th November 1849 from the Sessions Judge of Calicut, submitting an

an English Translation of the entire record of Case No. LXI of 1849 on the file of the Sessions Court, for the final Judgment of the Foujdaree Adalut.—

(Here enter F. St. No. 2379 of 1849).

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,

1st Poonatoor Chundoo

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

The Court of Foujdaree Adalut have deemed it inexpedient to direct that the execution of the 1st prisoner in this Case should take place at the spot, at which the murder proved against him was committed.—

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

(Sent in No. 1122).

Read Miscellaneous Petition presented on the 2nd July 1849 by T. Appiah Vakeel on behalf of Kanothe Gramally Nazir of the Zillah Court

Court of Tellicherry.—

(Here enter F. M. P. No. 132 of 1849)

1. The Petitioner prays a reconsideration of the Order passed by the Court of Foujdaree Udalut under date 30th October 1848 declining to sanction the payment to Petitioner of his salary from the date of his suspension by the Sessions Judge to that of his restoration to office under the orders of the Court of Foujdaree Udalut.—

2. Before passing their final Orders on this Petition the Court of Foujdaree Udalut records to call upon the Sessions Judge to state for their information the dates of the Petitioners suspension and dismission from office respectively.—

3. The Sessions Judge will at the same time, be pleased to explain the cause of his having confirmed another individual in the appointment of Darogah, when he was aware that the present incumbent had preferred an appeal against his dismission to the Court of Foujdaree Udalut.—

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. 1123)

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

F. U.
26th November 1849.

Read Calendar in Case No. 27 of 1849 submitted by the Sessions Judge of Nellore under date the 7th Instant.—

(Here enter F. U. No. 2252 of 1849).

Read Calendar in Case No. 23 of 1849 submitted by the Sessions Judge of Tellicherry under date the 2nd Instant.—

(Here enter F. U. No. 2253 of 1849).

Read report dated the 3rd Instant, submitted by the Sessions Judge of Mangalore of Cases pendings on the 30th September and committed for trial in the Month of October 1849 in the Sessions Court of Mangalore.—

(Here enter F. U. No. 2255 of 1849).

Read Calendar in Case No. 54 of 1849 submitted by the Sessions Judge of Cuddapah under date the 6th Instant.—

(Here enter F. U. No. 2260 of 1849).

Read Calendar in Case No. 33 of 1849 submitted by the Sessions Judge of Honore under date the 31st Ultimo.—

(Here enter F. U. No. 2261 of 1849).

Read letter dated the 1st Instant, from the Sessions Judge of Honore reporting that no Cases were pending before him for more than 25 days during the Month of October 1849.—

(Here enter F. U. No. 2264 of 1849)

Read

Read Calendar in Case No. 20 of 1849. submitted by the Sessions Judge of Chingleput under date the 19th Instant.—

(Here enter F. C. No. 2391 of 1849)

Read Calendar in Case No. 34 of 1849. submitted by the Sessions Judge of Cuddapah under date the 20th Instant.—

(Here enter F. C. No. 2392 of 1849).—

L. W.

Read Calendar in Case No. 37 of submitted by the Session Judge of Chittoor under date the 3d Instant.—

(Here enter F. C. No. 2266 of 1849)

Read Calendar dated the 9th Inst submitted by the Session Judge of Chingleput a European Prisoner sentenced under Section XV Regulation I of 1820.—

(Here enter F. C. No. 2267 of 1849)

Read letter dated the 7th Instant from the Session Judge of Rajahmundry reporting the execution of the sentence of death passed upon Garaga Atchiah the Prisoner in Case No. 23 of 184 on the file of the Session Court of Rajahmundry

(Here enter F. C. No. 2289 of 1849).

Read letter dated the 13th Instant from the Acting Session Judge of Guntoor stating that the Prisoner in Cases Nos. 45, 46, 47 and 48. of 1849 entered in the Form B forwarded for the Month of Octobe last is an old offender.—

(Here enter F. C. No. 2325 of 1849).

Read letter dated the 19th Instant from the Session Judge of Masulipatam returning the original Death Warrant in Case No. 39 of 1849. Session Court's file, and affording the information required by Circular Order dated 3d May

(Here enter F. C. No. 2390 of 1849) Read

F.U.

Tuesday /
27th. November, 1849.

At a Court of the Foujdaree Udalut

Present -

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

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

W. H. Morehead, Esquire. 3d. Puisne Judge -

Read again Calendar of Case No. 20 of 1849 of the Sessions Court of Tpichinopoly. —

/Here Enter F.U. No. 2068 of 1849/-

Read also Return dated 10th. November 1849 made by the Sessions Judge of Tpichinopoly to the Precept of the Foujdaree Udalut dated 24th. October 1849, calling for such portions of the Record in the above Case as may have reference to the 3d. Prisoner.

/Here Enter F.U. No. 2316 of 1849/-

The Court of Foujdaree Udalut have carefully perused the Record submitted for their consideration, and are unable to concur with the

the Sessions Judge in respect to the sufficiency of the evidence on which the third Prisoner has been convicted.—

2.

The alleged recognition of Prisoner on the night of the Robbery appears to the Court to be undeserving of credit, for had he been really recognised as stated by the Prosecutor, he would doubtless have been denounced at once, whereas the Record shows that the Prisoner was not apprehended until many days after the commission of the Robbery, and the reasons assigned by the 4th Witness before the different Tribunals for the apprehension of the Prisoner materially differ from each other, and to the alleged discovery of the Jewel in the Prisoner's house the Court attach no weight.—

3.

The Court of Sunjdaree Udalut accordingly do direct that the said 3d Prisoner

"Cuttyen"

be immediately and unconditionally released

released.—

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

/Sent following Precept No. 1126/—

Read Calendars of Cases Nos. 28-29- and 30 of 1849 of the Session Court of Coimbatore.—

/Here Enter F.Mo. Nos. 2332-2323-2324 of 1849/—

Case No. 30.

1.

The Court of Sunjdaree Udalut seeing reason to question the propriety of the conviction of the 2d- 3d- 4th- 6th- and 7th Prisoners in this case, resolve to direct that such portions of the Records as may have reference to them be translated, and submitted for the consideration of the Sunjdaree Udalut.—

2.

The Sessions Judge will also be pleased to state, in detail, the grounds on which he deemed the 1st- 5th- and 8th Prisoners liable to

to suspicion, and required them to furnish security.—

3. The Court will suspend their Orders in respect to the mitigation recommended in Cases Nos. 28. and 29 until furnished with the additional information now called for.—

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

Sent following Precept No. 1127/-

Read Calendar of Case No. 38 of 1849 of the Sessions Court of Rajahmundry.—

Here Enter F.C. No. 2337 of 1849/-

1. The Prisoner in this Case was charged with "Perjury", and the Futwa of the Law Officer convicting him of the crime charged, has declared him liable to "Sandeb."—

2. The Sessions Judge also concurs

concurs in the conviction, but considering, that the Prisoner should not be entirely freed from punishment has resolved to refer the case for the final judgment of the Foujdaree Udalut.—

3. The Court of Foujdaree Udalut, seeing reason to question the propriety of the above Futwa, referred the circumstances of the case for the opinion of the Cazee-ool-Coozat, by whom the Prisoner has been declared liable not to mere "Sandeb", as stated in the Futwa, but to "Tazeer" at the discretion of the Judge.—

4. In accordance with this opinion the Court of Foujdaree Udalut accordingly resolve to return the Calendar of the foregoing Case to the Sessions Judge, who will be pleased to require the Law Officer of the Sessions Court to amend his Futwa, and then pass sentence upon the Prisoner in conformity with the Regulation.—

Ordered,

27th November, 1849.

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

/Sent in No. 1128/-

Read Criminal Reports
of the Session Court of Chittagong
October 1849.

/Here enter F.C. No. 2318 of 1849/-

Report A.
Case No. 154.- The Court of Foujdaree
Sudder Ameen be informed, that his
conviction of the Prisoners in this ca
is considered to evince a great want
of judgment on his part, and that
the Court expect him to exercise a
sounder discretion in future.-

Ordered, that Extract
from these Proceedings be forwarded to
the Session Judge of Chittagong for
his information and for communi-
cation to the Moofty Sudder
Ameen.-

/Sent in No. 1129/-

Read

27th November, 1849.

Read Criminal Reports
of the Session Court of Chingleput
for October 1849.-

/Here enter F.C. No. 2326 of 1849/-

The Court of Foujdaree
Report B. 1. Udalut deem it necessary to draw the
Case No. 72. attention of the Session Judge to the
extreme inadequacy of the sentence
passed by the Principal Sudder
Ameen in this Case, and also to
the great disproportion between it
and the sentence recorded by the same
Officer in Case No. 81.-

Adverting to the sentence
Cases Nos. 71. 89. 2. of acquittal recorded in these num-
and 91.- bers the Court of Foujdaree Udalut
require to be informed, whether any
blame can be attached to the Police
authorities, in the opinion of the
Session Judge, for want of due or
discrimination in sending up the
accused parties for trial.-

Ordered, that Extract
from these Proceedings be forwarded
to

27th November, 1849.

to the Sessions Judge of Tellicherry for his information and guidance and for communication to the Principal Sudder Ameen by Precept returnable within V days from and after its receipt.—

/Sent following Precept. No 1130/

Read Criminal Report of the Sessions Court of Tellicherry for October 1849.

/Here Enter F. Vo. No 2327 of 1849/

1. In the Statement shewing the instances in which the powers of punishment vested by Regn IX of 1832 have been exercised, the Court of Sujdaree Udalut have a case entered, in which a convict named Pallikele Moideen was punished for having in the Jail, pushed a boy aged 10 years, in consequence of which he fell and was bruised on his left arm and side; and it is further observed that the said Prisoner confessed, and stated that

F. Vo.

27th November, 1849.

that he ill treated the boy in the way proved, because he would not go to the Bazar to buy fish for him.—

With reference to the

2.

above Statement the Court of Sujdaree Udalut require to be informed, who the boy in question was?— under what circumstances he entered the Jail? and from what resources the Prisoner obtained the money, with which, it would appear, to have been his intention, to purchase fish.—

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 1131/

Ex. Vo.

W/R

F. C.

Wednesday
28th November 1849 — At a Court of the Foujdaree Udalut

Present

C J Cooper Esqre ——— 1st Puisne Judge

E. J. Ro. T Thompson Esqre ——— 2d Puisne Judge

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

F. C.

Read letter under date the 10th November 1849 from the Session Judge of Chittoor (Here enter F. C. No. 2294 of 1849)

The Session Judge requests the instructions of the Court of Foujdaree Udalut as to whether in case of a Peon being convicted and tried before the Session Court for connivance at the escape of a Prisoner, and gross and culpable neglect being proved but not connivance, it is open to the Session Court under Section XI Regulation XIII of 1832 to sentence him for the minor offence of gross neglect, or whether the case should be sent back to the Subordinate Criminal Court.

The Court of Foujdaree Udalut are of opinion that in the case adverted to by the Session Judge the sentence awardable for the minor

28th November 1849

minor offence of which the Prisoner has been convicted should be passed by the Court

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

(Sent as No 1139

Read Criminal Report entitled by the Session Judge of Cuddapah for the Month of October 1849

(Here enter F. Ch. No 2336 of 1849)

Report B

Cases Nos 183. 184. 185. 186.

The Court of Foujdaree Udalut requires an explanation of the augmentation of punishment from the 2d Punishment in Case No 180 which does not appear to be observed as intended in the Column Remarks having been convicted on the three following charges of the offences respectively laid to his charge

Ordered that Extract from the Proceedings be forwarded to the Session Judge of Cuddapah for his information and guidance by Precept returnable within three days from the date after its receipt.

(Sent following Precept No 1140

Read Calendar of Case No 32 of the Session Court of Nellore

(Here enter F. Ch. No 2340 of 1849)

28th November 1849.

The Court of Foujdaree Udalut being of opinion that the requisition for security under which the Prisoner in this Case has been placed, is unnecessarely severe resolve to cancel the same, and direct that the said Prisoner be called upon to furnish two Sureties in the sum of 10 Rupees each, commutable if not paid to imprisonment not exceeding one year.

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

(Sent following Precept No 1141

Read Calendar of Case No 42 of 1849 of the Session Court of Masulipatam.

(Here enter F. Ch. No 2346 of 1849)

Before conferming the sentences recorded against the Prisoners in this Case, the Court of Foujdaree Udalut resolve to call upon the Session Judge to submit for their information copy of the first charge given in by the Prosecutrexes on the day of the robbery - also copy of the list of stolen Property prepared in conformity with the

Foujdaree

28th November 1849

Foujdaree Udalut Circular Order dated 2d September 1824, and in submitting these proceedings the Sessions Judge will be pleased to explain the circumstances which led to the apprehension of the Prisoners

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

(Sent following Precept No 1142

Read Criminal Reports submitted by the Sessions Judge of Condapah for the Month of October 1849

(Here enter F C No 2363 of 1849)

Report B.
Case No 250.

The Court of Foujdaree Udalut desire to be informed of what offence the Prisoner in this case has been convicted, if of the offence specified in the indictment the Court observe that the offence should have been so designated in the heading assigned to the statement of charge

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Cuddapah for his information and guidance by Precept returnable within x days from and after its receipt

(Sent following Precept

Thursday
29th November 1849

F C

At a Court of the Foujdaree Udalut

Present

G. L. Hooper Esqre — 1st Puisne Judge
E. P. Thompson Esqre — 2d Puisne Judge
W. A. Morehead Esqre — 3d Puisne Judge

Read again Calendar of Case No 50 of 1849 on the file of the Sessions Court of Cuddapah

(Here enter F C No 2057 of 1849)

Read again also return under date the 24th October 1849 from the Sessions Judge of Cuddapah to the Precept of the Foujdaree Udalut dated the 22d October 1849 conveying their Orders on the foregoing case

(Here enter F C No 2177 of 1849)

Read also return under date the 17th November 1849 from the Sessions Judge of Cuddapah to the Precept of the Foujdaree Udalut dated the 9th November 1849 directing the submission of an English translation of the depositions given by the 1st and 2d Witnesses and of the confession made by the Prisoner before the

the Police authorities in the foregoing ca

(Here enter F No. № 2366 of 1849)

1

The Court of Fouzdaree Ud

consider the evidence in this case insufficient

justify the full conviction of the Prison

and they accordingly direct that the sente

awarded to him be cancelled

2

Proof of previous character

with reference to the circumstances under

the prisoner was aforehanded, shoul

be considered to attach to him, the Cou

of Fouzdaree Udalut direct that he be

to produce two sureties in the sum of Rup

each, for his good behaviour and appearan

when required for the period of three year

in default that he be imprisoned for a simila

period.

Ordered that Extract from

these Proceedings be forwarded to the Acting

Judge of Cuddapah for his information a

guidance by Receipt returnable within days

from and after its receipt

(Sent following Empt. № 1146

Read again Letter dated 19 Octo

1849

1849 from the Magistrate of Cuddapah, requesting

permission to offer a conditional pardon to certain

parties, who admitted having been accessaries in

a case of Housebreaking and Theft

(Here enter F No. № 2127 of 1849)

Read also Return dated 15th

November made by the Magistrate of Cuddapah

to the Precept of the Fouzdaree Udalut dated

30th October 1849 calling for translations of the

confessions made by the above parties.

(Here enter F. No. № 2335 of 1849)

The Court of Fouzdaree Udalut

have carefully perused the documents submitted

for their consideration, and are satisfied that

no good results could be obtained by admitting

the parties in question as approvers in the

case referred to. The Court accordingly decline

to authorize the Magistrate to grant to them

a conditional pardon.

Ordered that Extract from

these Proceedings be forwarded to the Magistrate

of Cuddapah for his information and guidance

(Sent in № 1147

Read Criminal Reports submitted

by

29th November 1849

by the Session Judge of Cuddalore for the
Month of October 1849

(Here enter F. No. No 2353 of 1849)

Report B.

Cases Nos 114.
115.

1

The Court of Foujdaree Ud
resolve to direct that the Session Judge
peruse the proceedings in these cases and pass
orders thereon as may appear to be required

Magistrates
Calendar.
Case No 113 of 1849.

