268

1134

52

F. W.

Thursday
2d January 1851

At a Court of the Fouzdaree Udalut.

Present

W. S. Hoopes Esqre ——— 1st Puisne Judge
E. P. Thompson Esqre ——— 2d Puisne Judge
W. R. Morehead Esqre ——— 3d Puisne Judge

Read Calendar of Case No 43 of 1850
of the Sessions Court of Coimbatore.

(Here enter F. W. No 2013 of 1850)

The Court of Fouzdaree Udalut ap-
prove of the recommendation made by the Ses-
sion Judge in this Case, that the punishment
awarded to the Prisoner on his conviction of
High-way Robbery be mitigated to 3 years
imprisonment with hard labor in irons, and
the Session Judge is authorized to issue his
warrant accordingly.

Ordered that Extract from these
Proceedings be forwarded to the Session Judge
of Coimbatore for his information and gui-
dance.

(Sent in No 1)

Read Report B of the Criminal
Cases disposed of by the Subordinate Criminal
Courts at Combaconum in November 1850
submitted by the Session Judge under date
the 11th

2d January 1851

14th December 1850.—

(Here enter F. C. No. 3016 of 1850)

1 From the wording of the charge in this × Case the Offence committed by the Prisoner would seem to have been Highway Robbery—It has however been disposed of by the Petty Temporary Additional Sudr Ameen under Section VII Regulation X of 1816 and the Court of Foujdaree Udalut direct that a copy of the Report A may be transmitted for their information.—

× No. 168

2 The Court of Foujdaree Udalut observe that of 108 Prisoners in confinement 66 drew the maximum allowance of grain during the Month in question, and they direct that the Special attention of the Subordinate Judge be drawn to the fact that at Cuddalore, Madura, and in the branch Jails under the charge of the Magistrate of Tanjore, the ordinary rate had been found to be sufficient—

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

(Sent in a No. 2.)

Read

2d January 1851.

Read Letter dated 12th December 1850 from the Sessions Judge of Combaconum transmitting the copy of a correspondence between the Subordinate Judge and the Zillah Surgeon on the Subject of dieting the Prisoners at that Station.—

(Here enter F. C. No. 3001 of 1850)

1 It appears that the Zillah Surgeon has requested the Subordinate Judge, with reference to an Extract from the Annual Report submitted by the Medical Board to Government for 1849, to modify the diet of the Prisoners when first incarcerated according to the wishes of the individual, and to allow Prisoners after seven years' incarceration animal food at least once a week.—

2 The Court of Foujdaree Udalut observe that their instructions of the 5th April 1850 which authorize the Subordinate Judge in concurrence with the Zillah Surgeon to determine what particular grain shall be issued have sufficiently provided for the assimilation of the diet of the Prisoners to their previous habits, their tastes or wishes it cannot be necessary to consult.—

The

2d January 1851.

3. The issue of animal food is to be restricted to those individual Cases in which the Medical Officer may consider the grant of the indulgence absolutely necessary for the preservation of health.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Combaconum for communication to the Subordinate Judges.

(Sent in No. 3.)

The Court of Foujdaree Udalut observing that the number of Prisoners who draw the maximum rate of grain prescribed in the Circular Order of the 5th April 1850 in the Jails noted in the margin is very high direct that the Officers in charge be called upon to explain why the ordinary rate which is found in the majority of Districts to be ample has not been more generally issued.

Station	No. of Inmates	No. drawing Maximum Rate.
Bellary	290	194
Chittoor	260	247
Masulipatam	249 in Jail.	242

Ordered that Extract from these Proceedings be sent to the Sessions Judges of Bellary, Chittoor and Masulipatam for their information.

(Sent in No. 4.)

Read again Calendar of Case No. 31 of 1850 of the Sessions Court of Cuddalore.

(Here enter F. W. No. 2908/1850)

Read

F. W.
2d January 1851.

Read also Return dated the 13th December made by the Sessions Judge of Cuddalore to the Precept of the Foujdaree Udalut under date the 10th December 1850, suggesting a mitigation of the Sentence recorded against the 2d and 3d Prisoners in the above Case

(Here enter F. W. No. 3008, of 1850)

1 In accordance with the recommendation contained in the foregoing Return the Court of Foujdaree Udalut resolve to direct that the Sentence recorded against the 2d and 3d Prisoners in the above Case be mitigated to 7 years imprisonment with hard labor in irons.

2 The Sessions Judge will be pleased to issue fresh Warrants agreeably to the foregoing resolution.

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

(Sent in No. 5.)

Read Letter dated 29th October 1850 from the Acting Sessions Judge of Trichinopoly submitting at the instance of the Principal Sudder Ameen the question whether

a Subordinate Criminal Court is competent to demand Security from a Prisoner charged with a committable offence.—

(Here enter F. W. No. 2692 of 1850)

The Court of Fouzdaree Udalut observe that this question was disposed of in their proceedings of the 1st June 1848 an Extract from which will be forwarded for the information of the Acting Sessions Judge of Trichinopoly.—

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

(Sent in No. 6)

Read Criminal Reports for the month of November submitted under date 10th December 1850 by the Sessions Judge of Madura.—

(Here enter F. W. No. 3005 of 1850)

Report A by the Magistrate No. 4.

1

The Court of Fouzdaree Udalut observe that no Heading has been prefixed to the Statment of charge in this case.—

2

They further observe with reference to the remarks recorded in the 3d para of the Extract from the Proceedings of the Sessions Court under date the 8th November 1850 that the

Sessions Judge was bound, if he entertained any doubts upon the point, to satisfy himself of the legality or otherwise of the conviction of the Prisoner by calling for and examining the record a measure which they direct the Sessions Judge may now be instructed to adopt.—

Report B by the Sub: Judge No. 82.

3

From the Statements of the charge in this case it would appear that the offence committed by the Prisoner amounted to Highway robbery and the Court of Fouzdaree Udalut direct that the Sessions Judge be required to transmit a Copy of the report B, with any explanation he may consider necessary for their information.—

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

(Sent following Receipt No. 7)

Read Criminal Reports under date the 14th December 1850 submitted by the Sessions Judge of Bellary for the months of November 1850.—

(Here enter F. W. No. 3032 of 1850)

Read

2d January 1851.

Read Calendar in Case No 92 of 1850, submitted by the Sessions Judge of Calicut under date the 13th December 1850.—

(Here enter F. W. No 3034 of 1850)

Read Criminal Reports dated 13th December 1850 submitted by the Agent to the Governor at Kurnool for the months of October (Supplemental) and November 1850.—

(Here enter F. W. No 3035 of 1850)

Read Criminal Reports dated 7th December 1850, submitted by the Sessions Judge of Chittoor for the months of November 1850.—

(Here enter F. W. No 3036 of 1850)

Read Criminal Report dated 14th December 1850 submitted by the Sessions Judge of Masulipatam for the Month of November 1850.—

(Here enter F. W. No 3042 of 1850.)

Read Calendar in Case No 36 of 1850, submitted by the Sessions Judge of Salem under date the 10th December 1850.—

(Here enter F. W. No 3046 of 1850)

Read Return dated 17th December 1850 from the Sessions Judge of Bellary, to the precept of the Foujdaree Adawlut under date the 26th November 1850, calling for a report of the nature

of

F. W.

2d January 1851

of the several charges of "Extortion" preferred against the individuals entered in the Petty Calendar of persons discharged by the Magistracy of Bellary during the 3d Quarter of 1850.

(Here enter F. W. No 3047 of 1850)

Read Return dated the 17th December 1850 from the Acting Sessions Judge of Trichinopoly to the precept of the Foujdaree Adawlut under date the 5th idem directing that the Prisoners in Calendar of Case No 11 of 1850 on the file of the Sessions Court of Trichinopoly be unconditionally released.—

(Here enter F. W. No 3048 of 1850.)

Ex Bus.

F 26

Friday
3rd January 1851. At a Court of the Foujdaree Udalut

Present

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

Read letter dated 21st December 1850, from the Sessions Judge of Tellicherry submitting for the final Judgment of the Foujdaree Udalut the Record of Case No. 17 of 1850 of the Calendar of the Session Court.