2

The Court of Foujdaree Ud
direct that the period for which the recogniz
of security in this case has been made be
to six Months; the Officers of the Magistracy
not being competent to
Prisoner charged with theft for a period
xpess of that for which under Section
x of 1816 they are competent to award imprison
upon conviction of the offence in question

Ordered that Extract from
Proceedings be forwarded to the Session Judg
of Cuddalore for his information and guid
by Precept returnable within x days from
and after its receipt

(Sent following Precept No 1048)

Read Calendar of Cases No 29 &c
32. 33 and 34 of 1849 of the Session Court of Cuddalo

(Here enter F. No No 2354 of 1849)

F. No.

29th November 1849.

Case No 29.

1

Adverting to the manner in which
the apprehension of the Prisoners in this case was
effected, the Court of Foujdaree Udalut require
to be informed under what circumstances, and
by virtue of what authority, the Joint Magistrate
deemed himself justified in giving the 12th witness,
Ramasawmy Pillay, Takeeds to the Head of Police
of Verdachellum and Yalavanasoor, requiring
those Officers to attend to such Orders as he, the
12th Witness, might give.

From a perusal of the evidence

2

set forth in the Calendar, it appears to the
Court of Foujdaree Udalut that the Proceedings
of the Joint Magistrate were irregular and
illegal. The Court will, however, respend
their further Orders, until better informed
of the nature of the Takeeds in question, which
the Session Judge will be pleased to obtain
from the Joint Magistrate and forwards for
the consideration of the Foujdaree Udalut.

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

(Sent following Precept No 1049 Read

29th November 1849

Read Criminal Reports submitted by the Session Judge of Salem for the Month of October 1849

(Here enter F. No. 2352 of 1849)

Report A
Case No. 154

1 The Court of Foujdaree Adalut observe that the transmission of the Report of this Case was unnecessary, the sentence passed by the Subordinate Criminal Court not having been altered by the Session Judge.

2 A note appended to the Report B to the effect that the proceedings had been reviewed by the Session Judge but that the sentences had not been disturbed would have been sufficient.

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

(Sent in No. 1150

Read Criminal Reports submitted by the Acting Session Judge of Tinnevelly for the Month of October 1849

(Here enter F. No. 2364 of 1849)

Report B
Case No. 126. 1 The Court of Foujdaree Adalut

29th November 1849

direct that the Acting Session Judge will review the proceedings in this case with reference to the sentence passed which appears to the Foujdaree Adalut to be severe.

Cases Nos. 126 134 The Court of Foujdaree Adalut

2 observe that the dates of the theft of the property which the Prisoners in these cases were charged with having received should have been stated in the charge.

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

(Sent in No. 1151

Read Calendar of Case No. 56 of 1849 of the Session Court of Madura.

(Here enter F. No. 2368 of 1849)

The Court of Foujdaree Adalut

1 are of opinion that a sentence of three (3) years' imprisonment, with hard labor in irons, will be an adequate punishment for the offence of which the 4th Prisoner in this case has been convicted.

If the Session Judge is able to concur

2 in the above opinion he will be pleased to submit his

29th November 1849

his recommendation for mitigation accordingly
but if he dissents therefrom, the Court direct
that translations of such portions of the Proceedings
as may have reference to the said Sentence be
submitted for their consideration

Ordered that Record from the Session Judge
Proceedings be forwarded to the Session Judge of
Madura by Transpt returnable within [illegible] days
from and after its receipt

Sent following Transpt — No 1152

J.N.

Friday
30th November 1849 At a Court of the Sirkar Udalut.

Present

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

Read Calendar of Case
No LIV of 1849 on the file of the Session
Court of Calient. — Execution of the Sentence of 12th Sessions Court of 1849
The Court of Sirkar Udalut are of opinion that the period
of Imprisonment awarded to the Prisoner
per in this case may with propriety be
reduced to three years, and they will
be prepared to sanction a mitigation
of punishment to that extent, should
the Session Judge see fit to recom-
mend it.

The Court of Sirkar Udalut see no necessity for the re-
moval of the Prisoner in banish-
ment to another Zillah, as recom-
mended by the Session Judge

Ordered

30th November 1849

Ordered that Extract
these Proceedings be forwarded by
Session Judge of Colombo for his in-
formation and guidance by Post
returnable within X days from
after its receipt.

(Sd) J. Stewart Dist Mstr

Read again Calendar of
Case No. 51 of 1849 on the file of the
Session Court of Colombo

(Here enter Rec No. 2023 of 1849)

Read also return under
date the 8th November 1849 from the
Session Judge of Colombo to the
Precept of the Fouzdaree Adalut dated
the 16th October 1849 directing the Sub-
=mission of an English Translation
of the Calendar of the foregoing case.

(Here enter Rec No. 2250 of 1849)

The Prisoners in this
case nine in number the 1st 2d 3d 4th
5th 6th and 7th were charged with Gang
Robbery and have been sentenced
by the Session Judge to 14 Years Im-
=prisonment with hard labor in
irons.-

30th November 1849 2

The 8th and 9th Prisoners
charged with having received Stolen
property knowing it to have been
stolen have been sentenced respectively
to five Years Imprisonment with
hard labor in irons.

3 The Court of Fouzdaree
Adalut concur in the conviction
of the 8th and 9th prisoners who
are proved to have mortgaged to
the 9th Witness the Jewels Nos 1 and 2
proved to be the property of the
Prosecutor, and the Court approve
of the Sentences to which these
prisoners have been adjudged.-

4 The 7th Prisoner having
been sentenced in Case No. 52
on the file of the Session Court
to 14 Years Imprisonment with
hard labor in irons the propriety
or otherwise of his conviction
in this case is immaterial.-

5 In the conviction of
the 1st 2d 3d 4th 5th and 6th prisoners
the Court of Fouzdaree Adalut are
unable to concur, nor do they

Considers

30th November 1849. Sessions Mr Erskine the evidence against the prisoners sufficient to justify committal of Chamily and they accordingly direct that the prisoners be unconditionally released.—

To The Court of Sessions

Wualut was of opinion that the depositions taken against the prisoners P. 2d 3d 4th and 5th prisoners, the prisoners having admitted that the Dragon that on the 25th taken from him on the 25th that he had voluntarily confessed the crime before him at Sangor and had been made no promise of ill treatment and the 2d 3d 4th 5th prisoners having admitted confession that they were present when the Gold Smith Ismail had Cachamungalam the Goldsmith in question was taken from the shop in Cuddalore of 1849 on the file of the Criminal Court on confession that

30th November 1849 the Jewels in question.—

The Court of Sessions Wualut accordingly resolve to direct that the 1st 2d 3d 4th and 5th prisoners be required severally to produce two sureties in the sum of Rupees 50 each for their good behaviour and appearance when required for the period of three years or that in default they be imprisoned for a similar period.—

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Combaconum for his information and guidance by Receipt returnable within 7 days from and after its receipt.—

Sent following Receipt No 1854

Read letter dated 19th Instant from the Sessions Judge of Kayahmundry forwarding an original Petition addressed by certain Persons who have been transferred from Cuddalore to the Court of Sessions Wualut claiming Batta.— (Inserted No 2387 of 1849) The

30th November 1849.

The Court remarks that Petitioners are not entitled to Costs and that their Prayer cannot be complied with.-

The Court further directs that the Sessions Judge should have a translation of this petition.-

Ordered that Copies of these Proceedings be forwarded to the Sessions Judge of Rajahmundry for his information.-

Sent in Dft 1155

Dft 180.

F.N.

Saturday
1st December
1849

At a Court of the Tovydaree Udalut

Present

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

Read Extract from the Proceedings of the Session Court of Tinnevelly under date the 19th November 1849 on review of Case No. 2 of 1849 on the file of the Acting Magistrate of Tinnevelly

(Here Enter F.N. No. 2400 of 1849)

The Sentence passed by the Acting Magistrate in the above Case, having been allowed to remain undisturbed, the transmission of the Proceedings of the Session Court on review of that Case, the Court of Tovydaree Udalut observe, was uncalled for.

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

Sent in No. 1158

T U

Monday
3d December 1849.

At a Court of the Tongidaree Udalut.

Present

GLH — G. L. Hooper Esqr. — 1st Imane Judge.
TS — E. P. Thompson Esqr. — 2d Imane Judge.
WAM — W. A. Morehead Esqr. — 3d Imane Judge.

Read Miscellaneous Petitions presented on the 8th and 11th October 1849 by T. Ramachendriah Vakeel on behalf of Mullalah Sashiah of Tellah Gunteor

(Hereunto T. U. Mis. Pr. Nos. 213 and 215 of 1849)

The Court of Tongdaree Udalut see no reason to question the propriety of the release of the Prisoners charged in Case No. 12 of 1849 on the file of the Session Court of Guntoor of which the Petitioner complains.

These Petitions are accordingly dismissed.

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

Read Miscellaneous Petition

presented

presented on the 29th October 1849 by Ragha
of Tillah Cuddapah.

(Here enter F. C. M. S. No 226 of 1849)

The Court of Sunjaun Udalut
consider it unnecessary to pass any Orders on
to the matter referred to in this Petitioner
they observe has been finally disposed of
Proceedings of the 30th July last

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

Read again Calendar of
of 1849 on the file of the Session Court of Sa

(Here enter F. C. No 2105 of 1849)

Read also Miscellaneous
presented on the 12th November 1849 by Vencay
of Tillah Madura

(Here enter F. C. M. S. No 228 of 1849)

The Court of Foujdaree Uda
resolve to direct that an English translation
of the records of the foregoing case may be sent
for their consideration

Ordered that Extract from
Proceedings be forwarded to the Session Judge
Madura by Transpt returning the within

from and after its receipt

Sent following Transpt No 1165

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

Read Miscellaneous Petition
presented on the 22d October 1849 by Mothum Saib
and nine others of Tillah Chingleput

(Here enter F. C. M. S. No 218 of 1849)

The Petitioners complain of certain
1 proceedings of the Police authorities at St. Thomas'
Mount whereby they have been obstructed from
pursuing their avocation as Butchers in the Village
of Adumbankum in shops opened by them for that
purpose.

The Court of Foujdaree Udalut
2. observe that the Petitioners should apply for redress
to the Magistrate of Chingleput or file a Suit
in the Civil Court against the parties by whom
they have been obstructed in the pursuit of their trade

In the present stage of the Proceedings
3. the Court of Foujdaree Udalut cannot interfere

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

Read

3d December 1849

Read again Calendars of
Nos 14 and 15 of 1849 on the file of the Sessions
of Chittoor.

(Hereunto F. U. Nos 1013 and 1014 of 1849)

Read again also Miscellaneous
presented on the 2d July 1849 by Condummal Raj
and Mootloomary of Tillah Chittoor

(Hereunto F. U. Mo. Js. Nos 144. 145 and 146 of 1849)

Read also return undated but
November 1849 from the Session Judge of Chitt
to the Precept of the Fouzdaree Udalut dated the
November 1849 directing the transmission to the
Fouzdaree Udalut of such parts of the record of
foregoing cases as have reference to the 4th Prisoner

(Hereunto F. U. No 2312 of 1849)

1.

The Court of Fouzdaree Udalut
consider the evidence against the 4th Prisoner in
Case No 15 to be insufficient for his conviction
the offence laid to his charge.

2

The Court of Fouzdaree Udalut
that the principal evidence against the prisoner in
question is that of the 3d Witness Ramasamah
was 4th Witness in Case No 14 of 1849 in the file of
Session Court, and whose evidence the Court of

F. U.

3d December 1849

Fouzdaree Udalut have declared to be open to much
suspicion.

The Court of Fouzdaree Udalut accord-

3.

ingly resolve to direct that the 4th prisoner in Case No 15
of 1849 be unconditionally released.

The Court direct that those portions

4.

of the record in the two cases referred to, having reference
to the 1st, 2d and 3d prisoners be now submitted for
their consideration.

The Court of Fouzdaree Udalut in

5.

their proceedings of the 1st instno directed the release
of the 5th prisoner in Case No 14.

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

(Sent following Precept No 1166

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

Rd 18d.

GK

J. U.

Tuesday 4th December 1849

At a Court of the Fouzdaree Adalut

Present

P.S. G. S. Hooper Esquire 1st Puisne Judge

E. P. Thompson Esquire 2d Puisne Judge

W. A. Morehead Esquire 3d Puisne Judge

Read again Calendar of Case No. 35 of 1849 in the file of the Sessions Court of Cuddalore.

(Here Enter F. D. No. 2216 of 1849)

Read also Return under date the 22d November 1849 from the Sessions Judge of Cuddalore, to the precept of the Fouzdaree Adalut dated the 16th November 1849- conveying their orders on the foregoing case-

(Here Enter F. D. No. 2399 of 1849)

The Court of Fouzdaree Adalut resolve to direct that the period of Imprisonment awarded to the 1st, 3d and 4th Prisoners who have been severally convicted of receiving stolen property be reduced to three years and that that adjudged to the

4th December 1849.

the 5th prisoner a female convicted
same Offence be reduced to two ye
2.
The Court of Sup
further direct that the sentence
to the 6th prisoner, who has been
of Gang Robbery, be reduced to
Imprisonment with hard labor
Ordered, that Extr
Proceedings be sent to the Ag
of Cuddalore for his information
guidance by first Post returnable
III days from and after the
/Sent following proceed
Read Letter from
Judge of Salem dated 25th N
transmitting copy of a letter from
of that District dated 22d idem
to be informed whether the sent
under the order of Government
paid or to be divided between
and the Nos 2d and 3d Petitioners
of 1849 of the Sessions Court
of the two individuals who
wounds

4th December 1849.

13th June 1849 or whether a different distribution
has been determined upon.
/Here enter F.11. No 2408/
The Court of Foujdaree
Adalut remark that in their letter to
the Secretary to Government in the Judicial
Department of the 9th July 1849, they
recommended that the plan of distribution
suggested by the Sessions Judge should
be adopted and as the Government have
acceded to that recommendation the amount
sanctioned, Rupees 300 should be divided
between the parties named by the Sessions
Judge-
Ordered, that Extract from
these Proceedings be forwarded for the
information and guidance of the Sessions
Judge of Salem.
/Sent in No 1170/

Circular

In order to ensure uniformity
in the preparation of the abstract of Cases
entered at the conclusion of the monthly
Criminal Reports Form B. the Court
of Foujdaree Adalut resolve to direct
that

4th December 1849.

that the annexed form is fully
in the preparation of the abstract
question.

Ordered, that Extract
these Proceedings be forwarded to the
several Sessions Judges and Agents
their information and guidance.

(Sent in No 1171)

LS

Certificate of Pardon
to
Vadooven Mordien

Whereas, under date the 11th O
1849, the Court of Foujdaree Udalut
pleased to authorize the Subordinate Ju
Judge of the Zillah of Calicut to tend
offer of Pardon to "Vadooven Mordien
condition of his making a full disclosure
circumstance within his knowledge, relative
murder of a female child on the night of
7th September 1849, at Oorumangoor in, Cho

4th December 1849.

of the Zillah Calicut.

And whereas the Court of Foujdaree
Udalut are of opinion that the conditions of the
said grant of pardon have been sufficiently
fulfilled.

Now, these are to certify and declare
that in consideration thereof, the Court of Foujdaree
Udalut have been pleased under the provisions
of Section XX Regulation VIII of 1802, to confirm
the pardon conditionally tendered as aforesaid
to the said "Vadooven Mordien" in so far as
regards the act herein referred to.

And the Court do hereby confirm
the said pardon accordingly.

Given under my hand and the seal
of the Court this 4th day of December 1849.

(Sent following letter No 1172)

Read again Calendar of
Case No 43 of 1849 on the file of the Sessions
Court of Cuddapah.

(Here Enter Fl No 1892 of 1849)

Read also Returns under date
the 19th October and 22d November 1849 from
the

4th December 1849.

the Sessions Judge of Cuddapah
to the precept of the Tondavaree Adalut
dated the 22nd September 1849 directing the
submission of an English Translation
of the record of the foregoing case.

/ Here enter Exhibit Nos 2125 & 2502 of 1849 /

1.

The Court of Tondavaree
Adalut on an attentive perusal of the
record of this case consider the evidence
insufficient for the conviction of the
prisoner of the offence laid to his charge

2.

The Court of Tondavaree
Adalut accordingly resolve to direct
that the prisoner be unconditionally
released.

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

/ Sent following precept 1/10/49 /

Exhibit 1813

F. 11.

Wednesday 5th December 1849. } At a Court of the Foujdaree Adalut

Present

GSH W. G. S. Hooper Esquire — 1st Puisne Judge

EPT E. P. Thompson Esquire — 2d Puisne Judge

WM W. A. Morehead Esquire — 3d Puisne Judge

Read Letter dated 22d ultimo,

from the Acting Sessions Judge of Chicacole

submitting for the final Judgment of the

Foujdaree Adalut the Proceedings in Case

No. 9 of 1849.

/Here Enter Ft No 2455 of 1849/

The Court of Foujdaree —

W.G.S. Hooper
&
" E.P. Thompson — 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,

"Carajada Appiah"

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

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

1175

/Sent following letter No 1/

Read Extract from the Min. of Consultation of Government under date 5th Jan. 1849 No. 408 communicating to the Court of Foujdaree Adaulut an Extract from a general Letter from the Honorable Court of Directors dated 15th April 1849 No. 6.

/Here enter No. 945/

The Honorable Court of Directors remark. "We learn with much satisfaction the improvements have been made in the Town of Madura by laying it out with wider streets, market places, and accommodation for strangers so as greatly to promote the public health and convenience".

2.

And the Court of Foujdaree have direct. that the Sentiments of the Honorable Court be communicated to the Magistrate of Madura.

Ordered, that Extract from these Proceedings be forwarded to the Magistrate of Madura for his information

/Sent in No. 1176/

Read Criminal Report dated 15th October 1849 submitted by the Sessions Judge of Chingleput for the month of September 1849.

/Here Enter F.H. No. 2099 of 1849/

Read Calendar of Case No. 30 of 1849 submitted by the Sessions Judge of Tanjore under date the 23d October 1849.

/Here enter F.H. No. 2194 of 1849/

Read Return dated 31st October 1849 from the Sessions Judge of Cuddalore to the precept of the Foujdaree Adalut under date the 25th October 1849 conveying their observations and order on the Criminal Reports for the month of September 1849 for his information and for communication to the Principal Sudr Ameen of Cuddalore.

/Here Enter F.H. No. 2211 of 1849/

Read Criminal Report dated 15th November 1849 submitted by the Sessions Judge of Tanjore for the month of October 1849.

/Here enter F.H. No. 2394 of 1849/

Read

5th December 1849.

Read Return dated 30th November 1849 from the Sessions Judge of Rajahmundry to the precept of the Udalut under date the 22d November directing him to report the circumstances of the "Charge of Cruelty" referred to in the remarks on the Calendar of Sessions of 1849 and with reference to which the Magistrate of the Zillah Surgeon was directed to be forwarded to the Magistrate.

(Here enter F.R. No 2457 of 1849)

Read Report dated 1st December 1849 submitted by the Sessions Judge of Salem of Cases pending on the 30th November 1849 before him for a period in excess of 35 days calculated from date of commitment.

(Here enter F.R. No 2460 of 1849)

Rd 1849.

Thursday,
6th December 1849.

F.W.

At a Court of the Sudder Udalut.

Present.

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

Read Miscellaneous Petition forwarded by the Sessions Judge of Tinnevelly by dispatch from Cumbalum Andeappan Naicker of that Zillah.

(Here Enter F.R. No 2120 of 1849)

The Court of Sudder Udalut

1. consider the Sentence passed upon the prisoner in case No 32 of 1849 on the file of the Sessions Court of Tinnevelly of the leniency of which the Petitioner complains, to be sufficient for the ends of justice under all the circumstances of the case.

2. This Petition is dismissed.

Ordered that Extract from these proceedings be sent to the Acting Sessions Judge of Tinnevelly for communication to Petitioner.

(Sent in No 11097 Rd

6th December 1849

Read Miscellaneous Petition
Entered on the 8th October 1849 by Dyan Lalla
Roya Lelly of Zillah Chittoor.

Here Enter F. In. No 214 of 1849

The Court of Sessions does
see no reason to question the propriety of the
orders of the 10th September 1849, rejecting the
Petitioners application for the remand of the
sentence awarded to the prisoner in case No
of 1849 on the file of the Subordinate Sessions
Court of Chittoor, and to those orders the Petition
is referred.-

Orders that Extract from the
proceedings be granted to the Petitioner on
application.- S

8th 1849.

W/k

F: C:

Friday 7th December 1849.

At a Court of the Foujdaree Adalut.

Present.

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

Read return dated 3rd November 1849. to the precept of the Court of Foujdaree Adalut under date 24th October 1849. from the Magistrate of Malabar transmitting attested Copies of the Reports furnished by the Subordinate Court in Cases 100 and 102 of 1849.

(Here enter F: C: No. 2258 of 1849).

Read also return dated 7th November 1849. from the Sessions Judge of Malabar transmitting with reference to the 16th Para of the Proceedings of the Court of Foujdaree Adalut under date 24th October 1849. Copies of the Reports A of Cases 100 and 102. disposed of by the Subordinate Judge in May 1849. together with the reports of 6 other similar Cases and Copies of a correspondence between the Magistrate and Subordinate Judge therewith connected.

(Here enter F: C: No. 2292 of 1849).

The release of the Prisoners (1 to 5 in No. 100 and 1 to 6 in 102) in spite of the unquestionable fact

fact that they discovered and gave up the smuggled Tobacco, because they were "sent up meat and in breach of good faith"; was in the opinion of the Court of Foujdaree Udalut erroneous.

2. The Subordinate Judge's decision, as far as can be gathered from the Proceedings, on the grounds that, as the Prisoners were promised immunity, their confessions could not be used in evidence against them. This doctrine is absolutely inconsistent with the rules that guide the reception of evidence in the practice of all Courts and it is remarkable that the fallacy of the same was not detected and pointed out by an Officer who has had so many years experience as the Sessions Judge when reviewing the Subordinate Judge's Calendars.

3. The Law of England retains as evidence a confession which has been made under any threat or promise - but the sole reason for this is to shut out confessions which might be false and which, if such, would be injurious to the accused but the same Law has also ruled that when a fact has been ascertained in consequence of an admission improperly obtained, it may be proved, for the fact cannot have been discovered but for the influence used; therefore the fact of the Tobacco in these cases in consequence of the

confessions, was clearly good evidence against them.

4. The Subordinate Judge in disposing of these cases had no concern with the policy of punishing the Prisoners because they were coolies. They were the real smugglers and without their aid the illicit traffic could not be carried on.

Ordered that an Extract from these Proceedings be forwarded to the Sessions Judge of Malabar for his information and for communication to the Subordinate Judge.

(Sent in No. 1183)

Read Calendar of Case No. 36 of 1849. on the file of the Sessions Court of Honore.

(Here enter F. C. No. 2419 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 4th prisoner be reduced to four 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 Honore for his information and guidance.

(Sent in No. 1184)

Read Calendar of Case No. 44 of 1849 of the Sessions Court of Mangalore.

(Here enter F. C. No. 2429 of 1849)

The

7th December 1849.

The Court of Sessions having
deemed the evidence to be insufficient to support
the requisition for Security under which the
Prisoner in this Case has been placed, and
to cancel the same, and direct that the said
Prisoner be unconditionally set at liberty—

Ordered that Extract from the
Proceedings be forwarded to the Sessions Judge
of Mangalore by Precept returnable within
days from and after its receipt—
(Last following Precept No 1185)

Read Calendar in Case No LXX
1849. submitted by the Sessions Judge of Calicut
date the 9th Ultimo—

(Here enter F: C: No 2321 of 1849)

Read Criminal Reports dated the
15th Ultimo submitted by the Sessions Judge of Salem
for the month of October 1849—

(Here enter F: C: No 2334 of 1849)

Read Calendars in Cases No 37 and
42 of 1849 submitted by the Sessions Judge of Bellary
under date the 13th Ultimo—

(Here enter F: C: No 2337 and 2338 of 1849)

Read Criminal Reports dated the
15th Ultimo submitted by the Sessions Judge of Nellore
for the month of October 1849—

(Here enter F: C: No 2343 of 1849)

F: C:
7th December 1849.

Read Criminal Reports and
Statements dated the 15th Ultimo submitted by the
Sessions Judge of Trichinopoly for the month of
October 1849—

(Here enter F: C: No 2344 of 1849)

Read Calendar in Case No 40 of
1849. submitted by the Acting Sessions Judge of Tinnevelly
under date the 13th Ultimo—

(Here enter F: C: No 2349 of 1849)

Read Calendar in Case No 1. XII
of 1849. submitted by the Sessions Judge of Calicut
under date the 13th Ultimo—

(Here enter F: C: No 2350 of 1849)

Read Criminal Reports &c dated
the 13th Ultimo submitted by the Agent to the Governor
of Fort St George at Kurnool for the month of September
(Supplemental) and October 1849—

(Here enter F: C: No 2351 of 1849)

Read Criminal Reports dated the
15th Ultimo submitted by the Sessions Judge of Bellary
for the month of October 1849—

(Here enter F: C: No 2352 of 1849)

2d Read

F: W:

Saturday 8th December 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 2nd November 1849 from the Magistrate of Malabar stating that he has, with reference to the Proceedings of the Court of Foujdaree Adalut under date 23rd October 1849, transmitted a Copy of his Letter of the 2nd Idem to the Subordinate Judge, and requesting, in the event of Mr. Goodwyn's rejoinder containing any new matter which may require explanation, that he may be permitted to supply it:-

(Here enter F: 66: N: 2256).

Read also letter from Mr. Conolly Magistrate of Malabar dated 6th November 1849 soliciting the opinion of the Court of Foujdaree Adalut as to whether one public officer has a right to deny to another a perusal, or transcript, of notes referring to public matters, which for the convenience of the public service were written in a private form.-

(Here enter F: 66: N: 2277).

Read also letter from the Magistrate

of

of Malabar dated 7th November 1849, submitting certain remarks supplementary to his letter of the 2nd Idem:-

(Here enter F. 66: No. 2301)

Read also letter dated 19th Nov. 1849, from the Subordinate Judge of Calicut replying to the letter from the Magistrate of that to the Court of Foujdaree Adalut dated 2nd Idem:-

(Here enter F. 66: No. 2398)

Read also Letter from the same Officer dated 21st November 1849, forwarding in a sealed packet an original private correspondence official matters between the Magistrate of Malabar and himself:-

(Here enter F. 66: No. 2405)

Read also again letter from the Sessions Judge of Calicut dated 7th November, Paras 2, 3 and 4, explaining, with reference to the of the Court of Foujdaree Adalut dated 27th October 1849, the cause which led him to omit to furnish the Magistrate with a Copy of his Letter to the Court dated 11th August 1849, and complaining of an application made by himself to the Magistrate for Copies of any letters that might be addressed by that Officer to the Court of Foujdaree Adalut have been replied to:-

(Here enter F. [illegible] No. 2392)

8th December 1849.

1. The Court of Foujdaree Adalut observe that it is unnecessary to call for any further remarks or explanation from the Magistrate of Malabar, and that the letter of this officer of the 7th November 1849. and the enclosures of the same call for no particular remarks.-

2. The questions mooted in Mr. Conolly's letter of the 6th November are strictly speaking of a private nature, and the Court of Foujdaree Adalut consequently decline to enter into them, being of opinion that if Mr. Conolly thinks it advisable further to agitate the matter his proper course will be to address the Government direct:-

3. The Court of Foujdaree Adalut after an attentive perusal of the letters from the Subordinate Judge of the 19th and 21st November, and the enclosures of the former, (the sealed packet of private letters transmitted with the letter of the 21st November it has not been deemed necessary to open) have found nothing in what has been advanced by Mr. Goodwyn to lead them to alter their opinion of his conduct, expressed in their Proceedings of the 23rd October 1849, and they consider that whatever there may be objectionable in Mr. Conolly's letter to the Court of Foujdaree Adalut dated 2nd October 1849, it is to be traced to the course which Mr. Goodwyn has

has followed on this occasion—

4 The particular papers with which the Magistrate neglectes to furnish the Sessions Judge are not specified in the letter of the latter officer dated 7th November 1849, but the Court would remark that, in omitting to reply to the call made upon him by the Session Judge, Mr. Conolly has equally with Mr. Morris failed to exhibit that courtesy which should always obtain between the officers of Government, whose only object should be the advancement of the public Interest. And the Court would only now observe that as the point at issue between Mr. Conolly and the Sessions referred to in the above letter, has been already disposed of by them, there no longer exists any necessity for their further interference.—

Ordered that the above Proceedings be forwarded for the information of Mr. Morris the Session Judge, Mr. Conolly the Magistrate of Mangalore and to Mr. Goodwyn Subordinate Judge, and that the sealed packet received with the latter officer's letter of the 21st November be returned to him.—

(Sent in No. 1187 - 1188 & 1189)

Dy. Rs.

J. U.

Monday 10th December 1849

At a Court of the Zoujdaree Adalut

Present

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

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

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

Read letter dated the 22d March 1849 from the Session Judge of Mangalore requesting the transmission of the prescribed certificate of free pardon to be furnished to the K. Witness in case No. 168 on the Calendar for 1849.—

(Here enter the No. 2427 of 1849)

L.S.

Certificate of Pardon

to

"Kkko"

Whereas under date the 19th September 1849 the Court of Zoujdaree Adalut were pleased to authorize the Subordinate Criminal Judge of the Zillah of Mangalore to tender an offer of Pardon to "Kkko" a resident of his making

10th December 1849

making a false disclosure of every circumstance
within his knowledge, relative to the murder
-mitted on the morn of the 20th August 1849
on the person of Narayya Bunka in the city
of Madawa, in the Kantonate Taluk, of the
Zillah of Bangalore.

And whereas, the time of the
Toydawa detachment of spears that the murder
of the said grant of pardon have been sufficiently
fulfilled.-

Now, these are to certify and
declare that in consideration thereof, the Chief
of Toydawa detachment have been placed under
the provisions of Section XX Regulation VI of 1816
to confirm the pardon, unconditionally tendered
as aforesaid to the said "Akka", in so far as
regards the act herein referred to.-

And the bond to thereby cancelled
the said pardon accordingly.-

Given under my hand and the
seal of the bond this 10th day of December 1849.

(Sent in No. 1195/57) (Signed) B. J. Beardsley
Register.

Read in Court on Petition presented
on the 15th November 1849, by R. M. Rudd Esqr. Atty
on behalf of Tandavaraya Chetty of Jakkal Madawara
(Here take for P. No 333 of 1849)

The Court of Toydawa detachment
see no reason to question the propriety of the
proceedings

10th December 1849.-

conviction of the Petitioner's father of the offences charged
against him in cases Nos 56, 57 and 59 of 1849.
on the file of the Superior Court of Circumscription
and they accordingly refuse to discharge the sentence
to which he has been adjudged.-

This Petition is dismissed.-

2.

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

E. [illegible]
11th

Gyk

F. C.

Tuesday 11th December 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. Morhead Esqr. ——— 3rd Puisne Judge.

Read Calendar and Supplement thereto of Case No. 40 of 1849 on the file of the Sessions Court of Calicut.—

(Here enter F. C. No. 2434 of 1849).

The Sessions Judge reports that

1.

he has convicted and sentenced the 2nd Prisoner to imprisonment with hard labor in irons for 14 years but recommends that this sentence be mitigated to 8 years and the Court of Foujdaree Adalut with reference to the circumstances stated by the Sessions Judge are pleased to mitigate the sentence accordingly.—

The Court of Foujdaree Adalut.—

2.

however remark that the 1st and 2nd Prisoners in this Calendar were committed for trial on the 8th August 1849. that the trial commenced on the following day before the Sessions Judge, and was closed on the 1st November 1849. Sentence being passed on the 15th Idem.—

Another

3.

Another person implicated in the same offence was it is further observed brought before the Subordinate Court on the 14th of last month but was not committed until the 26th of the following; which however was by the Subordinate Judge entered in a Calendar supplementary to that transmitted to the Sessions Judge on the 3d of the

4.