/Here enter F.26. A. 3099 of 1850./

C.P. Thompson and 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 prisoners

1st Arathel alias Kamil Vadoowen

2nd Arathel alias Kamil Quakem

3rd Kamil Valia Amboo

and

4th Koominataya Cheeria Amboo.

are not convicted on presumptive proof or on the evidence of Credible witnesses or on their own confession

of

of the crime charged, do acquit them thereof, and direct that the Prisoners,

3rd Kanil Valia Amboo.

and

4th Koonniatayi Chinna Amboo

be set at liberty.

But being of opinion that Strong Suspicion though not amounting to conviction attaches to the Prisoners:

1st Arathil alias Kanil Vadoowien

and

2nd Arathil alias Kanil Onakken

the Court direct, under the Provisions of Clause Sixth Section III Regulation XV of 1803 that they be severally required to find two sureties in 50/ Fifty/ Rupees each Surety for their good behaviour and appearance when required within three years: and that in default thereof they be detained for three years in confinement.

1st

In this Case the 2nd Prisoner was charged with the murder of one Mooniattapratha Vadoowen Cootty, and the 2nd 3rd and 4th Prisoners with aiding and abetting the same.

2

One of the assessors declared all the Prisoners

prisoners guilty - the other assessor deemed suspicion to attach to the 1st and 2d Prisoners and acquitted the 3rd and 4th Prisoners.

The Sessions Judge acquitted the

3

3rd & 4th Prisoners attaching suspicion to the 1st Prisoner and being of opinion that the 2d Prisoner was guilty of inflicting the wound which caused the death of the deceased, recommended a sentence of transportation for life -

In the conviction of the 2d Prisoner

4

against whom the evidence appears to the Court of Foujdaree Udalut to be less conclusive than against the 1st Prisoner the Court of Foujdaree Udalut are unable to concur.

They consider that reliance cannot

5

safely be placed upon the evidence to the recognition of the Prisoner. The answer of the 1st Witness to the 6th Question put to him on the trial shows that when the parties concerned in the murder fled "there was only faint star Light." The nature of the evidence given by the 4th & 5th witnesses, which has been rejected by the Sessions Judge as improbable leads to the conclusion that the Witnesses have been tampered with by the Prosecutor or his party,

and

and from the deposition of the 15th witness, the writer of the arzee to the Police amenat Cannanore, it is clear that Moideen, the nephew of the deceased, when reporting the outrage to him 5 hours after the wound had been inflicted did not name any one of the Prisoners to him and that when he arrived at the deceased's house the inmates alluded alone to the 2d Prisoner. In this arzee however of the 2nd October, no mention is made of the second Prisoner. Moideen ought in the opinion of the Court of Foujdaree Udalut to have been examined on the trial.

6 A very important omission is observable in the Proceedings of the Sessions Judge who failed to cause the declaration of the deceased to be proved and placed on the record of the trial. It does not distinctly appear from the letter of reference whether the declaration was taken into consideration or not by the Sessions Judge, but it is referred to in the 5th Para of the said letter, and both assessors make allusion to it, which as it was not in evidence before them they ought not to have done.

7 The Court further remark that one of the assessors has been irregularly allowed to suggest the nature and degree of Punishment to be awarded

awarded to the Prisoners convicted, and they direct that it be pointed out to the Sessions Judge that under the Circular Order Foujdaree Udalut No. 164 all that falls within the province of an assessor is to declare a verdict of guilty or not guilty in respect to each Prisoner.

8 The Zillah Surgeon ought not, in the opinion of the Court to have allowed the wounded man to be removed from his hospital he had given a deposition accusing a certain party of inflicting the wound under which he was suffering and it rested with the Police to act in the matter.

9 The Court of Foujdaree Udalut do cannot understand why the wounded man was carried to Cannanore from Tellicherry the station of the court & where the Subordinate Police Officer and all the witnesses appear to have been assembled and they direct that full explanation on this point be submitted by the Sessions Judge.

Ordered, that Extract of these proceedings be sent to the Sessions Judge of Tellicherry for his information by precept returnable in 4 days from and after its receipt.

Sent following precept No. 10

Dt 1863

J. C.

Saturday 4th. January 1851. At a Court of the Toojdaree Adalut.

Present

Hon'ble G. S. Hooper Esqr. ——— 1st. Puisne Judge

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

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

Read letter dated the 18th. December 1850 from the Sessions Judge of Chingleput submitting for the final Judgment of the Toojdaree Adalut the Record of Case No. 16 of the Calendar of the Sessions Court of 1850.—

(Here enter J. C. No. 3043 of 1850)

Mr. G. S. Hooper
Mr. E. P. Thompson
and
Mr. W. A. Morehead.

The Court of Toojdaree Adalut, on deliberate consideration of all the circumstances of the Case in evidence before them, being of opinion that the proof against the prisoners,

1st. Ramasenayen

2nd. Ramasawmy Lascar.

3rd. Sepoy Venatasawmy

7th. Pullaverum Chengulavarayen

8th. Taliar Ramasawmy

9th. Abdool Kareem.

and

10th. Ramalingapathen

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

1st. Ramasenayen.

to

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

2nd Ramasawmy Lascar.

3rd Sepoy Venkatasawmy

7th Pullaverum Chengulvarayen.

8th Valiar Ramasawmy.

and

9th Abdool Kareem.

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,

10th Ramalingapatten

to be imprisoned and kept to hard labor in irons on the public roads or other public works, for and during the period of (7) seven years.-

The Court of Fouzdaree Adalut being further of opinion that the prisoners,

6th Para Pounen

and

13th Puttenum Soobbakputten.

are not convicted on presumptive proof, or on the evidence of credible witnesses, or on their own confession of the crime charged do acquit them thereof; and direct that

that the prisoner,

6th Para Pounen

be set at liberty -

but considering that strong suspicion, tho' not amounting to conviction, attaches to the prisoner,

13th Puttenum Soobbakputten.

they direct that he be required under Clause Sixth Section II Regulation XV of 1803 to find two sureties in (100) one hundred Rupees each surety for his good behaviour, and appearance when required within Two Years or in default thereof, he be detained for two Years in confinement.-

(Sent in No 11).

4 Feb 1851.

J. U.

Monday 6th January 1851.

In the Court of the Fouzdarry Adalut.

Present

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

Read Return dated 22d November 1850 from the Sessions Judge of Chittoor to the Precept of the Fouzdarry Adalut under date 18th November 1850 conveying their orders on the Calendar of Case No. 9 of 1850.

/ Inventory No. 2857 of 1850 /

Read also letter from the Sessions Judge of Chittoor dated 3d December 1850 transmitting the copy of a letter dated 23d November 1850 from the Magistrate of North Arcot to the Register to the Court of Fouzdarry Adalut requesting that the records of the said case may be called for and the sentence passed therein be modified

/ Inventory No. 2951 of 1850. /

Read also supplemental Return from the Sessions Judge of Chittoor to the precept above specified transmitting copies of a correspondence with the Magistrate who

Enquires

requested to be informed of the specific points
to which the enquiry " " "
ordered by the Court of Inquiry Relative into
the conduct of the Trade of Police of Carabobo hamilton
in the case in question should be directed.