The remarks of the Subordinate Judge in this supplemental Calendar which are couched in the following entry "under Remarks in the Statement Number" are deserving of notice inasmuch as the 3d Prisoner could not have commenced on the date assigned to the commencement of the former Number.

5.

It is not shewn in the Return of Cases pending before the Sessions Judge on the 1st November 1849 how far the trial of the 2d and 3d Prisoners had proceeded when the Court received intelligence of the arrival of the 3d Prisoner before the Subordinate Court, but it would appear that the trial was at some stage of its progress suspended because the Subordinate Judge intimated that he was about to commit the 3d Prisoner

6.

It is explanation however

has been received by the Court of Foujdaree Adalut and, in consequence of the exclusion from the Report B received from Calicut, contrary to the practice obtaining generally, of all cases not disposed of during the month, all explanation of the delay which occurred in his Court between the arrival and committal of the 3d Prisoner Viz. 2 months and 14 days on the part of the Subordinate Judge is wanting.

7.

The Court of Foujdaree Adalut therefore direct that the Sessions Judge be called upon to state when and at what stage the trial of the two Prisoners entered in the Calendar No. XLa was suspended and that this officer be also informed that as it would appear that the trial of the three Prisoners included in that Calendar and its supplement did not commence on the same date, a second and independent, rather than a supplementary, Calendar should have been sent up with the Prisoner Poketetodyil Coonjoonyen.

8.

The Court of Foujdaree Adalut further direct that all charges received during the month be henceforth entered in the Report B, of Persons apprehended and delivered to the Subordinate Judge, a remark to that effect with an explanation when needful, of the delay being entered under the columns "Punished and Released" in every case not disposed

disposed of at the close of the months

Ordered that Extract from
proceedings be forwarded to the Sessions
Cuddalore by Precept returnable in V days
and after its receipt.—

(Sent following Precept

Read again Calendar of
of 1849 on the file of the Sessions Court
(Here enter F: Cs: No 2365

Read again also return
the 30th October 1849 and further return
the 7th November 1849 from the Sessions
Cuddapah to the precept of the Fouzdaree
the 22nd October 1849 calling for certain
and information connected with the foregoing

(Here enter F: Cs: No 2309

Read also return under
November 1849 from the same officiating
of the Fouzdaree Adawlut dated the 26th
calling for further documents and further
connected with the foregoing case—

(Here enter F: Cs: No 2436

On perusal of the proceedings
have been submitted for their consideration
of Fouzdaree Adawlut concur in the opinion
prisoners in this Case of the offence laid

charge, but being of opinion that under all the
circumstances of the Case the prescribed sentence is
too severe, the Court direct that the period of
Imprisonment, to which the prisoners have been
adjudged, be reduced to eight years.—

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

(Sent following Precept No 1202).

Read again Calendar of Case No
36 of 1849 on the file of the Sessions Court of
Cuddalore.—

(Here enter F: Cs: No 2306 of 1849).

Read also return under date the 28th
November 1849 from the Sessions Judge of Cuddalore,
to the precept of the Fouzdaree Adawlut dated the 22nd
November 1849 calling for certain information with
reference to the foregoing Case.—

(Here enter F: Cs: No 2443 of 1849).

The Court of Fouzdaree Adawlut
resolve to direct that an English Translation of
the entire record of the foregoing Case may be
submitted for their consideration, and they desire
that the Sessions Judge will state whether the
2nd Prisoner is a relative of the 1st witness or not.—

Ordered

Ordered that Extract from these
Proceedings be sent to the Sessions Judge of
Cuddalore for his information and guidance
prompt returnable within X days from date of
receipt.—

(Sent following Receipt Nº.

Read Letter dated 27th Novr. from
from the Civil and Sessions Judge of Salem
that the Tahsildar attached to his Court has
certain rough drafts of the translations of Re
trials and other papers, of which a List is annexed
and requesting that, if the former are considered
essential, transcripts of the fair copies furnished
the Foujdary Adalut may be prepared and forwarded
to him, adding that the cost of this preparation
will be borne by the writers employed in his Court
as the abstraction of the papers is in part at
attributable to negligence on their part—

(Here enter F: Cl: Nº. 2445 of 1849)

The Court of Foujdary Adalut
observe that it is unnecessary to supply the Sessions
Judge with Copies of the papers entered in the List
with accompanied the foregoing Letter—

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

(Sent in Nº. 1204)

Read

Read Calendar of Case Nº. 32 of
1849. on the file of the Session Court of Coimbatore.

(Here enter F: Cl: Nº. 2459 of 1849).

The Court of Foujdary Adalut
approve of the recommendation made by the Ses-
Session Judge in this Case, that the period of
Imprisonment awarded to the prisoner be reduced
to three years, and they authorize the Session Judge
to issue his warrant accordingly.—

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

(Sent in Nº. 1205)

Read Calendar in Case Nº. 46 of 1849.
submitted by the Session Judge of Mangalore —
under date the 13th Ultimo.—

(Here enter F: Cl: Nº. 2358 of 1849).

Read Calendar in Case Nº. 35
of 1849. submitted by the Session Judge of Honore
under date the 12th Ultimo.—

(Here enter F: Cl: Nº. 2359 of 1849).

Read report dated the 16th Ultimo,
submitted by the Session Judge of Guntoor of
persons apprehended and delivered to him in the
month of November 1849.—

(Here enter F: Cl: Nº. 2360 of 1849)

Read.

11th December 1849.

Read letter dated the 11th inst
from the Sessions Judge of Cuttack trans
the Criminal Reports B and other statement
from the Subordinate Judges of Cuttack and
Principal Sudr Ameen of Cochin for Octo
and stating that the Magistrate has had no
enclose in those reports during the said mont

(Here enter F: R: No: 2363 of 18

Read Calendar in Case No: 3
submitted by the Acting Sessions Judge of
under date the 17th Ultimo.

(Here enter F: R: No: 2367 of 18

Read statement dated the 15th
submitted by the Sessions Judge of Honore
the amount realized by the Labor of the Pri
in the 3rd quarter of 1849.

(Here enter F: R: No: 2380 of 18

Read Criminal Reports dat
31st October 1849. submitted by the Acting
Judge of Shimoga for the month of October 18

(Here enter F: R: No: 2381 of 18

Read Calendars in Cases No: 3
39 of 1849 submitted by the Sessions Judge of
and dated the 30th Ultimo.

(Here enter F: R: No: 2385 of 18

E. M.

F: R:

Thursday 13th December 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 Miscellaneous Petition presented on the 12th November 1849. by Chetumbariar of Zillah Combaconum.—

(Here enter F: M: P: No: 231 of 1849).

The Court of Foujdaree Adalut see no reason to doubt the correctness of the conviction of the prisoners' uncle Ranooviar prisoner in Case No: 169 of 1849. on the file of the Subordinate Criminal Court of Combaconum or the justice of the sentence awarded to him, with which they decline to interfere.—

This Petition is dismissed.—

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

Read Letter dated 21st November 1849. from the Sessions Judge of Madura, submitting for the final judgment and sentence of the Court of Foujdaree Adalut the Record of Case No: 54 of 1849 on the file of the Sessions Court of Madura.—

(Here enter F: R: No: 2410 of 1849).

Aw

1

In this Case two Prisoners are charged with "Murder and Robbery" and the Judge, concurring in the Finding of the Sessions which convicts the Prisoners of the crimes recommends that they be sentenced to transportation and hard labor for life.

2.

After a careful, and deliberate perusal of the Record of this Case, the Court of Foujdaree Adalut find themselves unable to concur with the Sessions Judge in respect to the sufficiency of the evidence which the Prisoners have been convicted.

3.

The case as it at present stands appears to the Court to be imperfect in certain essential points, and they resolve to remand it with the view to its further investigation.

4.

The Court remark that the confession of the first Prisoner, confirmed with the fact of the two having been seen at Dindigul in company with the deceased is sufficient to create strong suspicion against him, but at the same time no direct evidence appears on the face of the Record to connect either of the Prisoners with the Murder of the deceased.

5.

The Sessions Judge appears to have assumed that the thread said to have been found by the 2nd Prisoner was the identical thread which was sold by the 2nd Witness to the deceased, but

it was so, is not in the opinion of the Court satisfactorily proved.

6.

Before the Court of Session some thread was produced which is stated to have belonged to the deceased, and some which was not the deceased's but which of the above two articles was the thread actually sold by the 2nd Prisoner to the 10th and 11th Witnesses is not shown, and without this point being distinctly before the Court of Foujdaree Adalut it is impossible to connect the 2nd Prisoner's sale of the thread, with the thread stolen from the deceased. This point therefore the Court of Foujdaree Adalut require the Session Judge fully and satisfactorily to establish.

7.

Nor do the Court of Foujdaree Adalut consider the evidence to the identity of the thread before the Session Court, or rather to part of it being the same as that purchased by the deceased at Dindigul, to be at all satisfactory. The Session Judge will therefore be pleased to call upon the 2nd and 5th Witnesses to state more fully the means by which they can depose with so much certainty to the identity of the thread pointed out by them before the Court with that which was sold to the deceased.

8.

The Court further observe that no

no Gookay-urnamah or Inquiest Paper was be
with the Record of this Case.—

9 This document the Sessions
will now be pleased to supply, or if no Inquest
held on the deceased, he will be pleased to
the Cause of the omission.—

Ordered that Extract from the
Proceedings be forwarded to the Sessions Ju
Madura by Peon Post returnable within XV
from and after its receipt.—

(Sent following Receipt Voucher)

Read again Criminal Ref
submitted by the Sessions Judge of Dindig
Month of September 1849.—

(Here enter F. Gs. No. 2145 of

Read also returns under date
November 1849. from the Sessions Judge of
to the precept of the Court of Foujdaree Adal
dated the 30th October 1849 directing that the
Sudr Ameen of Vizagapatam should be call
to submit an explanation in regard to the
=marines observable in the report A of Case
contained in the foregoing Criminal Reference

1 (Here enter F. Gs. No. 2139 of

The Court of Foujdaree Adalut
consider the explanation offered by the Principal

Sudr Ameen with reference to his proceedings in the
Case above referred to to be extremely unsatisfactory;
and they are surprised that an officer of Mr. Rose's
experience should have considered the evidence therein
adduced sufficient to justify the conviction and
punishment of the parties charged.—

The Court of Foujdaree Adalut
2.
attach no credit to the evidence of the 1st 2nd 3rd and
4th witnesses, nor do they consider the evidence
adduced to prove the confessions alleged to have
been made by the prisoner before the Police —
authorities to be deserving of belief.—

The Court of Foujdaree Adalut —
3.
observe that the course adopted by the Principal Sudr
Ameen in the examination of witnesses is extremely
irregular.—

All witnesses in Cases under trial
4
before the Criminal Courts should be required to
make a full statement of all the circumstances —
within their knowledge in connexion with the case
under trial; the simple acknowledgement before the
Criminal Judge of the truth of the depositions given
before the Police authorities being obviously —
insufficient to enable that officer properly to inves-
=gate the real merits of the Case.—

The Court of Foujdaree Adalut have
5.
had

had reason on previous occasions to observe with dissatisfaction the manner in which Mr. Ross has performed the duties entrusted to him and they direct that he may now be warned to exercise more care in the discharge of his duties in future.—

6. The Court of Foujdaree Adalut desire that the attention of the Magistrate of Vizagapatam may be directed to the very irregular and improper manner in which the case under notice was investigated by the Head of Police, by whom it was committed.—

Ordered that Extract from these Proceedings be sent to the Session Judge of Chicacole for his information and guidance and for communication of paras 1, 2, 3, 4 and 5 to the Principal Sudr. Ameen of Vizagapatam and para 6 to the Magistrate of that District.—

(Sent in No. 1207).

Read again Calendar of case No. 17 of 1849 on the file of the Session Court of Trichinopoly.—

(Here enter F: Ct: No. 1721 of 1849).

Read also Miscellaneous Petition presented on the 1st October 1849 by Valen and three others of Zillah Trichinopoly.—

(Here enter F: Mi: P: No. 211 of 1849).

Read also return under date the 30th November

13th December 1849.

November 1849 from the Session Judge of Trichinopoly to the precept of the Foujdaree Adalut dated the 13th November 1849 conveying their orders on the foregoing Petition.—

(Here enter F: Ct: No. 2475 of 1849).

The Court of Foujdaree Adalut find from the foregoing return that there is no truth in the statement of the Petitioners that the 6th prisoner in the case referred to was confined in the Jail hospital with a broken hand, and the Court accordingly resolve to dismiss the Petitioners' application.—

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

(Sent in No. 1208)

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

Read Calendar of Case No. 30 of 1849 of the Session Court of Nellore.—

(Here enter F: Ct: No. 2451 of 1849).

In the abovementioned case four Prisoners namely:

1. 1st Chejela Nagadoo.
2. 2nd Thodala Ramigadoo
3. 3rd Idupulapati Narasigadoo and
4. 4th Pallala Aveelegadoo.

were

were charged with Robbery by open violence
aggravating circumstances, and having been
of that offence, were sentenced by the Sessions
to the punishment prescribed in Clause the
IV Regulation XV of 1803.

2.

But in consideration of the
extenuating circumstances appearing in favor
prisoners, the Sessions Judge recommends the
prescribed sentence be mitigated in the case
1st Prisoner to (10) ten years, and in that of the
3d and 4th Prisoners to (8) eight years imprisonment
with hard labor in irons.

3.

The Court of Foujdaree Adawlut
resolve to sanction the mitigated sentence pro-
to be passed upon the Prisoners, and they direct
the Sessions Judge to issue his warrant accordingly.

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

(Sent in No 1209).

Read Calendar of Case No 1387
1849 of the Sessions Court of Trichinopoly

(Here enter F. G. No 2473 of 1849).

Before confirming the sentence
passed upon the Prisoners in this Case the Court
of Foujdaree Adawlut resolve to call upon the Sessions

F. G.
13th December 1849.

Judge to submit for their consideration translations
of the first report sent by the Village authorities
of the occurrence of the Robbery - the first complaint
made by the Prosecutor - and also of the List of the
articles found upon the Prisoners - with their values.

In submitting these documents -

2.

the Sessions Judge will be pleased to state, what is
the distance of the Prisoners' Villages from that of
the Prosecutors - whether or not the said Prisoners
were disguised, on the occasion of the Robbery, and also
whether the property was such as was only to be -
met with in the house of the Prosecutor, a Brahmin,
or whether it was such as might be expected to be
found also in the Prisoners houses -

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

(Sent following Precept No 1210).

Read Miscellaneous Petition -
presented on the 19th November 1849 by Chinna
Venkatarayadoo of Zillah Chittoor -

(Here enter F. G. P. No 236 of 1849).

The Petitioner is referred to the
orders passed by the Court of Foujdaree Adawlut under
date

13th December 1849.

date the 1st Ultimo on the matter to which he refers; and which absent the Petitioner's appeal are found:—

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

Read Calendar of Case No 65 of the Sessions Court of Trichinopoly.

1. (Here enter F. 66: No 2478 of 1849).

The Court of Foujdaree Adawlut of opinion that the sentence recorded against the Prisoner in this Case on his conviction of Theft by open violence may with propriety be reduced to 8 years imprisonment with hard labor in irons.

2. If the Sessions Judge be also of the same opinion, he will be pleased to submit his recommendation for the mitigation of the sentence accordingly: but if he dissents therefrom he will be pleased to submit a translation of the entire Record for the consideration of the Court of Foujdaree Adawlut.—

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Trichinopoly by Precept returnable within [illegible] from and after its receipt.

(Sent following Precept No 1211)

13th December 1849.

Read again Calendar of Case No 65 of 1848 of the Sessions Court of Cuddapah.

(Here enter F. 66: No 2487 of 1848).

Read also Return dated 3rd December 1849 made by the Sessions Judge of Cuddapah, to the Precept of the Foujdaree Adawlut dated 26th November 1849 directing a Second Futwah to be obtained from the Law officer and a fresh sentence passed in the above Case.—

(Here enter F. 66: No 2480 of 1849).

The Court of Foujdaree Adawlut

1. approve of the recommendation made by the Sessions Judge in the foregoing Case, that the Sentence recorded against the Prisoner on his conviction of Theft be mitigated to five 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 Cuddapah for his information and guidance.—

(Sent in No 1212).

Read Letter dated 5th December 1849 from the Sessions Judge of Coimbatore with reference to the state of health of Chinna Cumoo, a Prisoner tried and convicted by himself on a charge

charge of arson in Case No. 22 of 1850 and to be imprisoned with hard labor in irons for years, and to the circumstances attending the commission of the crime, recommends that the remaining portion of the sentence Viz. 6 months be remitted.-

(Here enter F: 66: No. 2512 of 1849)

The Court of Foujdaree has pleased to sanction the mitigation of the sentence recommended by the Sessions Judge.

Ordered that Extract from the Proceedings be forwarded for the information & guidance of the Sessions Judge of Combatore.

(Sent in No: 1213).

Read letter dated the 1st Instant from the Sessions Judge of Masulipatam reporting the recapprehension of a convicted on his escape on the 18th October 1849 from the at Masulipatam.-

(Here enter F: 66: No. 2490 of 1849)

Read report dated the 1st Instant submitted by the Sessions Judge of Cuttack Cases pending on the 31st October and committed for trial during the month of November 1849 remained on the file of the Sessions Court of Cuttack for more than 25 Days.

(Here enter F: 66: No. 2491 of 1849)

F: 66:
13th December 1849.

Read letter dated the 3rd Instant, from the Sessions Judge of Combaconum forwarding copies of a letter from the Moofty of Sadr Ameen in charge, regarding the escape of a Security Prisoner from the Jail and of the Proceedings held by him thereon.-

(Here enter F: 66: No. 2481 of 1849)

Read report dated the 3rd Instant, submitted by the Sessions Judge of Nellore of Cases pending before him during the month of November 1849.-

(Here enter F: 66: No. 2482 of 1849).

Read report dated the 1st Instant, submitted by the Sessions Judge of Bellary of Cases pending on the 31st October 1849 before the Sessions Court for longer than 25 days.-

(Here enter F: 66: No. 2487 of 1849).

Read report dated the 1st Instant, submitted by the Sessions Judge of Calicut of Cases pending on the 31st October and committed for trial during the month of November 1849.-

(Here enter F: 66: No. 2491 of 1849).

Read letter dated the 28th Ultimo, from the Sessions Judge of Honore reporting the transfer of a Prisoner from Honore Jail to that at Sirsy at the recommendation of the Zillah Surgeon.-

(Here enter F: 66: No. 2493 of 1849)

Read

Read report A dated the 28th Ultimo submitted by the Sessions Judge of Masulipatam of Persons apprehended in the Zillah of Masulipatam and delivered to him in the month of November 1849.

(Here enter F: C: No. 2494 of 1849).

Read letter dated the 26th Ultimo from the Sessions Judge of Bellary forwarding a Return to the Warrant of the Foujdaree Adalut under date the 13th November 1849 directing execution of the Sentence of Death passed on Veerabhadrigo Prisoner in Case No. 31 on the Calendar for 1849.

(Here enter F: C: No. 2467 of 1849).

Read return dated the 30th Ultimo, from the Sessions Judge of Trichinopoly to the Precept of the Foujdaree Adalut under date the 27th Idem directing the immediate and unconditional release of the 3d Prisoner Cuttayen in Calendar of Case No. 20 of 1849 on the file of the Sessions Court of Trichinopoly.

(Here enter F: C: No. 2468 of 1849).

Read letter dated the 1st Instant from the Sessions Judge of Masulipatam reporting that there are no Criminal Cases pending beyond 25 days between 31st October and 30th November 1849.

(Here enter F: C: No. 2469 of 1849).

Ex. 1849. 42

F. C.

Friday
14th December 1849 At a Court of the Fouzdaree Udalut

Present

G. S. Hooper Esqre 1st Puisne Judge

R. D. Thompson Esqre 2d Puisne Judge

W. A. Morehead Esqr 3d Puisne Judge

Read the following Letter dated
24th October 1848 from the Session Judge of
Calicut, submitting copy of a correspondence
with the Magistrate, and requesting the
instructions of the Court of Fouzdaree Udalut as
to the propriety of limiting the period of Appeal
from the decisions of the Magistrates' Subordinates.

(Here enter F. C. No. 2364 of 1848)

Read also Letter dated 24th November
1849 from the same officer, calling the attention
of the Court of Fouzdaree Udalut to his former
communication, and soliciting the instructions
of the Judges upon the point therein referred to.

(Here enter F. C. No. 2437 of 1849)

With the foregoing communication
the Session Judge submits for the consideration and
Orders of the Court of Fouzdaree Udalut copy of a
correspondence

correspondence, which has passed between the
late & Malabar and himself, relative to a
Proclamation issued by the Magistrate limiting
the period of Appeal from the decisions passed by
his Subordinate Officers to 30 days.

2.

The Session Judge states that
he not only considers the above limitation
fixed by the Magistrate to be unauthorized by
the Regulations, but that to allow such a rule
to be in force would be of serious to highly
unexpedient in a District like Malabar
where land is so valuable, and where land
of the Police complaints are connected therewith,
and regarding the nature of the Police investigation
held in such cases, he refers the Court of Foujdaree
Udalut to his Letter of the 14th April 1847 submitting
the Criminal Statements for the last half of the
year 1846

3.

The attention of the Court of
Foujdaree Udalut has been given to the remarks
contained in the 3d para. of the Session Judge's Letter
of the 14th April 1847, and they are of opinion that
the proceedings of the Police authorities in both of
the cases therein referred to, which appear to have
been

14th December 1849

been simple claims for crops, or the occupation of
lands, and were, therefore, cognizable by the
Tahsildar in his civil capacity or by the Collector,
under Regulation V of 1822, were irregular and
illegal

Section III. Regulation XI of 1816 under

4

which those cases were erroneously decided, limits
the interference of the Magistracy to cases of
"forcible occupation or seizure of lands or Crops"
"by riotous assemblages."

In the matter of all other claims,

5.

excepting those cognizable by the Collector under
Regulation V of 1822, the parties making such claims
must be invariably referred for redress to the Civil
Courts.

If, therefore, the Proclamation of

6

the Magistrate refers to cases of this nature, it
will as a matter of course be rendered null and
void, as such cases should not hereafter be entertained
by the Police authorities. In all other ordinary
Police cases, the rule laid down in Foujdaree
Udalut Circular Order of the 13th March 1849
is applicable

In the opinion of the Court it is not

requisite

11th December 1849.

requisite that parties appealing to the Magistrate
from the Orders of his Subordinate Officers should
produce a copy of the Order appealed from.

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

(Sent in No. 1216 5

Ey. W.

F. C.

Saturday
15th December 1849 At a Court of the Foujdaree Udalut

Present

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

Read Letter dated the 12th Instant
from the Session Judge of Chingleput, submitting
for the final judgment of the Foujdaree Udalut
the record of Case No. 19 of 1849 on the file of
the Session Court.

(Here enter F. C. No. 2555 of 1849)

Mr. W. A. Morehead

The Court of Foujdaree Udalut
on a deliberate consideration of all the circum-
stances of the case in evidence before them
being of opinion that the proof against the
Prisoner
"Chinnapa Chetty"
is sufficient to convict him of the Crime of Fraud
for which according to the Mahomedan Law
as declared in futwas of their Law Officers disere-
tionary punishment is awardable, do convict
him thereof, and under the provisions of Clause
seventh

seventh Section 2d Regulation XX of 1803
XXXII Act VII of 1843 sentenced him with ref
to his advanced age of 80 years, to be imprison
kept to labor without irons and to be
and infirmity on the public roads or other p
works for and during the period of (1) one yea

(Sent following Letter No 1221

Read Letter dated the 12th I
from the Session Judge of Chinglepute
for the final judgment of the Fouzdaree Adal
the record of Case No 21 of 1849 on the file of
Session Court

Mr H. A. Morehead

(Here enter F. A. No 2554 of 1849)

The Court of Fouzdaree Adalut
a deliberate consideration of all the circumstan
of the case in evidence before them being of opi
that the proof against the Prisoner,

"Gopaulee Chetty"

is sufficient to convict him of the crime of Fra
which according to the Mahomedan Law as declar
in futwas of their Law Officers discretionary
ment is awardable, do convict him thereof, and
under the provisions of Clause seventh Section 2d
Regulation XX of 1803, and Section XXXII Act VII of 1843
sentence him to be imprisoned and kept to labor suitable
to his age for and during the period of (4) four years

(Sent following Letter No 1222

Read Letter dated the 12th Instant
from the Session Judge of Chinglepute, submitting
for the final judgment of the Fouzdaree Adalut
the record of Case No 22 of 1849 on the file of the
Session Court.

(Here enter F. A. No 2553 of 1849)

The Court of Fouzdaree Adalut on

Mr H. A. Morehead

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

"Munderah"

is sufficient to convict her of the crime of Fraud for
which according to the Mahomedan Law as declared
in futwas of their Law officers discretionary punish
ment is awardable, do convict her thereof, and
under the provisions of Clause seventh Section 2d
Regulation XX of 1803, and Section XXXII Act VII of 1843
sentence her to be imprisoned and kept to labor suitable
to her age for and during the period of (4) four years.

(Sent following Letter No 1223

Read

Read letter under date the 1st Dec
1849 from the Session Judge of Chingleput to the Sec
of the Tongdarce Udalut dated the 27th November 184
conveying their Orders on the Monthly Criminal Ab
submitted for the month of October 1849

(Hereunder T. Ud. No 2452 of 1849)

The Court of Tongdarce Udalut dir
that the reports forwarded to the Session Court by the
Principal Sudder Ameen in Cases Nos 71 and 91 of 184
be submitted for their consideration, and that along
reported for the information of the Tongdarce Udalut
what steps the Magistrate has to take with reference to
the remarks recorded regarding the conduct of the Head
Police of Cotramallore Talook in the commitment of the two
cases above referred to.

Ordered that Extract from these Proc
be forwarded to the Session Judge of Chingleput for his
information and guidance by Tonjat returnable within
7 days from and after its receipt.

(Sent following Tonjat No 1224

Read Letter dated 27th November 184
the Session Judge of Tellicherry reporting that a Mr Bac
an East Indian has been forwarded as a Lunatic to the
Civil Surgeon by the Joint Magistrate of Cotiote and
requesting

T. Ud.

15th December 1849

requesting authority to entertain an European or East
Indian, to watch him, and to purchase a Cot for his
use. The Session Judge further begs to be informed
what daily allowance should be given to Mr Bacon,
and how long he is to remain under the observation
of the Tillah Surgeon previous to removal, if necessary
to Madras.

(Hereunder T. Ud. No 2463 of 1849)

The Court of Tongdarce Udalut

1.

observe that whatever attendance or food the Tillah
Surgeon may see fit to order for Mr Bacon must be supplied,
and that the rules laid down in Circular Orders Tongdarce
Udalut, 1st June 1829 must be attended to in the case
in question.

The Court further resolve with

2.

reference to the Order of Government dated 7th November
1848, under which the transfer of Insane patients to
the Lunatic Asylum was suspended to bring the
case of a Mr Bacon to the notice of the Right Honorable
the Governor in Council.

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

(Sent in No 1225

Read

15th December 1849.

Read agam Calendar of Cases
of 1849 on the file of the Session Court of Madura

(Hereunder F. No. 3368 of 1849)

Read also return made dated the
December 1849 from the Session Judge of Madura
the Precept of the Tenjore Udalut dated the 29th
November 1849 conveying their orders on the fo
going case).

(Hereunder F. No. 2499 of 1849)

The Court of Tenjore Udalut
approve of the recommendation made by their
Judge in this case, that the period of imprisonment
awarded to the 4th Prisoner be reduced to three yea
and they authorize the Session Judge to issue his
warrant accordingly.

Ordered that Extract from their
Proceedings be forwarded to the Session Judg
of Madura for his information and guidance

(Sent on 5)

Ex. 33.

F. W.

Monday ——— 7th December 1849

At a Court of the Foujdaree Udalut

Present

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

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

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

Read Miscellaneous Petition presented on the 5th November 1849 by Aroomoogum Pillay late Jail Duffadar of Trichinopoly.-

(Herewith S.t F. W. M. P. No. 2 of 1849)

1 The Petitioner complains that in the Month of August 1848 he was reduced by the Sessions Judge of Trichinopoly from the rank of Duffadar to that of a Jail Peon, and that in the month of November of that year he was dismissed from the latter situation; and he now seeks to obtain an order from the Court of Foujdaree Udalut directing his restoration to his former appointment.-

2 Before passing their final orders on this Petition the Court of Foujdaree Udalut resolve to forward the English

× to be returned.

× English translation thereof to the Sessions Judge of Trichinopoly, who will be pleased to submit a full report upon the several allegations therein contained, and especially with reference to the circumstances under which the Petitioner and others were removed from Duffadars to common Jail Peons, and the Petitioner eventually dismissed from the Service altogether.—

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

(Sent following Precept 17th Dec. 1849.

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

Read Miscellaneous Petition presented on the 5th November 1849 by Vedathasawmy late Sail Peon of Trichinopoly.

(Here enter P. & Fr. No. R. 1849 of 1849.

1 This is an application for the interference of the Court of Foujdaree Adalut to direct the restoration of the Petitioner to the

situation of Jail Peon from which he has been dismissed by the Sessions Judge of Trichinopoly on the ground that he and another Peon named Ramjee Row had allowed a convict to pilfer 3 2/16 measures of paw rice.—

2 Before passing their final Orders on this Petition the Court of Foujdaree Adalut resolve to forward the × English translation thereof to the Sessions Judge, who will be pleased to submit a full report upon the several allegations therein contained.—

× to be returned

3. The Court of Foujdaree Adalut require more particularly to be informed, in what manner the pilfering of the rice was attributable to the Petitioner's neglect of duty, and in what respect his conduct was considered more blameworthy than that of the other Peons, who, it appears, have been restored to their situations.—

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Trichinopoly by Precept returnable within × days from and after

17th December 1849

after its receipt.—

(Sent following Precpt No 128

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

Read again Calendar of Case No 36 of 1848 on the file of the Sessions Court of Coimbatore.

(Here enter F. W. No 2664 of 1848.)

Read also Miscellaneous Petition presented on the 15th November 1849 by Lutchmammah of Tillah Coimbatore.—

(Represented F. M. P. No 234 of 1849)

The Court of Foujdaree Udalut resolve to direct that an English Translation of the record of the foregoing case be submitted for their consideration.—

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Coimbatore for his information and guidance by precpt returnable within 2 days from and after its receipt.—

(Sent following Precpt No 129

Ordered also that Extract from these Proceedings be granted to the Petitioner on

F. W.

17th December 1849 on her application.—

Read Miscellaneous Petition presented on the 22d October 1849 by Moony Row of Tillah Madura.—

(Here enter F. M. P. No 219 of 1849)

The Petitioner, who was Prisoner

1

in Case No 36 of 1848 on the file of the Sessions Court of Madura, and convicted there-
-in of selling his daughter "Meenatchee" aged 10 years, now appeals from an order of the Sessions Judge of Madura dated 16th March 1849, declining to direct the delivery of the child to his charge, on the ground that she was unwilling to accompany him. Petitioner avers that the alleged unwillingness of his daughter to return to his care was false, and he prays, therefore, the interference of the Court of Foujdaree Udalut to direct her restitution

The Court of Foujdaree Udalut

2

decline to accede to the prayer of this Petition, being of opinion that the Petitioner by his Criminal and unnatural conduct has forfeited all claims to the child in

As

question.—

3 As, however, the Court observe that the child is now more than eleven years of age and is residing in a family of different caste from herself, they deem it proper to call upon the Sessions Judge to state for their information what is to become of the child hereafter.-

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

(Sent following Precept No 1230

Ordered also that Extract from these Proceedings (paras 1 and 2) be granted to the Petitioner on his application.-

Read Miscellaneous Petition presented on the 1st November 1849 by R. Sivaroomal Row Vakeel on behalf of Dasaraja Lingum and another of Tillak Rajah mundry.-

(Here enter F. M. P. No 227 of 1849)

The Court of Foujdaree Udalut observe that the copy of the order of the Magistrate, presented with this Petition

Petition has been engrossed on 5 Stampt papers of four, instead of 8 annas, value, and that the difference or 1 Rs 4 a must be adjusted before the Petitioners application can be taken into consideration.-

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

Moideen Saib of Chinglaput, moves the Court to return the enclosures in his Miscellaneous Petition No 218 of 1849.