(Inwards Ltr No 2986 of 1850)

Trade also letter dated 12th December
1850 from the same Officer transmitting the
copy of a return from the Subordinate Judge
to an Extract from the Proceedings of the Supreme
Court requiring him to report upon a statement
made by the Magistrate to the effect that the
Prisoners in the said case, when brought before
the Supreme Court for trial had been purposely
disguised.-

(Inwards No 3019 of 1850)

1 The Magistrate in his letter of the
23rd Nov. 1850 affirms that the prosecution failed
in consequence of the witnesses having been
denied the use of those aids to memory which
are sanctioned by the Rules of evidence. He
states that the labels affixed by the Police to
each Article of stolen property delivered up
by the several Prisoners were removed, that
the articles were mixed up together, that the
witnesses

witnesses could not see the numbers attached
to the several packets, and could not allocate to
each the articles, and he further reports that the
prisoners were purposely disguised.-

2 The Supreme Judge states that the
property was on the trial in the Supreme Court,
handed in the state in which it was received
from the Subordinate Court. The Articles said
to have been delivered up by each prisoner
being placed in a separate packet; that the
witnesses, were encouraged to handle and
examine them, and that those who
had memoranda were allowed to refer to them.
He explains that the packets were not arranged
according to the numbers of the prisoners, and
that the labels were removed, as in consequence
of their having been affixed to the Articles, not
when they were delivered up, but some months
afterwards, or in March 1850, it was necessary to
test the capability of the witnesses, to identify
the articles delivered up by each prisoner.-
From the report of the Subordinate Judge
it appears that except in so far as the ordinary
measures taken in Jails for preserving cleanliness
would be necessarily after their appearance

the

the Prisoners in the Case in question had no opportunity of disguising themselves.

3 The explanations afforded by the Sessions Judge shows conclusively that the witnesses for the Prosecution were not deficient of any aids to memory which the rules of evidence authorize, and that the objections taken by the Magistrate to the Proceedings of the Sessions Court in the case now under consideration are without foundation.

4 It appears that the prisoners were apprehended on various dates between the 30th December 1849 and 20th January 1850 but were not forwarded to the Subordinate Criminal Court until the 9th April 1850, and to this protracted detention, for which no satisfactory cause has been assigned, and which was very injudiciously sanctioned by the Magistrate, the Court of Sessions of Tuydaree Udalah consider that the failure of the Prosecution is entirely to be attributed.

A further effect of the disregard of the provisions of the Regulations and of the Circular orders of the Court of Sessions of Tuydaree Udalah upon the subject would seem to have been the escape of the suspected Burgladers and absconders of the gang, and the Court of Sessions of Tuydaree Udalah direct

direct that the Magistrate be enjoined on all future occasions to conform strictly to their Circular Orders under dates 24th January 1822 and 22d December 1838.-

5 With reference to the enquiries of the Magistrate for instructions, the Court of Sessions Udalah observe that the points to which this enquiry into the conduct of the Police are to be specially directed are the following:-

The protracted detention of the prisoners in the Jaloork.-

The escape of the suspected Burgladers and others of the Gang, and the reasons why the evidence of the witnesses to the surrender of the various articles of the property recovered was not recorded until some months after its surrender.-

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

/ Sent in Jr. 15 /

Read letter from the Sessions Judge of Chittoor dated 16th December 1850 to the Register of the Court of Tuydaree Udalah

under

6th January 1851.

under date 2d Idem directing that the Officer in charge of the Police at Tellore be called upon to state whether any special cause renders the issue of the Maximum rate of Grain necessary.

/Entered under No 3037 of 1850/

The Sessions Judge submits the copy of a return from the Magistrate enclosing copy of a report from the Garrison Surgeon to the effect that he does not consider the issue of the Maximum rate absolutely necessary, and the Court of Foujdaree Adalut accordingly directed that the grain issued to the prisoners at Tellore be reduced to the ordinary rate prescribed on the scale of diet circulated on the 5th April 1850, the issue of the maximum rate being exclusively confined to such of the Prisoners as may be employed upon very severe labor, or who, in the opinion of the Medical officer, may specially require it

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

/Entered No 16/

Read Criminal Reports of the Sessions Courts of Cuddapah for the Months of November 1850.

/Entered F.D. No 3039 of 1850/

6th January 1851.

Report B
Case No 266.

With reference to the fact that the deceased died from the effects of the drugs administered by the Prisoner for an unlawful purpose, the Court of Foujdaree Adalut observe that that individual should have been placed on his trial on a charge of Murder.

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

/Entered No 17/

Read Letter dated 6th December 1850 from the Acting Subordinate Judge of Rayalumoolay reporting the transfer of 5 Sick Convicts to Cuddapah.

/Entered F.D. No 3067 of 1850/

The Court of Foujdaree Adalut observe that the Certificate which accompanies this Letter has not been prepared in the form prescribed in their Circular order No 79 under date the 30th July 1850 to which they desire that the attention of the Acting Subordinate Judge may be called.

Ordered that Extract from these Proceedings be sent to the Subordinate Judge of

6th January 1851

of Rajahmundry for his information.-

/ Sent in Sr-18. /

Read Criminal Reports of the

Sessions Court of Vellore for the months of

November 1850.-

/ Despatcher J.C. Nº 3045 of 1850 /

Report B

Cases Nos 152. 154 & 155.

The Court of Foujdaree Adalut

required to be informed of the cause of the prosecution having been conducted by the Government Pleader in each of the cases noted in the margin

2 Adverting to the means by which the prisoners in this case effected their entry into the Prosecutor's house, namely - by removing the

Case Nº 145.-

tatch, the Court observe that their offence should have been designated "Housebreaking" in the heading prefixed to the statement of the charge and sentence by precedent under Regulation VII of 1822.-

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

/ Sent following precept Nº 19 /

Read again Calendar of Cases

Nº 17 of 1850 of the Sessions Court of Guntoor.-

/ Despatcher Nº 2956 of 1850 /

Read

6th January 1851.

Read also return dated the 20th December 1850 made by the Sessions Judge of Guntoor to the precept of the Foujdaree Adalut under date the 17th December 1850 requiring to be informed of the cause of the Government Pleader being the Prosecutor in the above case.-

/ Despatcher F.C. Nº 3066 of 1850 /

1 The Court of Foujdaree Adalut Consider the employment of the Government Pleader as Prosecutor in the case now under consideration to have been unnecessary, and as a general rule the Court are of opinion that there should be no public prosecution, except in those cases in which the injured party may be either unwilling or unable to conduct it.-

2 The Circular Proceedings of the Foujdaree Adalut dated 25th February 1829 referred to by the Sessions Judge, the Court observe, merely determine the competency of a Prosecutor to give evidence as a witness in a Criminal trial, and the degree of credence to be attached to his testimony.-

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

/ Sent in Nº 20 /

Read

13 February 1851

166 are entered as employed on the roads
1 ditto ab the Forge
7 as being sick
1 as being unfit for labor making a
Total of 175 And the Court of Enquiry Udalut
direct that the Principal Sudder Ameen be called
upon to explain this discrepancy

Ordered that Extract from these proceed-
ings be sent to the acting Principal Sudder Ameen of
Vizagapatam for his information.—

/ Sent in Ex. Mb. /S

4th 1851.

F. Uo.

Friday
14th February 1851. } At a Court of the Foujdaree Udalut.

Present.

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

Read a letter dated 25th January 1851 from the Acting Magistrate of South Arcot transmitting copies and translates of certain depositions and reports connected with a case recently forwarded to the Court of the Principal Sudder Ameen and recommending that the Head of Police of Tricalore be dismissed from his situation:—

(Here enter F. Uo. No. 260 of 1851.)

It appears that an imperfectly developed male foetus of from 5 months growth having been discovered in a channel the mother was forwarded for trial on a charge of concealing the birth notwithstanding that she had not attempted to conceal her pregnancy that her husband had alleged that she had been pregnant by himself and that it was obvious that the foetus could not have been born

6th January 1851.-

Read Calendar of Cases Nos 43 and 44 of 1850 submitted by the Sessions Judge of Combaconnum dated the 24th December 1850.-

/Vide entry F.B. No 3089 of 1850/

Read Calendar in Case No 52 dated the 24th Ultimo submitted by the Sessions Judge of Bellary, on the Sessions for 1850

/Vide entry F.B. No 3096 of 1850/

Read Calendar dated 18th November 1850 submitted by the Sessions Judge of Coimbatore of a Prisoner in Case No 46 of 1850 committed for trial before the Court of Sessions per the remarks of the Sessions Judge.-

/Vide entry F.B. No 3097 of 1850/

Read letter dated the 23d Ultimo from the Sessions Judge of Calicut, transmitting the warrant signed for the execution of the sentence of death passed on the prisoner in Case No 35 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 1850.-

/Vide entry F.B. No 3102 of 1850/

Read Report dated 26th December 1850 submitted by the Sessions Judge of Combaconnum

6th January 1851.-

Combaconnum of Convict Labor of the Jail in charge of the Magistracy for the months of 1850.-

/Vide entry F.B. No 3105 of 1850/

Read Return dated the 26th Ultimo from the Sessions Judge of Chittoor to the precepts of the Tahsildars of Kalahasti under date the 17th December 1850, conveying their observations on the petty Calendars of Cases disposed of by the Magistracy during the 3d quarter of 1850 submitted with the Sessions Judge's letter of the 4th Instant.