Ordered accordingly.-

Read Report, dated the 1st Instant Submitted by the Sessions Judge of Honore, of cases pending before him for a period exceeding 25 days during the month of November 1849.-

(Here enter F. C. No 2510 of 1849)

Read Return dated the 6th Instant from the Sessions Judge of Combaconum, to the precept of the Foujdaree Udalut under date the 28th November 1849 requiring an explanation of the requisition of Security from the 2d Prisoner in Criminal Case No 183 of 1849 who is entered in Column 4 "Punished"

"Punished" in the Criminal Report B submitted to them for the Month of October 1849 as having been convicted in the three following Cases Nos. 184-185- and 186 of the offences respectively laid to his charge.—

(Here enter F.H. No. 2511 of 1849)

Read Return dated the 7th Instant from the Session Judge of Cuddalore to the precept of the Foujdaree Udalut under date the 4th December 1849 directing that the period of imprisonment awarded to the 1st 3d, 4th 5th and 6th Prisoners in Sessions Case No. 35 of 1849 be reduced; the 1st 3d and 4th to 3,- the 5th to 2 years' and the 6th to 7 years imprisonment with hard labor in irons.

(Here enter F.H. No. 2519 of 1849)

Read Return dated the 7th Instant from the Session Judge of Combaconum to the precept of the Foujdaree Udalut under date the 30th November 1849 directing that the 6th Prisoner in Case No. 51 of 1849 on the file of the Sessions Court be unconditionally released; and that the 1st 2nd, 3d 4th, and 5th Prisoners be required to find two Sureties in the Sum of Rupees 50 each

F.H.

17th December 1849.

each for three years.—

(Here enter F.H. No. 2520 of 1849)

Read Report A of Case No. 53 of 1849, disposed of by the Sessions Judge of Masulipatam submitted under date the 5th Instant.—

(Here enter F.H. No. 2525 of 1849)

Read return dated the 8th Instant from the Sessions Judge of Cuddapah to the precept of the Foujdaree Udalut under date the 4th idem directing the unconditional release of the Prisoner in Case No. 43 of 1849.

(Here enter F.H. No. 2527 of 1849)

Read Return dated the 8th Instant from the Sessions Judge of Cuddalore to the precept of the Foujdaree Udalut under date the 29th November 1849 directing the Sessions Judge to review the proceedings in Cases Nos. 114 and 115 of the report B of the Principal Sudder Ameen for October 1849 and pass such orders as may appear to him to be required and to reduce the period of one year, for which the requisition of Security had been made, to 6 months in Case No. 118 of

the

10th December 1849

the Report B of the Magistrate for the same month.—

(Here enter Fl. Dr. 3533 of 1849)

Read Calendar of Cases No. 29 of 1849 submitted by the Sessions Judge of Chingleput under date the 5th Instant.—

(Here enter Fl. Dr. No. 3534 of 1849)

Read Calendar in Cases No. 69 of 1849 submitted by the Sessions Judge of Combaconum under date the 6th Instant.—

(Here enter Fl. Dr. 3535 of 1849)

Read Calendar in Cases of 1849 submitted by the Sessions Judge of Chittoor under date the 3d Instant.—

(Here enter Fl. Dr. 3536 of 1849)

Read Returns under the 5th Instant from the Sessions Judge of Coimbatore to the precepts of the Foregoing Calendar under date the 29th November 1849 requiring him to obtain and forward from the Magistrate the Jamabundy number of by Ramaswamy Pillay 12 weights in Sessions Cases No. 29 of 1849.

(Here enter Fl. Dr. No. 3537 of 1849)

Ed. Mallard

F. C.

Tuesday
18th December 1849. At a Court of the Fonjdaree Adalut.

Present

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

Read again letter dated 3d November 1849 from the Session Judge of Rajahmundry - (Here enter F. C. No 2278 of 1849.)

Read also return dated 5th December 1849 made by the Session Judge of Rajahmundry to the Receipt of the F. C. dated 26th November 1849 calling for explanation concerning certain Orders issued by the Session Judge and Magistrate of Rajah = =mundry respectively, regarding the claims advanced to certain property by one Mullaparauze Jugganatha = =rauze. (Here enter F. C. No 2523 of 1849.)

1. The general question involved in the foregoing reference of the Session Judge is, whether in the case of an individual dying possessed of Lands and other property, it is competent to a Magistrate to pass a Summary award, determining the right to possession of such property.

2d The Court of F. C. are clearly of opinion

opinion that a Magistrate has no jurisdiction in such cases, the authority to determine which is by Section IV Act XIX of 1841 conferred upon the Sessions Judge alone.

3

And in the particular case referred to in the foregoing communication of the Sessions Judge the Court consider that Mr. Prendergast in the first instance erred in interfering in his capacity of Magistrate and that Mr. Dastenther, subsequently was equally in error when he reviewed Mr. Prendergast's proceedings as a Sessions Judge.

4.

As however no appeal has as yet been preferred from the Order passed by the Sessions Judge in this case the Court of Judicature do not deem it unnecessary at present to interfere further in the matter.

5.

The Court, at the same time, think it right to explain with reference to their Proceedings of the 12th August 1848. that in cases of temporary possession of land given by the Magistrate under Regulation XI of 1816 to prevent breaches of the peace, or to replace parties in possession who may have been forcibly ejected, the dissatisfied party can only obtain redress by a Civil Action instituted before a competent Court of Judicature, and in such cases the Court are of opinion that it is not within the province of the Sessions Judge to interfere, the Order of the Magistrate

Magistrate being final until the question has been decided by competent authority.

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. 1233

Read again Calendar of Case No. 54 of 1849 of the Sessions Court of Calicut.

(Here enter F.M. No. 2382 of 1849)

Read also Return dated 5th December made by the Sessions Judge of Calicut to the Receipt of the F.M. dated 30th November 1849. conveying their observations and Orders on the above case.

(Here enter F.M. No. 2530 of 1849)

1.

In accordance with the recommendation made by the Sessions Judge in the foregoing Return, the Court of F.M. resolve to mitigate the Sentence recorded against the Prisoner in the above case to three years imprisonment with hard labor in irons.

2.

And the Sessions Judge is hereby authorised to issue a fresh Warrant accordingly

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

(Sent in No. 1234

Read

18th December 1849.

Read the following letter under date the 28th November 1849 from the Agent for the Governor of Fort St. George at Vizagapatam.

(Here enter A°. 2509 of 1849)

1.

In this letter the Agent submits a report of the trial of a Prisoner named Collah Looreya Nairaina, alias, Pudmanaboodoo, who was charged with the crime of Fraud and convicted thereof; and referring to the fact of a previous conviction of the like offence, and to the bad character of the Prisoner, the Agent recommends that he be sentenced under Clause Seventh Section II Regulation XV of 1809 to imprisonment with hard labor in irons for (3) three years.

2.

The Court of Fouzdaree Adaulut concur in the conviction of the Prisoner, and they resolve to confirm the Sentence proposed to be passed upon him.

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

(Sent in A°. 1235

Read again Calendar of Cases &c. of 1849 of the Sessions Court of Salem.

(Here enter F.N. A°. 2880 of 1849)

Read also Return dated 5th December 1849 made by the Sessions Judge of Salem to the Receipt of the Fouzdaree Adaulut dated 26th

12th December 1849.

November 1849 directing the submission of a translation of the confession stated to have been given by the first Prisoner in the above case before the Police and Subordinate Court.

(Here enter F. N. A°. 2506 of 1849.)

The information afforded in the

1.

documents submitted with the above Return being too incomplete to enable the Court of Fouzdaree Adaulut to judge of the propriety of the disposal of this case, they resolve to call upon the Sessions Judge to submit for their consideration a translation of the List of property given in by the Prosecutrix on the 13th of October, being the date on which the charge is stated to have been preferred.

The Sessions Judge will also be

2

pleased to state what defence the Prisoners made before the Sessions Court - who the 1st and 2d witnesses were - and how they obtained the information, which led to the apprehension of the Prisoners.

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

Sent following Precept A°. 1236.

Read Return dated 14th Instant from the Sessions Judge of Cuddapah to the Receipt of the Fouzdaree Adaulut under date the 11th December 1849 directing him to

reduce

reduce the sentence passed on the Prisoners in Cases
Nos 46 of the Calendar for 1849.

(Here enter F. R. No 2574 of 1850)

Read Criminal Report dated 15th Instant
submitted by the Session Judge of Chingleput
for the month of November 1849.

(Here enter F. R No 2571 of 1850)

Read Criminal Reports dated 1st Instant
submitted by the Session Judge of Combaconum
for the month of November 1849.

(Here enter F. R. No 2572 of 1850)

Read Report dated 12th Instant submitted
by the Acting Session Judge of Guntoor of persons
apprehended and delivered to him, for the Month of
Nos 78. December 1849.

(Here enter F. R. No 2582 of 1850)

Read Report dated 13th Instant submitted by the
Acting Session Judge of Guntoor of persons apprehended
and delivered to him, for the Month of December 1849.

(Here Enter F. R. No 2583 of 1850)

F. U.

At a Court of the Foujdaree Adalut.

Present

Wednesday 19th December 1849.

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

Read letter dated 3rd Instant from the Sessions Judge of Masulipatam submitting for the final Judgment of the Foujdaree Adalut the Record of Case No. 49 of 1849 of the Calendar of the Sessions Court.—

(Here enter F. U. No. 2524).

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,

" Moontalah Payrayalingum
alias Pariah, and otherwise
Called Parahuttooo.

is sufficient to convict him of the crimes 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

other public works for; and during the period of his natural life.—

1. The Prisoner in this case was charged with Murder and Robbery.—

2. The Law officer convicted the prisoner "Zun-e-ghalib of having been concerned with another individual, not apprehended, in beating the deceased with sticks, and declared him liable to Kokodut, the crime of having murdered the deceased not having been positively proved against him".—

3. The Sessions Judge expresses his concurrence in the said finding, and being of opinion that the Murder was premeditated and wilful murder that the extreme penalty of the Law should be awarded to the Prisoner.—

4. The Court of Foujdaree Udalut concur in convicting the prisoner of having been concerned in the murder of the deceased, but being of opinion that the prisoner was not the principal in the commission of the crime have considered a sentence of transportation for life sufficient to meet the demands of justice.

5. Several of the witnesses in the case depose that the stick No 2, which the Prisoner throughout acknowledged to be his property, had marks of blood upon it when produced by him from the

6. The Sessions Judge has omitted

in his letter of reference whether any such stains were actually visible thereon when the stick was produced before the Court, nor were any notes to that effect entered in the depositions of the witnesses in question, which is the usual course when articles of the nature of that referred to are shewn to witnesses for identification.—

7. This the Court of Foujdaree Udalut observe was the more necessary as the prisoner declares before the Session Court that there were no stains upon the stick when he produced it from his house, although in his Police confession he appears to have admitted that there were.—

8. The Court of Foujdaree Udalut direct that it may be reported for their information what steps may have been adopted by the Magistrate with reference to the remarks recorded by the Session Judge regarding the negligence evinced by the Village Police in having permitted the individual named Boochee Buttooloo to escape.—

9. The Court desire that on all future occasions a translation of the inquest paper may accompany the records of trials for Murder submitted by the Session Court.—

Ordered that Extract from these Proceedings be sent to the Session Judge of Masulipatam

19th December 1849.

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

(Sent following Precept No. 1239).

Read letter dated the 8th Instant,
from the Session Judge of Bellary submitting for
the final Judgment of the Foujdaree Udalut the Record
of Case No. 40 of 1849 of the Calendar of the Session
Court.-

Mr. E. P. Thompson.

(Here enter F. C. No. 2578 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 the
the proof against the prisoner
"1st Iradiga Nagadoo"
is sufficient to convict him of the crime of Murder,
do convict him thereof, and under the provisions of
Section X Regulation VIII of 1802 sentence him to suffer
death by being hanged at the usual time and place
of execution.-

(Sent following Letter No. 1240).

Read Letter dated 6th December 1849.
from the Magistrate of Salem, requesting, with reference
to the Letter of the Senior Deputy Register of the Foujdaree
Udalut dated 12th November 1849, instructions as to the
course he should pursue with reference to Ramakistna

Late

F. C.
19th December 1849.

Late Head of Police of Ahtoor, whose dismissal
from office the Court has declined to order, the
Board of Revenue having on a former occasion
declined to interfere in a similar matter.-

(Here enter F. C. No. 2522 of 1849).

The orders of Government dated 19th
November 1833 which "relieved the Court of Foujdaree
"Udalut from any share in the Superintendence, control
"and revision of the Native Revenue and Police establish
"ment" were, in the Extract Minutes Consultation
of Government under date 9th December 1844, declared
to be "still in force": consequently the powers of
the Court of Foujdaree Udalut are limited to the
dismissal of a Native officer of Police upon the
report of the Session Judge, a power specially
conferred upon them by Section XXXIX Act VII of
1843.-

Ordered that Extract from these
Proceedings be forwarded to the Magistrate of
Salem for his information.-

(Sent in No. 1241)

Read letter dated the 10th Instant,
from the Sessions Judge of Cuddapah submitting
for the final Judgment of the Foujdaree Udalut the
Record of Case No. 30 of 1849 of the Calendar of the Session Court.

(Here enter F. C. No. 2556 of 1849).

The

14

19th December 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 C. Nursiah

2nd Basaviah

and

3rd Lutchmeemurso.

is sufficient to convict them, the 1st Prisoner of the crime of wilful Murder, and the 2nd and 3rd of aiding and abetting in the same, do convict them thereof, and sentence the prisoner,

1st C. Nursiah

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

2nd Basaviah

and

3rd Lutchmeemurso.

to be transported to such place or places beyond the seas as the Governor in Council shall appoint, there to remain imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of their natural lives.-

(Sent. in No. 1742)

Read return dated the 4th Instant from the Sessions Judge of Cuddapah to the Sheristadar

19th December 1849.

of the Foujdaree Adalut under date the 29th Ultimo, directing him to annul the sentence passed upon the Prisoner in Case No. 50 of the Calendar for 1849, and to require him to produce two sureties, in the sum of Rupees 20 each, for the period of 3 years.-

(Here enter F. C. No. 2497 of 1849).

Read return dated the 4th Instant, from the Sessions Judge of Cuddapah to the precept of the Foujdaree Adalut under date the 28th Ultimo, desiring to be informed of what offence the Prisoner in Case No. 250 of 1849 on the Criminal file has been convicted.-

(Here enter F. C. No. 2498 of 1849).

Read return dated the 8th Instant from the Sessions Judge of Cuddalore to the precept of the Foujdaree Adalut under date the 29th Ultimo, requiring him to obtain and forward from the Joint Magistrate the Takeeds made mention of by Ramasamy Pillay 12th witness in Sessions Case No. 29 of 1849.-

(Here enter F. C. No. 2528 of 1849).

Read Criminal Reports dated the 30th Ultimo submitted by the Sessions Judge of Salem for the months of November 1849.-

(Here enter F. C. No. 2573 of 1849).

F.U.C.

Thursday, 20th December 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 again Calendar of Case No. 6 of 1844 on the file of the Session Court of Tinnevelly.

(Here Enter F.U.C. No. 522 of 1844.)

Read also Miscellaneous Petition forwarded by the Session Judge of Tinnevelly on behalf of Davasoty Davum and others, of Zillah Tinnevelly, and filed in the Court of Foujdaree Udalut on 3d December 1849.

(Here Enter F. M. P. No. 241 of 1849.)

The object of this Petition is to induce the Court of Foujdaree Udalut to cancel the sentences recorded by the Session Judge of Tinnevelly against the Petitioners on their conviction in

20th December, 1849.

in the above case of Escaping from Custody

2.

The Court of Foujdaree Udalut decline to interfere in the manner solicited, seeing nothing in this Petition, which would induce them to doubt the propriety of the sentence appealed from.—

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

/Sent in. No. 1243/-

Read again Criminal Reports of the Sessions Court of Tellicherry for October 1849.—

/Here Enter F.C. No. 2327 of 1849/-

Read also Return dated 4th December made by the Sessions Judge of Tellicherry to the Precept of the Foujdaree Udalut dated 27th November 1849, requiring certain information with reference to the punishment to which one Pallikela Moideen, a Convict was

20th December, 1849.

sentenced for having in the Jail yard injured a boy aged 10 years.—

/Here Enter F.C. No. 2531 of 1849/-

The Court of Foujdaree Udalut consider the practice, which from the above Return appears to prevail in the Tellicherry Jail Hospital, of admitting therein other patients, than the Prisoners, for medical treatment, to be objectionable, and they direct that it be immediately discontinued.—

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

/Sent in. No. 1244/-

Read Miscellaneous Petition presented on the 3rd December 1849 by Chinna Venetarayaloo of Zillah Chittoor.—

/Here Enter F.M.P. No. 243 of 1849/-

The Court of Foujdaree Udalut observe that the matter referred to in this Petition was disposed of by the Order issued by the Court in their

20th December, 1849.

in the above case of Escaping from Custody

2. The Court of Foujdaree Udalut decline to interfere in the manner solicited, seeing nothing in this Petition, which would induce them to doubt the propriety of the sentence appealed from.—

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

/Sent in. No. 1243/-

Read again Criminal Reports of the Sessions Court of Tellicherry for October 1849.—

/Here Enter F.C. No. 2327 of 1849/-

Read also Return dated 4th December made by the Sessions Judge of Tellicherry to the Precept of the Foujdaree Udalut dated 27th November 1849, requiring certain information with reference to the punishment to which one Pallikele Mooden, a convict was

sentenced for having in the Jail yard injured a boy aged 10 years.—

/Here Enter F.C. No. 2531 of 1849/-

The Court of Foujdaree Udalut consider the practice, which from the above Return appears to prevail in the Tellicherry Jail Hospital, of admitting therein other patients, than the Prisoners, for medical treatment, to be objectionable, and they direct that it be immediately discontinued.—

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

/Sent in. No. 1244/-

Read Miscellaneous Petition presented on the 3rd Decmber 1849 by Chinna Venetarayaloo of Zillah Chittoor.—

/Here Enter F.M.P. No. 243 of 1849/-

The Court of Foujdaree Udalut observe that the matter referred to in this Petition was disposed of by the Order issued by the Court in their

20th December, 1849.

their Proceedings under date the 1st Novr. 1849 - The Petitioner having been already informed that the above Order is final, the Court of Foujdaree Udalut decline to take his present Petn. into their consideration.

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

Ex. 1810.

by h.

F. U.

Friday, 21st December, 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 Calendar of Case No. 39 of 1849 of the Sessions Court of Honore.

Have Enter F. U. No. 2536 of 1849.

The Court of Foujdaree Udalut, deeming the grounds on which the Prisoners in this case have been held to security, to be insufficient to justify such requisition, resolve to cancel the same, and direct that the said Prisoners be unconditionally set at liberty.

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Honore by Precept returnable within III days from

21st December, 1849.

from and after its receipt.—

/Sent following Precpt. No. 1246/-

Read Calendar of Cases
No. 43 of 1849 of the Sessions Court of
Salem.—

/Here Enter F.C. No. 2547 of 1849./-

1.

The Court of Foujdaree
Udalut approve of the recommendation
made by the Sessions Judge in this case,
that the sentence recorded against the
first and second Prisoners on their con-
viction of Gang Robbery by open violence,
be mitigated to 8 years' imprisonment
with hard labor in irons.—

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. 1247/-

Read Calendar of Cases
No. 28 of 1849 of the Sessions Court
of

of Nellore.—

/Here Enter F.C. No. 2551 of 1849./-

The Court of Foujdaree

1.

Udalut approve of the recommendation
made by the Sessions Judge in this case,
that the sentence recorded against the
Prisoner on his conviction of "Robbery
by open violence", be mitigated to 8
years' imprisonment with hard labor
in irons.—

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 Nellore for his
information and guidance.—

/Sent in No. 1248/-

Read Criminal Reports
submitted by the Sessions Judge of
Coimbatore for the month of November
1849.—

/Here Enter F.C. No. 2538 of 1849/-

The Court of Foujdaree
Udalut

Case. No. 206-

21st December, 1849.

Udalut observe that the designation of the office in which the prisoner in this case was employed when he permitted the escape of the individual referred to, should have been specified in the Statement of charge.—

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

/Sent in. No. 1249/-

Read Letter dated 12th December 1849 from the Subordinate Judge of Calicut, who, with reference to order passed by the Sessions Judge on the 10th Idem on Calendar No. LV, requests the authority of the Court of Foujdaree Udalut for the tender of a pardon to any two of the least guilty of the Prisoners in that case who may consent to give evidence against their accomplices; and for their, as well as the 3rd Witness-(who is in truth an accomplice after the fact) being selected as

F.U.C.

21st December, 1849.

approvers.—

/Here Enter F.U.C. No. 2585 of 1849/-

The Court of Foujdaree

1.

Udalut under all the circumstances of this case accede to the request made by the Subordinate Judge, and authorize the tender by him of a conditional pardon to any two of the least guilty of the Prisoners now before him as well as to the 3rd Witness.—

The Court consider the

2.

Paras from 3 to 4 of the letter now before them to be not only uncalled for but in their spirit and object most improper. In them the Subordinate Judge has volunteered opinions and made assertions, as to the state of the Police of the District, which he could not but have been perfectly aware, even if correct, are altogether beyond the province of his duty— and it therefore appears to the Court that Mr. Goodwyn's present course of conduct

is

is to be attributed more to the state of private feeling at present existing between himself and the Magistrate than to any desire on his part to further the public interests.—

3. Such being the impression of the Court they cannot but feel that so long as Mr. Goodwyn continues to preside over his present Court the district, in its Police administration cannot be expected to prosper and they are constrained consequently to suggest to the Government the decided measure of immediately removing Mr. Goodwyn from the Subordinate Court of Calicut.

4. In his annual report for 1848 the Sessions Judge gave the Court no cause for supposing that any general laxity prevailed in the Police administration of Malabar nor was there any thing in the Proceedings which accompanied the first half yearly returns for the present year from which general inefficiency or irregularity on the

the part of the Police could be inferred.—
but with reference to the communication
now before them the Court of Fouzdaree
Udalut resolve to call upon Mr. Morris
to report whether he is of opinion that
the Police of the District is in an
improper state of efficiency or control
either as respects the prevention or
detection of crime.—

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Calicut for his information and guidance and for communication to the Subordinate Judge by precept returnable in VII days from and after its receipt.—

Sent following Precept No. 1250/—

Read letter dated the 12th instant, from the Agent to the Governor in Kurnool submitting for the final judgement of the Fouzdaree Udalut the record of Case No. 54 of 1849, on the Calendar of the Sessions Court.

/Here Enter No. 2591 of 1849/—

The

21st December, 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,

"Gopauloo"

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

1. The Court of Foujdaree Udalut resolve to direct the attention of the Agent to their orders dated the 11th November 1847 regarding the preparation of the records of referred trials.—

2. The Court of Foujdaree Udalut observe that in the record under consideration the instructions conveyed in the 6th para: of the Order above re=ferred to regarding the insertion imme=diately above the names of parties of their proper designation wherever they

F. U. P.

21st December, 1849.

occur, have not been observed.—

3. The Agent will be pleased in future to enter in the Calendar the names of the witnesses examined, as well as their numeral designation.—

Ordered, that Extract from these Proceedings be forwarded to the Agent at Kurnool for his infor=mation and future guidance.—

Sent following Letter No 1251/—

Read letter dated the 1st instant from the Sessions Judge of Calicut, forwarding the Warrant issued for the execution of the sentence of death passed upon the Prisoner in Case No 56 of 1849 on the Calendar of the Session Court with the endorsement of the Subordinate Judge and copy of his report.—

Here enter F. U. No 2500 of 1849/—

Read letter dated the 1st instant from the Session Judge of Tellicherry reporting that no case was before him during November 1849 for a period in excess of 25 days from the date

21st December, 1849

Mr E. D. 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,

"Gopauloo"

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

1.

The Court of Foujdaree Udalut resolve to direct the attention of the Agent to their orders dated the 11th November 1847 regarding the preparation of the records of referred trials.—

2.

The Court of Foujdaree Udalut observe that in the records under consideration the instructions conveyed in the 6th para: of the Order above re=
=ferred to regarding the insertion imme=
=diately above the names of parties of their proper designation wherever they

F. Ud.

21st December, 1849.

occur, have not been observed.—

The Agent will be pleased

3.

in future to enter in the Calendar the names of the witnesses examined, as well as their numeral designation.—

Ordered, that Extract from these Proceedings be forwarded to the Agent at Kurnool for his infor=
=mation and future guidance.—

Sent following Letter No. 1251/—

Read letter dated the 1st instant from the Session Judge of Calicut, forwarding the Warrant issued for the execution of the sentence of death passed upon the Prisoner in Case No. 56 of 1849 on the Calendar of the Session Court with the endorsement of the Subordinate Judge and copy of his report.—

Have entered F. Ud. No. 2500 of 1849/—

Read letter dated the 1st instant from the Session Judge of Tellicherry reporting that no case was before him during November 1849 for a period in excess of 25 days from the date

date of commitment.

/Here Enter F.C. No. 2505 of 1849/-

Read Extract from the Proceedings of the Sessions Court of Tinnevelly dated the 4th instant, informing that the sentence passed on the Prisoner in Criminal Case No. 126 of 1849 is reduced to one years' imprisonment.

/Here Enter F.C. No. 2513 of 1849/-

Read letter dated the 11th instant from the Sessions Judge of Calicut, transmitting the Warrant issued for the execution of the sentence of death passed on the 1st Prisoner in Case No. 61 of 1849 on the Calendar of the Sessions Court, with the endorsement of the Subordinate Judge, and copy of his report under Circular Order dated 3d May 1830.

/Here Enter F.C. No. 2586 of 1849/-

Read return dated the 10th instant from the Sessions Judge of Honore to the precept of the Fouzdaree Adalut under date the 28th November 1849, cancelling the requisition for security under which the

the Prisoner in Case No. 34 of 1849 on the Calendar has been placed, as unnecessarily severe, and directing that the said Prisoner be called upon to furnish two sureties in the sum of 10 Rupees each, commutable if not paid to imprisonment not exceeding one year.-

/Here Enter F.C. No. 2594 of 1849/-

Read letter dated the 14th instant from the Assistant to the Agent to the Governor at Vizagapatam, forwarding a revised Criminal Report for October last, and requesting that it may be substituted for the one already submitted, on account of 3 Cases having been inadvertently omitted in it.-

/Here Enter F.C. No. 2598 of 1849/-

Read return dated the 14th instant from the Sessions Judge of Mangalore, to the precept of the Fouzdaree Adalut under date the 7th idem, cancelling the requisition for security under which the 1st Prisoner in Case No. 44 of 1849 in the Calendar was placed.-

/Here Enter F.C. No. 2606 of 1849/-

J. W.

Saturday 22nd. December 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 12th. instant, from the Session Judge of Rajahmundry, submitting the final Judgment of the Foujdaree Adalut the Record of Case No. 35 of 1849. of the Calendar of the Sessions Court.

(Here enter No. 2613).

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 prisoner,

"Gollapilley Seyana"

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 prisoner in this case was charged with wilful murder and has been convicted by the Mahomedan Law officer and declared liable to sookoobut

In

2. In this Futwa the Session Judge concurs but considering that the nature of the offence is palliated in a very great degree by the provocation which the prisoner is stated to have received recommends that a sentence of fourteen years Imprisonment with hard labor in irons be passed upon him.

3. On an attentive perusal of the record of this Case the Court of Foujdaree Adalut consider the reasons urged by the Session Judge for recommending the sentence proposed by him to be utterly insufficient.

4 The Court observe that the prisoner had ample time to cool, if the story shown to have been related by the deceased on the evening the murder was committed had in any way irritated him, and in the opinion of the Court of Foujdaree Adalut the infliction of five wounds in different parts of the body of the deceased sufficiently indicate the malice and determined purpose of the act.

5. The Court of Foujdaree Adalut have accordingly considered it their duty to adjudge to the prisoner the extreme penalty of the Law.

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

(Sent in No. 1255)

22nd December 1849.

Read letter under date the 8th December 1849 from the Agent to the Governor of Fort St. George in Kurnool, submitting a report of the trial of six prisoners charged with house-breaking by night and receiving stolen property.

(Here enter F. D. No. 2548).

In this case the 1st 2nd 3d and 4th prisoners were charged with having broken into the house of the Prosecutor and stolen therefrom sundry articles of property valued at Rupees 236-3-0.

The 5th and 6th prisoners were

2. charged with having received a part of the said property, knowing it to have been stolen.

The Agent convicts the 1st 2nd 3d

3. prisoners of housebreaking and recommends that they be sentenced respectively to seven years imprisonment with hard labor in irons.

He acquits the 4th prisoner, but

4 requires him to produce Security for one year.

The Agent convicts the 5th and 6th

5. prisoners of the offence of receiving stolen property and proposes to sentence them to two years Imprisonment with hard labor in irons.

The Court of Foujdaree Adalut are

6. unable to concur in the conviction of the 1st and 2nd prisoners,

prisoners, nor do they consider that sufficient grounds exist for the requisition of Security under which the 4th prisoner has been placed.-

7 The Court of Foujdaree Adalut accordingly direct that the 1st, 2nd, and 4th prisoners in this Case be unconditionally released.-

8. The Court of Foujdaree Adalut desire that an English Translation of those parts of the record which refer to the 3rd 5th and 6th prisoners together with the list of stolen property furnished by the Prosecutor when the charge was originally preferred may be submitted for their consideration.-

9. The Agent will be pleased in future to specify in the letters submitted by him under Clause V Rule I of the Agency rules which refer to Cases of Robbery, Housebreaking or Theft, the amount and value of each article of stolen property which may have been discovered, and in the possession of which prisoner such articles may respectively have been found.-

10 The amount of Security demanded should likewise be stated for the information of the Foujdaree Adalut.-

Ordered that Extract from these Proceedings be sent to the Agent to the Governor of Fort St. George in Kurnool for his information and

guidance by precept returnable within X days from and after its receipt.-

(Sent following Precept No. 1256)

Read letter dated 7th December 1849. from the Magistrate of Malabar, who with reference to a requisition of the Subordinate Judge of Calicut for certain returns and information respecting the examination made by the Police in the "Chembrashie Gang Robbery" requests the Court of Foujdaree Adalut to decide whether the Subordinate Judge is justified in refusing to supply him with copies of certain demi official notes upon which the Subordinate Judge has founded statements calculated, in his opinion to impeach his veracity.-

(Here enter F. C. No. 2558 of 1849).

The Judges of the Court of Foujdaree Adalut desire that it be pointed out to Mr. Conolly that his present embarrassment has been brought about entirely by his own disregard and infringement of the order of Government dated 6th September 1842. They remark that so far back as the 26th January 1841 the Court declared that "any private correspondence on the subject of official proceeding, is opposed to the principles of the Code of Regulations, and is entirely extra Judicial" and that "any public officer who transgresses the strict line of duty by entering upon

upon it, takes its consequences upon himself: and fully concurring in the sentiments thus expressed, the Judges refuse to order the Subordinate Judge to furnish Mr. Conolly with Copies of the private notes to which he refers.—

Ordered that an Extract from these Proceedings be forwarded to the Magistrate of Malabar for his information.—

(Sent in No. 1257)

Read letter dated the 14th Instant, from the Magistrate of Malabar, forwarding a letter which was on the point of being transmitted to the Foujdaree Court when their proceedings of the 8th Instant reached him. and informing them that he has thought it necessary to make an application to Government to decide whether the search of the Coondy Sanguls servants house was the principal cause of the late Mopla outbreak.—

(Here enter Jr. Dr. No. 2607 of 1849).