/Vide entry F.B. No 3108 of 1850/

Read Criminal Reports dated the 23d Ultimo, submitted by the Sessions Judge of Canara of the Magistrate of Canara for the month of November 1850.-

/Vide entry F.B. No 3114 of 1851/

Read Reports of Convict Labor dated 2d Ultimo, submitted by the Magistrate of Salem, of the Jails under his charge for the month of November 1850.

/Vide entry F.B. No 3115 of 1850/

4 Cds.

J. W.

Tuesday 7th January 1851. At a Court of the Foujdaree Adalut.

Present.

H.M. G. S. Hoosen Esqr. ——— 1st Puisne Judge.

C.J. E. P. Thompsoon Esqr. ——— 2nd Puisne Judge.

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

Read letter dated 23rd November 1850 from the Sessions Judge of Guntoor, suggesting that in modification of the orders of the Court of Foujdaree Adalut dated 13th October 1845, the sentences of the Sessions Court should be communicated to the Magistracy in the first instance by a Memo, in the form prescribed by Circular Order 10th April 1833 and 12th May 1837, the Copy of the Calendar being transmitted as soon as it can conveniently be prepared.—

(Here enter J. A. No. 2858 of 1850).

The Court of Foujdaree Adalut are of opinion that abstracts of the evidence given before the Committing Officer and the Sessions Court cannot ordinarily be required by the Magistracy and they consequently direct that all abstracts of evidence be excluded from the Copies of the Calendars transmitted to the Magistrate which should however contain the finding of the Law Officer or Assessor and the remarks and sentence recorded by the Sessions Judge.—

The

7th January 1851.

2. The Judges of the Court of Foujdaree Adawlut apprehend that the omission of the abstracts will enable the Sessions Judge to transmit without difficulty the copy of the Calendar to the Magistrate within the time specified by Circular Order of Foujdaree Adawlut No. 170.

Ordered that Extract from these Proceedings be forwarded to the Several Sessions Judges for their information and for Communication to the Magistrates.

(Sent in No. 23.)

J.
1851

F U.

Wednesday
8th January 1851

At a Court of the Fouzdaree Udalut

Present

G. L. 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 39 of 1850 of the Session Court of Cuddalore

(Vide enter F U. No 2999 of 1850)

Read also Return dated 28th

December made by the Session Judge of Cuddalore

to the Precept of the Fouzdaree Udalut under date

the 21st December 1850, conveying the orders of the

Court on review of the above Calendar

(Vide enter F U. No 3110 of 1850)

1 In accordance with the recommen-

dation contained in the foregoing Return, the

Court of Fouzdaree Udalut resolve to direct

that the sentence recorded against the Prisoner

in the above Case be mitigated to two years'

imprisonment with hard labor in irons

2 The Session Judge will be pleased

to issue a fresh warrant in accordance with

the

the foregoing resolution

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

(Sent in No. 24

Read Letter dated the 11th December
1850 from the Session Judge of Cuntoor forwarding
the Original Petty Calendars of Cases disposed of
by the Magistracy of Cuntoor during the 3d Quarter
of 1850.

(Hereafter F Cs. No. 3001 of 1850)

Punished Calendar.
Case No. 2.

The Court of Foujdaree Udalut
are unable to concur with the Session Judge in
his remarks on this Case, and they consider that
the punishment of the offence committed by the
Prisoner, tho' not specifically provided for in
the Regulation cited by the Acting Head Assistant
Magistrate, to be clearly within the spirit and
intention of that enactment, as it is obvious
that the use of false scales is as much a criminal
act as that of using "false weights or measures,"
and one which equally requires the intervention
of the Law to guard the public from fraud.

2

The Court of Foujdaree Udalut
accordingly

accordingly resolve to call upon the Session Judge
to amend his error by directing that the fine
imposed by the Acting Head Assistant Magistrate,
if already returned to the party, be immediately
recollected from him.

The Court of Foujdaree Udalut

Case No. 12.

3

presume from the nature of the punishment awarded
to the 5th Prisoner in this Case and also from the
Regulation quoted in support thereof, that the
charge of assaulting and robbing the Prosecutor
was not established against the Prisoners. The
Session Judge will however be pleased to call upon
the Assistant Magistrate for information upon
this point, and he will also inform that Officer
that his sentences must, in future, distinctly shew
the offence for which a Prisoner may be punished.

The Court concur with the Session

4

Judge in considering it desirable that the Magistrate
and his Assistants should record a brief abstract of
the reason of their sentences in English.

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

(Sent following Precept No. 25

8th January 1851.

Read Criminal Reports of the Magistracy of Tanjore for the month of November 1850.

(Here enter F. Ct. No. 3033 of 1850)

Case No. 25.

The Court of Foujdaree Udalut observe that the place from whence the stolen property was taken should have been set forth in the statement of charge in this case.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Combaconum for his information and for communication to the Magistrate.

Sent in No. 26

Read Calendar of Case No. 42 of 1850 of the Session Court of Combaconum

(Here enter F. Ct. No. 3071 of 1850)

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this Case, that the sentence recorded against the Prisoner on his conviction of "House breaking with intent to Steal" be mitigated to one years imprisonment with hard labor in irons, and the Session Judge is authorised to issue his warrant accordingly.

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

(Sent in No. 27

Read

2

F. Ct.

8th January 1851.

Read letter dated the 28th December 1850 from the Session Judge of Mangalore, submitting for the final judgment of the Foujdaree Udalut the record of Case No. 37 of 1850 on the Calendar of the Session Court.

(Here enter F. Ct. No. 7 of 1851)

W. G. S. Hooper.

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

1st Krishna Bullal.

3d Doonna Shetty.

and

4th Maraspa,

is sufficient to convict them, the 3d and 4th prisoners of Culpable Homicide, and the 1st of instigating the same, do convict them thereof and under the provisions of Clause second Section XV Regulation VII of 1802. Clause third Section VIII Regulation XV of 1803 and Section XXXII Act VII of 1843 sentence them to be imprisoned for (4) fourteen years, and to be banished during the period of their sentence from the District in which their place of abode is situated and kept to hard labor in irons on the public roads or other public works in the Zillah of Coimbatore

(Sent in No. 28.

Read

8th January 1851.

Read Calendar of Case No 45 of 1850
of the Session Court of Combaconum
(Here enter F Vol. No 3106 of 1850)

The Court of Foujdaree Udalut approve
of the recommendation made by the Session Judge
in this Case that the sentence recorded against the
Prisoner on his conviction of "Highway Robbery"
be mitigated to six months' imprisonment with
hard labor in irons, and the Session Judge is
authorised to issue his warrant accordingly.

Ordered that Extract from these
Proceedings be forwarded to the Session Judge of
Combaconum for his information and guidance
(Sent in No 29.

Read Calendar of Case No 41 of 1850
of the Session Court of Mangalore
(Here enter F Vol. No 3116 of 1850)

The Court of Foujdaree Udalut required
an explanation of the delay in the trial of this Case,
which it is observed arrived before the Subordinate
Court on the 5th September, but was not finally disposed
of by the Session Court until the 11th December.

Ordered that Extract from these
Proceedings be forwarded to the Session Judge of
Mangalore

F Vol

8th January 1851.