Read report dated the 15th Instant, submitted by the Agent to the Governor of Fort St. George in Vizagapatam, of Persons apprehended in the Separate Tracts of Vizagapatam and delivered to the Agency in the month of November 1849.—

(Here enter Jr. Dr. No. 2608 of 1849).

Read

Read Criminal Reports &c. dated the 15th Instant, submitted by the Agent to the Governor of Fort St. George at Kurnool for the Month of October (Supplemental) and November 1849.

(Here enter Jr. Dr. No. 2609 of 1849).

Read Criminal Reports dated the 12th Instant submitted by the Session Judge of Madura for the Month of November 1849.—

(Here enter Jr. Dr. No. 2616 of 1849).

Jr. Dr.

Sgh.

F. Uc.

Monday
24th December 1849. } At a Court of the Foujdaree Udalut.

Present.

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

C. B. Thompson Esqre — 2nd Puisne Judge.

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

Read a Miscellaneous Petition presented on the 3rd December 1849 by Ro Veraperoomal Veerasamy Vattiar on behalf of Veraperoomal Pillay late Nazir of the Civil Court of Trichinopoly.

(Here enter Sand. F. M. D. No. 5. of 1849.)

1. This is an application for the interference of the Court of Sudder Udalut to direct the restoration of the Petitioner to the situation of Nazir from which he has been recently dismissed by the Civil Judge of Trichinopoly.

2. The Court of Sudder Udalut are precluded from taking this Petition into their consideration, until the Petitioner shall have submitted a copy of the Order of the Civil Judge dismissing him from his situation.

The Court resolve to grant the Petitioner

3.

24th December 1849. Petitioner an additional period of 15 days, to be calculated from the date of this Order, for the purpose of procuring the document in question.

Ordered, that Extracts from these Proceedings be given to the Petitioner Vatteek on his application.-

Read. Miscellaneous Petition presented on the 19th November 1849 by Ammiasepa. Moodely of Lillah. Madura.-

(Here enter F. No. P. No. 235 of 1849.)

The Court of Zillah Dewanny Adawlut see no necessity for their interference in the matter to which this Petition refers; the Magistrate having pronounced the evidence insufficient to prove the charge preferred against the parties, for whose punishment the Petitioner applies.-

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

Read. Miscellaneous Petition presented on the 3d December 1849 by Mahomed Boodeen of Lillah Chittoor.-

(Here enter F. No. P. No. 242 of 1849.)

1. This is an application for the interference of the Court of Zillah Dewanny Adawlut to order the release of the Petitioner's son 1st prisoner in Case No. 149 of 1849 on the file of the Subordinate Criminal Court of Chittoor who has been sentenced to six months imprisonment for neglect of duty and dismissed from his situation as Daffadar in the Chittoor Jail.-

The Court of Zillah Dewanny Adawlut

2. 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 Extracts from these Proceedings be furnished to the Petitioner on his application.-

Read. Miscellaneous Petition presented on the 3d December 1849 by Budreedeen and two others Jail Peons of Chingleput.-

(Here enter F. No. P. No. 245 of 1849.)

The Petitioners, who represent themselves to be the Peons placed in charge

1. of the Convicts employed in working in the Judge Court compound, pray that the Court

24th December 1849. Court will place them on the same footing in respect to their pay, as the other Peons employed at the Gunjay Jail.-

2. The Court of Sudder Udalut see no grounds for their compliance with the request prefered in this Petition which is accordingly rejected.-

Ordered, that Extracts from these Proceedings be given to the Petitioner on their application.-

Read a Miscellaneous Petition presented on the 6th December 1849 by Lutchmee of Vellah Chittoor.-

(Here enter F. M. P. No 247 of 1849.)

The Petitioner is referred to the orders passed by the Court of Foujdaree Udalut under date the 2d June last in the matter to which this Petition refers.

Ordered that Extracts from these Proceedings be furnished to the Petitioner on her application.-

Read again Calendar of Case No 30 of 1848 of the Sessions Court of Chittoor.-

(Here enter F. C. No 2431 of 1848.)

Read

F. C.

24th December 1849

Read also Miscellaneous Petition presented on the 1st October 1849 by Balappa reddy of Vellah Chittoor.-

(Here enter F. C. No 208 of 1849.)

This is an application for the release of the 2d Prisoner in the above case, who was convicted of "Gang Robbery" and adjudged by the Court of Foujdaree Udalut to suffer the mitigated punishment of (7) seven years' imprisonment with hard labor in irons.-

The Court of Foujdaree Udalut being satisfied by a consideration of the entire Record of this case of the justness of the Prisoners conviction, decline to interfere in the manner solicited.-

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

Read a Miscellaneous Petition presented on the 17th December 1849 by Woodadaven Chetty of Vellah Madura.-

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

The Court of Foujdaree Udalut observes

21st December 1847.

observed that the above Petition related to matter of a civil nature, and having been presented on unstamped paper, they declined to take the same into their consideration.-

2. It will, however, be optional with the Petitioner, if he thinks proper, to present another Petition engrossed on the proper stamp paper, when the prayer of the same will be duly considered.-

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

Exd

F. A.

Wednesday.
26th December 1849. At a Court of the Fouzdaree Adalut.

Present

The Hon.ble G. L. Hooper Esqre ——— 1st Puisne Judge
Capt E. P. Thompson Esqre ——— 2d Puisne Judge
The Hon.ble W. A. Morehead Esqre ——— 3d Puisne Judge

Read Letter under date the 3d Instant,
from the Agent for the Governor of Fort St George
at Ganjam.
(Here enter No 2567 of 1849)

1. In the foregoing letter the Agent
submits a report of the trial of a Prisoner named
Mootiah on a charge of Arson.

2. The Agent convicts the Prisoner of
the crime charged and recommends that he be sentenced
to imprisonment with hard labor in irons for the space
of (2) two years, with stripes.

3. The Court of Fouzdaree Adalut
concur in the conviction of the Prisoner, and they resolve
under the provisions of Clause Seventh Section II
Regulation XV of 1803 to sentence him to receive
50 lashes and to be imprisoned with hard labor in
irons for the period of one year.

Ordered that Extract of these
Proceedings be forwarded to the Agent for the
Governor

Governor at Gayam for his information.

(Sent in No. 1262

Read letter dated 10th December 1849 from the Magistrate of Malabar submitting copy of a correspondence with the Session Judge of Calicut on the subject of the unconditional release by the Subordinate Judge of 7 Prisoners who had, when charged with Gang Robbery, admitted their guilt before the Assistant Magistrate, for the consideration of the Court of Foujdaree Adalut.

(Here enter F.R. No. 2581 of 1849)

1. The Court of Foujdaree Adalut have repeatedly ruled that it is imperative on the lower Courts to commit all cases in which the accused may have before an European Officer confessed an offence, the Commission of which has been satisfactorily established, and on the present instance they resolve to direct the Session Judge to issue orders for the immediate reapprehension of the parties liberated by the Subordinate Judge.

2. The Session Judge will further be pleased to transmit without delay a copy of the Report B submitted by the Subordinate Judge upon the receipt of which Orders will be passed for the final disposal of the Prisoners in question.

Ordered

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

(Sent following Receipt No. 1263

Read Letter dated 1st December 1849 from the Session Judge of Chittoor submitting for the Orders of the Court of Foujdaree Adalut extracts from his Proceedings under date 23d and 30th October and 8th and 20th November 1849 in the matter of a Petition presented by Ayasawmy Reddy the Shrotriemdar of Canamanumbadoo appealing from a decision of the Magistrate regarding the right to the water flowing down the Varava Channel; together with copies of the returns of the Magistrate who has declined to give effect to the Orders issued in the matter by the Session Judge.

(Here enter F.R. No. 2465 of 1849)

The Court of Foujdaree Adalut resolve, before finally disposing of the question thus submitted to them, to call upon the Magistrate to state under what Law he acted when he entertained the Shrotriumdar's complaint regarding the water in dispute and that the Session Judge be also required to explain the provision of the Law

Law under which he reversed the decision of the Magistrate.

Ordered that Extract from these

III Proceedings be forwarded to the Session Judge of Chittoor, who will be pleased to obtain and transmit the report required from the Magistrate together with the explanation called for from himself by Precept returnable in VII days from and after its receipt.

Lr Mr. I sent following Precept Lr 1264

Mr

F. C.

Saturday 29th December 1849.

At a Court of the Foujdaree Adalut.

Present.

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

Read Supplemental return dated 18th instant

December 1849. to the precept of the Court of Foujdaree adalut under date 3rd Idem from the Session Judge of Chittoor submitting translations of the portions of the Records in Cases Nos. 14 and 15 of the Calendar of 1849. shewing reference to the 1st, 2nd and 3rd Prisoners.

(Here enter F. C. No. 262 of 1849)

The depositions given by the 5th and 6th Witnesses in Case No. 14 and by the 4th and 5th Witnesses in Case No. 15 not having been forwarded with this return the Court of Foujdaree Adalut direct that the Session Judge be called upon to prepare and transmit translations of the same without delay.—

Ordered that an Extract from these Proceedings be forwarded to the Session Judge of Chittoor by precept requiring conformity thereto and

29th December 1850.

and returnable in III days from and after its receipt.

(Sent following Receipt No 1267) 5

Lt 1850

31st December 1850.

property which he has been convicted of having received, the Court of Foujdaree Adalut are of opinion that the period of Imprisonment awarded may, with propriety, be reduced to three years, and they will be prepared to sanction a mitigation of the prescribed punishment to that extent.

3. Should the Sessions Judge dissent from the opinion above recorded, he will be pleased to submit a Translation of the record of the case for the consideration of the Foujdaree Adalut.—

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Masulipatam, by precept returnable within five days from and after its receipt

/Sent following precept No 1268/

Read again Calendar of Case No 33 of 1849 on the file of the Sessions Court of Rajahmundry—

/Here Enter Fn No 1957 of 1849./

Read also Miscellaneous Petition forwarded by the Sessions Judge of Rajahmundry from Jaggaiahpeta Kottoo of that Zillah

/Here Enter Fn. P. No 240 of 1849/

The

Court of Foujdaree Adalut see no reason to question the propriety of the Sentence awarded to the Petitioner, as prisoner in the foregoing case, and they accordingly reject the Petitioner's application.—

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Rajahmundry for communication to the Petitioner.—

/Sent in cover No 1269/

Read Miscellaneous Petition presented on the 5th March 1849 by Lobi Mahad and others of Zillah Vizagapatam

/Here Enter Fn P. No 50 of 1849/

1. The Petitioners who represent themselves to be butchers residing at Anakapilly in the Talook of Sy Lapetta, complain of an Order passed by the Cantonment Military Police Officer, directing the removal of their shops.

2. The Court of Foujdaree Adalut are precluded from passing any orders on the above Petition until the Petitioners shall have submitted, for the consideration of the Court, an attested copy of the Order appealed from.

Ordered

5th December 1849.

Read Return dated 30th November 1849 from the Sessions Judge of Rajahmundry to the precept of the Udalut under date the 22d November directing him to report the circumstances of the "Charge of Cruelty" referred to in the remarks on the Calendar of Sessions of 1849 and with reference to which the Magistrate of the Zillah Surgeon was directed to be forwarded to the Magistrate.

(Here enter F.R. No 2457 of 1849)

Read Report dated 1st December 1849 submitted by the Sessions Judge of Salem of Cases pending on the 30th November 1849 before him for a period in excess of 35 days calculated from date of commitment.

(Here enter F.R. No 2460 of 1849)

Rd 1849.

Thursday,
6th December 1849.

F.W.

At a Court of the Sudder Udalut.

Present.

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

Read Miscellaneous Petition forwarded by the Sessions Judge of Tinnevelly by dispatch from Cumbalum Andeappan Naicker of that Zillah.

(Here Enter F.R. No 2120 of 1849)

The Court of Sudder Udalut

1. consider the Sentence passed upon the prisoner in case No 32 of 1849 on the file of the Sessions Court of Tinnevelly of the leniency of which the Petitioner complains, to be sufficient for the ends of justice under all the circumstances of the case.

2. This Petition is dismissed.

Ordered that Extract from these proceedings be sent to the Acting Sessions Judge of Tinnevelly for communication to Petitioner.

(Sent in No 11097 Rd

6th December 1849

Read Miscellaneous Petition
Entered on the 8th October 1849 by Dyan Lalla
Roya Lelly of Zillah Chittoor.

Here Enter F. In. No 214 of 1849

The Court of Sessions does
see no reason to question the propriety of the
orders of the 10th September 1849, rejecting the
Petitioners application for the remand of the
sentence awarded to the prisoner in case No
of 1849 on the file of the Subordinate Sessions
Court of Chittoor, and to those orders the Petition
is referred.-

Orders that Extract from the
proceedings be granted to the Petitioner on
application.- S

8th 1849.

W/k

F: C:

Friday 7th December 1849.

At a Court of the Foujdaree Adalut.

Present.

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

Read return dated 3rd November 1849. to the precept of the Court of Foujdaree Adalut under date 24th October 1849. from the Magistrate of Malabar transmitting attested Copies of the Reports furnished by the Subordinate Court in Cases 100 and 102 of 1849.

(Here enter F: C: No. 2258 of 1849).

Read also return dated 7th November 1849. from the Sessions Judge of Malabar transmitting with reference to the 16th Para of the Proceedings of the Court of Foujdaree Adalut under date 24th October 1849. Copies of the Reports A of Cases 100 and 102. disposed of by the Subordinate Judge in May 1849. together with the reports of 6 other similar Cases and Copies of a correspondence between the Magistrate and Subordinate Judge therewith connected.

(Here enter F: C: No. 2292 of 1849).

The release of the Prisoners (1 to 5 in No. 100 and 1 to 6 in 102) in spite of the unquestionable fact

fact that they discovered and gave up the smuggled Tobacco, because they were "sent up meat and in breach of good faith"; was in the opinion of the Court of Foujdaree Udalut erroneous.

2. The Subordinate Judge's decision, as far as can be gathered from the Proceedings, on the grounds that, as the Prisoners were promised immunity, their confessions could not be used in evidence against them. This doctrine is absolutely inconsistent with the rules that guide the reception of evidence in the practice of all Courts and it is remarkable that the fallacy of the same was not detected and pointed out by an Officer who has had so many years experience as the Sessions Judge when reviewing the Subordinate Judge's Calendars.

3. The Law of England retains as evidence a confession which has been made under any threat or promise - but the sole reason for this is to shut out confessions which might be false and which, if such, would be injurious to the accused but the same Law has also ruled that when a fact has been ascertained in consequence of an admission improperly obtained, it may be proved, for the fact cannot have been discovered but for the influence used; therefore the fact of the Tobacco in these cases in consequence of the

confessions, was clearly good evidence against them.

4. The Subordinate Judge in disposing of these cases had no concern with the policy of punishing the Prisoners because they were coolies. They were the real smugglers and without their aid the illicit traffic could not be carried on.

Ordered that an Extract from these Proceedings be forwarded to the Sessions Judge of Malabar for his information and for communication to the Subordinate Judge.

(Sent in No. 1183)

Read Calendar of Case No. 36 of 1849. on the file of the Sessions Court of Honore.

(Here enter F. C. No. 2419 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 4th prisoner be reduced to four 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 Honore for his information and guidance.

(Sent in No. 1184)

Read Calendar of Case No. 44 of 1849 of the Sessions Court of Mangalore.

(Here enter F. C. No. 2429 of 1849)

The

31st December 1849.

ordered that Extract from these Proceedings be given to the Petitioners on their application.- S

Lº 7s.

Syth

Read Return dated 22d December 1849 from the Sessions Judge of Cuddalore to the precept of the Tondaree Adalut under date the 22d December 1849. directing him to submit for the consideration of the Tondaree Adalut an English translation of the Extract records of the Sessions Case Nº 30. of 1849. and to state whether the 2d Prisoner is a relative of the 1st Witness or not.-

/Here Enter Fr Nº 2662/1849/

Read Calendar of Case Nº 283 1849 Submitted by the Sessions Judge of Chingleput under date the 27th Instant.

Here Enter Fr Nº 2682/1849.

Read Calendar of Case Nº 1 of 1849 Submitted by the Sessions Judge of Bellary under date the 26th Instant.

Here Enter Fr Nº 2691/1849