Mangalore by Precept returnable within 10 days
from and after its receipt
(Sent following Precept No 30

Read again Calendar of Case No 48
of 1850 on the file of the Session Court of Masulipatam
(Here enter F Vol. No 2299 of 1850)

Read also Miscellaneous Petition
presented on the 24th October 1850 by R. Veroomala Rautee
Vakeel on behalf of Savitramma of that Tillah
(Here enter F Vol. M. P. No 175 of 1850)

Read also return from the Session
Judge of Masulipatam dated 29th November 1850
to the Precept of the Court of Foujdaree Udalut
under date 13th Idem transmitting the record of the
Case No 48 on the Calendar for 1850.
(Here enter F Vol. No 2930 of 1850)

In the Case in question the persons
noted in the margin were charged with having
conspired together to defame and ruin the District
Moonsif of Ellore, and with having in prosecution
of this conspiracy fabricated a Petition addressed
to Government containing false and slanderous
accusations against the said Officer, and purporting to be
written by few of the Vakeels practising in his Court,

1st Guddum Jaggapatyrajoo
2nd Calepatapoo Venkiah

whereas

whose signatures were forged thereon.

2. The Moofty declared that the charge was established by strong presumptive proof, and that the Prisoners were liable to Cotteoobut, and the Session Judge having concurred in this finding sentenced them to 8 years' imprisonment with hard labor in irons under Clause seven Section II. Regulation XX of 1803.

3. In the conviction of the Prisoners the Court of Fouzdaree Udalut are unable to concur. They observe that it has been attempted to prove by the Witnesses that the Petition to Government containing the points set out in the charge was written by the 2d Prisoner, and that four or five words, or thereabouts in it, were in the hand writing of the 1st Prisoner.

4. The 1st Witness states at first that the hand writing of the Petition resembles the 2d Prisoner's writing - then he states positively that it is the 2d Prisoner's hand writing - he also deposes to the few words already noticed, being in the 1st Prisoner's hand writing.

5. The 2d Witness states the hand writing of the Petition to be apparently in an "affected hand" but that the names of the witnesses attached to it are

8th January 1851

are in the ordinary hand writing of 2d Prisoner - He makes the same statement as the first witness in regard to the first Prisoner.

6. The 3d Witness states the writing of the Petition to be 2d Prisoner's. He also makes the same statement as the 1st and 2d Witnesses in respect to 1st Prisoner.

7. The 4th and 5th Witnesses state that the signatures to the Petition purporting to be theirs are forgeries. The 4th Witness says the hand writing of the Petition resembles 2d Prisoner's writing - and the 5th Witness considers the body of the Petition to be written in an "affected hand" but that the names of the Headers and Witnesses are written in 2d Prisoner's natural hand.

8. Both these Witnesses state the same as the others in regard to 1st Prisoner.

9. The evidence certainly shows that the Petition was not written in 2d Prisoner's usual hand - therefore to accept, as good evidence, the witnesses statements as to their belief that it was written by 2d Prisoner - the Court of Fouzdaree Udalut consider impossible - It may have been written by any one else attempting to imitate his hand - to declare that

if

it is not so is impossible.

10 Then as to the 1st Prisoner, an examination of the Petition must show that no reliance can be given to the evidence that the words said to be in his writing are so; the writing of these several words does not correspond, and little reliance can therefore be placed upon the witnesses' statements when they pretend to assert their knowledge or belief of such writing being the act of the 1st Prisoner

11. The Court of Sanjdaree Adaulut accordingly direct the unconditional release of the Prisoners.

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

(Sent in No. 31.)

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

12. Read letter dated 2d 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 December 1850

(Here enter F. No. No. 9 of 1851.)

Read letter dated 2d Instant from the Session Judge of Chingleput reporting that no cases were

were pending trial for a period in excess of 25 days during the month of December 1850.

(Here enter F. No. No. 11 of 1851.)

Read report dated 2d Instant, submitted by the Session Judge of Salem, of Cases pending trial in excess of 25 days during the month of December 1850.

(Here enter F. No. No. 15 of 1851.)

Read report dated 3d Instant, submitted by the Subordinate Judge in charge of the Session Court of Cuddapah, of Cases pending trial in excess of 25 days during the month of December 1850.

(Here enter F. No. No. 27 of 1851.)

Read report dated 2d Instant, submitted by the Session Judge of Guntoor, of Cases pending trial in excess of 25 days during the month of December 1850

(Here enter F. No. No. 28 of 1851.)

Read letter dated 2d Instant from the Session Judge of Masulipatam, reporting that no Cases were pending trial in excess of 25 days during the month of December 1850.

(Here enter F. No. No. 29 of 1851.)

Y. U.

Thursday
9th January 1851 } At a Court of the Fouzdaree Udalut.

Present.

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

Friday

Read Miscellaneous Petition presented on the 27th November 1850 by Veeraniah and others of the Dillah of Masulipatam appealing from the sentences recorded against the Prisoners in Cases Nos. 67, 68 and 69 on the Calendar for 1850 viz. C. Veerasamy and N. Veerasamy.

(Here enter No. 207 of 1850.)

Mr. G. S. Hooper.
Mr. C. P. Thompson
and
Mr. W. A. Morehead.

The Court see nothing in the allegations of this Petition to lead them to question the sentences passed in the cases above specified, and accordingly reject this Petition.

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

(Sent in No. 32 /

Ordered also that Extract from these

9th January 1851.

these Proceedings be furnished to the Petitioners on their application.

Read again Calendar of Case No. 38 of 1850 of the Sessions Court of Cuddalore.

(Here enter F. No. No. 2980 of 1850.)

Read also Return dated 23rd December made by the Sessions Judge of Cuddalore to the Precept of the Tanjore Vakeel under date the 19th December 1850. requiring that Officer to submit a recommendation for the mitigation of the sentence passed in the above Case or to forward a translation of the entire Records.

(Here enter F. No. No. 3076 of 1850.)

1. In accordance with the recommendations contained in the above Return, the Court of Tanjore Vakeel resolve to direct that the sentence recorded against the Prisoner in the above case be reduced to two years' imprisonment with hard labor in irons.

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

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

9th January 1851.

Judge of Cuddalore for his information and guidance.

(Sent in No. 33)

Read Calendar of Cases Nos. 65 and 66 of the Sessions Court of Masulipatam

(Here enter F. No. No. 3008 of 1850.)

Case No. 66.

The Court of Tanjore Vakeel approve of the recommendation made by the Sessions Judge in this case that the punishment awarded to the 1st and 2nd Prisoners on their conviction of "House breaking and Theft" be mitigated to (3) three years' imprisonment with hard labor in irons, and the Sessions Judge is authorized to issue his Warrants accordingly.

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

(Sent in No. 34)

Read again Calendar of Cases No. 43 of 1850 of the Sessions Court of Nellore.

(Here enter F. No. No. 2955 of 1850.)

Read also Return dated the 26th December made by the Sessions Judge of Nellore

9th January 1851

Nellore to the Precept of the Foujdaree Udalut under date the 17th December 1850 requiring an explanation of the Government Vakeel being the Prosecutor in the above Cases.

(Here enter F. Uc. No 3094 of 1850.)

Adverting to the explanation afforded by the Principal Sudder Ameens on the above point embodied in the foregoing Returns, the Court of Foujdaree Udalut direct that the attention of that Officer be drawn to the ruling in respect to the evidence of Prosecutors laid down in Foujdaree Udalut Circular Orders dated the 25th February 1829 and 27th July 1832. and that he be informed, that, as a general rule, the only cases in which the Government Vakeel should be called upon to prosecute, are those in which the party, whose duty it would naturally be to prosecute, may, from any cause, either be unable or unwilling to do so.

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Nellore, for his information, and for communication to the Principal Sudder Ameen for his information and guidance.

(Sent in No 35)

Read

F. Uc.

9th January 1851.

Read Criminal Reports of the Sessions Court of Chingleput for the months of November 1850.-

(Here enter F. Uc. No 3094 of 1850.)

Report A.
Cases Nos 41, 42, 43 and 44.

1. No change having been effected in the sentence recorded by the Acting Principal Sudder Ameen in these cases, the Court of Foujdaree Udalut observe that it would have been sufficient had the remarks of the Sessions Judge upon them been embodied in a Note appended to the foot of the Cases in Report B.-

Assistant Agents Report B. Case No 17.

2. The Court of Foujdaree Udalut consider the sentence recorded by the Assistant Agent in this case to be unnecessarily severe, and they direct that the additional imprisonment awarded to the Prisoners for his escape from custody be reduced to one year.-

3. The Court of Foujdaree Udalut learn from the Convict Labor Report appended to these Returns that out of 127 Convicts confined in the Jail under the charge of the Sessions Judge 121 Convicts were allowed the maximum rate of Batta, and that out of

of 174 Convicts confined in the Jail at Vizagapatam under the charge of the Principal Jailor Annan 157 also received the maximum rate. The reason assigned by the latter Officer for this measure is that the Convicts receiving the maximum rate were considered robust and able bodied men by the Medical Officer in charge of the Jail.

4. The Court of Sessions Malabar observe that the practice of allowing to Convicts the maximum rate of Batta, except in cases in which it may be especially recommended by the Medical Officer, has been generally discontinued in other Jails, as experience has proved the ordinary rate to be amply sufficient both in regard to health and effectiveness of the Convicts. The Court request, therefore, that the Sessions Judges will issue immediate orders for placing his own Jail, and that of the Acting Principal Jailor Annan, on the same footing in this respect with other Jails.

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

(Sessions No. 36)

H. D.

Friday
10th January 1851

F.A.
At a Court of the Foujdaree Udalut

Present.

G. S. Hooper Esqre 1st Sessions Judge.
E. J. Thompson Esqre 2nd Sessions Judge
W. A. Morshead Esqre 3rd Sessions Judge

Read again letter under date the 22nd November 1850 from the Session Judge of Guntoor submitting for the final judgment of the Foujdaree Udalut the record of Case No. 10 of 1850 on the file of the Session Court.

(Here enter F.A. No 2860 of 1850)

Read also letter under date the 18th December 1850 from the Session Judge of Guntoor

(Here enter F.A. No 3053 of 1850)

With his letter of the 18th Ultimo the Session Judge has submitted for the consideration of the Court of Foujdaree Udalut a copy of a letter addressed by the late Acting Head

10th January 1851

Assistant Magistrate of Guntoor to the Magistrate of that District having reference to the remarks recorded by the Foujdaree Udalut regarding the course adopted by Mr. Forbes in the investigation of the case above referred to and requesting to be relieved from the censure therein conveyed.

2. The Court of Foujdaree Udalut can find nothing in the explanation of the late Acting Head Assistant Magistrate which would induce them to alter their opinion in regard to the want of discretion manifested by him in his proceedings in the case in question but they willingly attribute to an excess of zeal in the discharge of his duties, the error of judgment into which they consider him to have fallen.

3 The Court of Foujdaree Udalut were aware from the perusal of the record that the opening of the Prisoner's deck was the act

10th January 1851 act of the Officiating Drafter without Mr. Forbes's cognizance and the remarks contained in the 8th para of their proceedings had reference to the grounds stated of the additional charge founded thereon and not to the actual examination of the deck, as Mr. Forbes would appear to infer

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Guntoor for his information, and for communication to the late Acting Head Assistant Magistrate.

(Sutton 20 37)

Ex 1862

F. H.

Saturday
11th January 1851. At a Court of the Foujdaree Adalut

Present

GWR — G. P. Hooper Esqre — 1st Puisne Judge
CPT — C. P. Thompson Esqre — 2d Puisne Judge
M. D. Morehead Esqre — 3d Puisne Judge

Read Letter dated 23d December 1850 from the Secretary to the Board of Revenue in the Department of Public Works forwarding an Original Letter from the Acting Collector at Guntoor who recommends that a Mudwall of Moderate height be substituted for the in Masonry wall proposed by the Civil Engineer to be built round the Jail at Guntoor and requesting the opinion of the Court of Foujdaree Adalut thereon.

(Here enter F. R. No. 3093 of 1850)

The Court of Foujdaree Adalut direct that the Sessions Judge be instructed to obtain from the Acting Collector a copy of the proposition above referred to and to submit a report upon the same without delay.

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

Judge of Guntoor for his information.—

(Sent in No. 10

Read the following Letter dated the 24th December 1850 from the Session Judge of Tellicherry.—

(Here enter F. R. No. 3112 of 1850.)

Read also Letter dated the 26th December 1850 from the Principal Sudder Ameen of that Zillah.—

(Here enter F. R. No. 3 of 1851)

1. The foregoing communications have reference to the correspondence, which has passed between the above mentioned officers respecting certain Orders passed by the Session Judge under date the 27th and 29th November last, the former on the Petition presented by one Mane Kotha Cooroongoden, late a Peon in the Principal Sudder Ameens Court, and the latter on the sentence passed by the Principal Sudder Ameen in Criminal Case No. 83 of 1850 on that Officers file.

2. The said Orders of the Session Judge are objected to by the Principal Sudder Ameen on the ground that they contain imputations injurious to his character as a Judicial Officer, and they have been submitted by him for the consideration of the Foujdaree Adalut, together with the correspondence which

which has passed on the subject, in the hope of inducing the Court to direct their removal from the public records.

3. The Court of Foujdaree Adalut have not deemed it necessary to enter into the merits of the Orders of the Session Judge appealed from. It is sufficient to state that the Court see no reason to question the propriety of those Orders, and that they consider the reference made on the subject by the Principal Sudder Ameen to have been, not only uncalled for, but a most improper step on the part of that Officer, whose proceedings are characterised by a degree of insubordination and disrespect towards the Session Judge, which are highly unbecoming and reprehensible in a judicial Officer.

4. The Court deem it proper to caution the Principal Sudder Ameen against again trespassing on their time and attention by such unnecessary references, and he will do well to remember that it is his duty as a Subordinate Officer on all occasions to pay proper respect and obedience to the Orders issued to him by his immediate superior, even tho such Orders be at variance with his own opinion on the subject.—

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

11th January 1851.

Pellicherry for his information and for communication to the Principal Sudder Ameen.-

Sent in No. 11.

Read Letter dated the 1st Instant from the Session Judge of Calicut reporting that there is no case during the past month to be entered in the report required by the Circular letter of Foujdaree Adalut dated 10th October 1844.

(Here enter F.R. No. 33 of 1851)

Read Statement dated 4th Instant from the Session Judge of Guntoor, of the trials referred during the 2d Half of 1850.

(Here enter F.R. No. 38 of 1851.)

Read Letter dated the 2d Instant, from the Session Judge of Pellicherry, reporting that no case was committed for trial during December 1850.

(Here enter F.R. No. 42 of 1857)

Read Report dated the 3d Instant submitted by the Acting Session Judge of Tinnevelly of cases depending before him up to the 31st December 1850 in which the Trial has been delayed beyond 25 days-

(Here enter F.R. No. 44 of 1857)

Read Calendar of Case No. 37 of 1850 submitted by the Session Judge of Chittoor under date the 21st December 1850.

(Here enter F.R. No. 46 of 1857)

2d Ditto

F. C.

Monday 13th January 1851.

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 Return dated the 31st December made by the Sessions Judge of Guntoor, to the Precept of the Foujdaree Adalut under date the 28th December 1850, directing that officer to explain, why the ordinary allowance prescribed in Foujdaree Adalut Circular Order of the 5th April 1850 has not been more generally issued to the Prisoners in the Guntoor Jail.-

(Here enter F. C. No. 4 of 1851).

1. The Court of Foujdaree Adalut.- cannot admit the sufficiency of the reasons assigned by the Session Judge in the foregoing Return for placing so large a Number of the Convicts under his charge on the maximum rate of diet, as the experience of their Jails has satisfactorily proved the ordinary rate of diet to be amply sufficient for Convicts, even when subjected to hard labor of the nature referred to by the Session Judge without impairing either their health or general efficiency.-

2. The Session Judge will therefore be

13th January 1857.

be pleased to issue immediate orders for the introduction of the ordinary scale of diet in the Guntoor Jail.

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

(Sent in No. 43)—

Dy 18th.

F. 116.

Tuesday
14th January 1851. } At a Court of the Foujdaree Adaulut

Present.

GSH — G. S. Hooper. Esqr. — 1st. Puisne Judge
EPT — E. P. Thompson Esqr. — 2d. Puisne Judge
WH. for W.M. — W. A. Morehead Esqr. — 3d. Puisne Judge

Read. Miscellaneous Petition presented on the 4th November 1850 by Moorogatha of Zillah Chingleput.

(Here enter F. M. P. No 107 of 1850)

This is an application for the release of the Petitioner's husband 1st Prisoner in Case No 76 of 1850 on the file of the Sessions Court of Chingleput.

Mr. G. S. Hooper
Mr. E. P. Thompson
Mr. W. A. Morehead

2 The Court of Foujdaree Adaulut have disposed of the case referred to, and being satisfied from an attentive consideration of the record of the guilt of the 1st Prisoner have sentenced him to transportation for life

3 This Petition is accordingly dismissed.

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

Read

14th January 1851.

Read again Miscellaneous Petition presented on the 12th December 1850 by P. M. Ritchie Esqr. Vakeel on behalf of Terovengada Chetty of Zillah Madura.

(Vide enter F. M. P. No 206 of 1850.)

Read also Miscellaneous Petition presented on the 19th December 1850 by Chungan Reddy of Zillah Madura.

(Vide enter F. M. P. No 209 of 1850)

Read also return under date the 4th January 1851 from the Sessions Judge of Madura to the precept of the Tondaman Adalut dated the 19th December 1850 directing the transmission of the translated record of Case No XIX of 1850 on the file of the Sessions Court

(Vide enter F. M. P. No 210 of 1850.)

Mr. W. A. Morehead

1 On an attentive perusal of the depositions recorded in this case before the Sessions Court the Court of Tondaman Adalut consider the evidence insufficient for the conviction of the prisoners in this Case of the forgery laid to their charge.

2 The evidence for the prosecution appears to the Tondaman Adalut to be contradictory and undeserving of belief.

The Court of Tondaman Adalut accordingly resolve to direct that all the prisoners be unconditionally released.

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

(Sent following Precept No 46)

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

Read Miscellaneous Petition presented on the 10th November 1850 by Aukaballadoo of Zillah Chinglepute.

(Vide enter F. M. P. No 194 of 1850)

1 This is an application for the release of the Petitioner's brother, 13th Prisoner in Case No 16 of 1850 on the file of the Sessions Court of Chinglepute.

Mr. G. S. Hooper
Mr. E. P. Thompson
Mr. W. A. Morehead

2 The Court of Tondaman Adalut have disposed of the case referred to, and considering strong suspicion to attach to the 13th Prisoner of having received stolen property with a guilty knowledge of the manner in which it was obtained have placed him under

a.

a requisition of security.

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

Read Miscellaneous Petition presented on the 9th December 1850 by Darmajeerauw late Head of Police of Avalavu Taluck in the Zillah of Trichinopoly

(Here enter F. M. P. No. 204 of 1850)

Mr. G. S. Hooper
Mr. E. P. Thompson
Mr. W. A. Morehead

The Petitioner, adverting to the Court's Proceedings of the 26th September 1850 directing the release of the Prisoners in Case No. 10 of 1850 on the file of the Sessions Court of Trichinopoly, prays the Court to order his restoration to the Office of Head of Police from which he has been dismissed by the Magistrate, the acquittal of the Prisoners in question being, he submits, conclusive of the Court's opinion of his innocence of the alleged misconduct which formed the ground of his dismissal.

2 The Court of Foujdaree Adalut observe that this petition should be addressed to the Board of Revenue, to which authority the Petitioner is accordingly referred.

Ordered

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

Read again Miscellaneous Petition presented on the 30th September 1850 by R. Seroma Row Vakeel on behalf of Ketcherlacola Chena Latchmeedavamma of Zillah Rajahmundry

(Here enter F. M. P. No. 153 of 1850)

Read again also return under date the 11th November 1850 from the Sessions Judge of Rajahmundry to the Precept of the Foujdaree Adalut dated the 24th October 1850 calling for further information with reference to the matter referred to in the foregoing petition.

(Here enter F. A. No. 2779 of 1850)

Read also return under date the 23rd December 1850 from the Sessions Judge of Rajahmundry to the Precept of the Foujdaree Adalut dated the 9th December 1850 annulling the order passed by the Magistrate in the case referred to in the foregoing petition, and calling upon that Officer for an explanation with reference thereto.

(Here enter F. A. No. 3084 of 1850)

With the foregoing return the Sessions Judge has submitted a Copy of a return from the Magistrate of Rajahmundry, in which the latter officer submits that the Case under notice "was not exactly one of disputed succession; "Ranganaikama, the daughter of Ramana "having succeeded to his estate on his death "as sole heiress and without opposition", and states that Ranganaikama having complained of the interference of the Petitioner and proved that she was joint owner of the house in question he ordered the Petitioner to abstain from opposing Ranganaikama's occupation of it.

2. The Court of Foujdaree Udalut observe that if the complaint preferred to the Magistrate by Ranganaikama had been to the effect that she had been forcibly removed from the house to which she referred, or being an occupant thereof she had been by force prevented from entering it, the Magistrate would doubtless have been competent to interfere, but it as would appear from the Magistrate's return the orders passed by him were based entirely upon

14th January 1851.

upon his own impression that the individual on whose behalf he interfered was the rightful owner of the house claimed by her, those orders as observed in this Court's proceedings of the 9th Ultimo were irregular, the only Case in which Magistrates can legally interfere to order the restitution of rights or property being those in which an illegal and forcible dispossession of the rights or property claimed may have been established.

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

Sentence No. 47

Read again Calendar of Cases No. 79 of 1850 on the file of the Sessions Court of Masulipatam.

(Here enter F. Dis. No. 2722 of 1850)

Read also return under date the 16th December 1850 from the Sessions Judge of Masulipatam to the precept of the Foujdaree Udalut dated the 16th November 1850 directing the transmission to the Foujdaree Udalut of an

English

1

English Translation of the record of the foregoing Case.

(Here enter F. Cs. No. 3073 of 1850)

1 On an attentive perusal of the entire record of this Case the Court of Foujdaree Udalut consider the evidence insufficient for the conviction of the Prisoners charged.

2 The Court of Foujdaree Udalut see reason to doubt the evidence to the identity of the brass Tumball (article No 1) alleged to have been discovered by the Police in the house of the 3d Prisoner; no mention having been made in the list of property given in by the Prosecutrix of a Tumball corresponding in weight to that produced by the Police.

3 The omission in the report signed by the Moonsiff and Curnum and dated the 31st July containing a list of the articles said to have been given by the 3d Prisoner of any mention of the Prosecutrix' name being inscribed upon the brass pot mentioned therein appears to the Court to be a suspicious circumstance, while the plea advanced by the Prosecutrix for at first denying and afterwards claiming all the articles before the

the Court is clearly false, and the evidence to the prisoner's previous character is favorable.

4 Under these circumstances the Court of Foujdaree Udalut resolve to direct that the Prisoner in this case be unconditionally released.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Masulipatam by precept returnable within III days from and after its arrival.

(Sent following Precept No 49)

Read Letter dated 24th December 1850 and 4th January 1851 from the Acting Subordinate Judge of Salem applying for sanction to offer a conditional pardon to the 3d and 6th Prisoners in Case No 173 of 1850, and forwarding Translations of their depositions before the Police and the Subordinate Court.

(Here enter F. Cs. No $\frac{3090}{1850}$ and $\frac{36}{1851}$)

The Court of Foujdaree Udalut, under the provisions of Section XX Regulation VII of 1802 as modified by Section XII Regulation XIII of 1832, sanction the offer of a conditional pardon to Koopaia Khan, the 3d Prisoner in the Case above referred to. With respect

to

to the 6th Prisoner. They observe that he has already denied on solemn affirmation the deposition stated to have been given by him before the Police and all cognizance of the facts set forth therein, and consequently his evidence can be of no avail for the prosecution.

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

Sent in No 49

Read Letter dated 23d December 1850 from the Acting Magistrate of Coimbatore transmitting copies of a Correspondence with the Board of Revenue regarding the appointment of a Police Ameen to the Town of Coimbatore.

(Here enter F. Cs. No 3109 of 1850)

1 In his letter to the Board of Revenue dated 24th October 1850 the Acting Magistrate stated that the arduous and troublesome duties connected with the Police of the large and populous town of Coimbatore are more than the Tahsildar can properly manage that consequently the appointment of an Ameen is absolutely necessary, and to meet the additional expense he proposed that the salary of the Tahsildar, whose Revenue duties are stated not to be heavier than in other Talooks be reduced from 120 Rupees to 100 Rupees, the highest rate drawn by any other Tahsildar in the District.

2 The Board of Revenue in their proceedings under date 2d December 1850 intimated that if the Acting Magistrate's proposition for the appointment of a Police Ameen were supported by the Court of Foujdaree Udalut it would be forwarded with the recommendation of the Board to the Government for sanction. They objected however to the reduction of the Tahsildar's pay and pointed out that some provision however small, must be made for establishment.

3 The Acting Magistrate now proposes that the salary of the Ameen should be fixed at 6 Pagodas or 21 Rupees per mensem, and that the Establishment noted marginally should be assigned to him.

	Rs
1 Royasum	6
3 Peons at	3/-

4 The Court of Foujdaree Udalut entirely concur with the Acting Magistrate in respect

14th January 1851.

respect to the necessity of appointing a Police Ameen to the charge of the town of Coimbatore. They consider a Rayasom or Goomastah indispensable; but are of opinion that the peons required should be furnished from those already employed in the Talook. To the reduction of the salary of the Tahsildar, especially as it is stated that the present incumbent will gladly assent to the arrangement, the Court of Foujdaree Udalut can see no objection

Ordered that Extract from these Proceedings be sent to the Acting Magistrate of Coimbatore for his information.

(Sent in No. 50)

Read letter dated 1st January 1851 from the Subordinate Judge of Chittoor requesting instructions as to the course to be pursued for bringing to trial a subject of the Mysore State for an offence (wounding) committed within the limits of that State.

(Here Enter F. Co. No. 13 of 1851)

The Court of Foujdaree Udalut observes that this reference should have been

been made this the Sessions Court, especially as it has arisen out of a difficulty experienced by the Subordinate Judge in carrying into effect an order of the Sessions Judge.

2 It appears that the prisoner referred to has been convicted of Gang robbery by the Sessions Court, and the Court of Foujdaree Udalut are of opinion that it is not necessary to press the further charge made against him

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. 51)

Read Calendar of Case No. 33 of 1850 submitted by the Acting Sessions Judge of Tinnevelly under date the 4th January 1851.

(Here enter F. Co. No. 19 of 1851.)

Read Calendar of Case No. 41 of 1850 submitted by the Sessions Judge of Cuddalore under date the 8th January 1851.

(Here enter F. Co. No. 50 of 1851.)

Read

14th January 1851.

Read Calendar of Cases No 90 of 1850 Submitted by the Sessions Judge of Calicut under date the 4th January 1851.

(Here enter F. No. No 53 of 1851)

Read report submitted by the Sessions Judge of Mangalore under date the 2nd January 1851 of Cases pending on the 30th November and committed for trial in the Month of December 1850.

(Here enter F. No. No 56 of 1851.)

Read Calendar of Cases No 81 of 1850 Submitted by the Sessions Judge of Mangalore under date the 4th January 1851.

(Here enter F. No. No 61 of 1850)

Read Calendar of Case No 54 of 1850 Submitted by the Sessions Judge of Bellary under date the 7th January 1851.

(Here enter F. No. No 62 of 1850)

Read Calendar of Case No 56 of 1850 Submitted by the Sessions Judge of Bellary under date the 7th January 1851.

(Here enter F. No. No 640 of 1851.)

Read Letter from the Sessions Judge of Wynaad under date the 2nd January 1851 reporting

14th January 1851.

reporting that no Cases were pending before him for more than 25 days during the Month of December 1850

(Here enter F. No. No 67 of 1850)

F. No

T. C.

Wednesday
15th January 1851 } At a Court of the Tanjadaree Udalut.

Present

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

H. H. & C. E. P. Thompson. Esqr — 2d Puisne Judge.

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

Read Miscellaneous Petition forwarded by the Session Judge of Coimbatore from Ponnam Chetty 1st Prisoner in Case N 39 of 1850 on the file of the Session Court. (Hereunder T. C. P. N 2100 of 1850)

Read also Calendar of Case N 39 of 1850 on the file of the Sessions Court. (Hereunder T. C. N 2500 of 1850)

The Court of Tanjadaree Udalut see no reason to question the propriety of the manner in which the foregoing Case has been disposed of and they accordingly resolve to dismiss the Petitioner's application

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Coimbatore for Communication to the Petitioner.

(Sentence No. 54)

15th January 1851

Read letter under date the 10th December 1850 from the Sessions Judge of Salem submitting the Calendars of Cases disposed of by the Magistracy during the 3rd quarter of 1850.

(Here enter F. No. No 3069 of 1850.)

The Court of Foujdaree Udalut observe that in all the Calendars of Cases disposed of by the Magistracy, the designation of the offence charged should be affixed on a heading to the Statement of charge

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Salem for Communication to the Magistrate.

(Sent in No 55)

Read letter dated 4th January 1851 from the Sessions Judge of Mangalore forwarding translations of part of the Proceedings in Case No 57 on the Calendar for 1850 and requesting the sanction of the Court of Foujdaree Udalut to admit the 6th Prisoner Dher Channayah as an approver.

(Here enter F. No. No 68 of 1851)

15th January 1851.

The Court of Foujdaree Udalut under the provisions of Section XX Regulation VIII of 1802 as modified by Section XII Regulation XIII of 1832, authorize the offer of a conditional pardon to the Prisoner

Dher Channayah

above referred to.

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

(Sent in No 56.)

Read letter dated 28th December 1850 from the Sessions Judge of Cuddapah submitting for the final Judgment of the Foujdaree Udalut the record of Case No 77 of 1850 of the Calendar of the Sessions Court.

(Here enter No 73 of 1851.)

The Court of Foujdaree Udalut,

Mr. E. P. Thompson
Mr. W. A. Morehead
and
Mr. G. L. Harper

on a deliberate consideration of all the Circumstances of the Case in evidence before them, being of opinion that the proof against the Prisoner

Siddojee

is sufficient to connect him of the Crime of murder and wounding, do convict him thereof;

and

and under the provisions of Section X Regulation VIII of 1802, sentences him to suffer death by being hanged at the usual time and place of execution.—

1 The Court of Sunjdarees Udalut observe that the Sessions Judge has not distinctly stated of what Crime he convicted the prisoner in this case, and they resolve to direct his attention to their Circular Order of the 19th June 1823. the instructions conveyed in which should be strictly adhered to in the preparation of letter of reference forwarded with referred trials.

2 Of the three Prosecutors whose names are entered in the record of this case, one only appears in the Calendar, an error which the Court observe should not have been permitted to occur.

3. The Court of Sunjdarees Udalut consider that the Medical Officer should not have permitted the deceased Govindarow to quit the Hospital, as his removal must have tended to increase the inflammation which is shewn to have been the immediate cause of his death.—

Ordered

Ordered that Extract from these Proceedings be sent to the Acting Sessions Judge of Cuddapah for his information

Sentence No. 57—

Dt 1850.

F. U.

Thursday
16th January 1851.

At a Court of the Foujdaree Udalut-

Present.

G. S. Hooper Esquire 1st Puisne Judge.

E. P. Thompson Esquire 2nd Puisne Judge.

W. P. Morehead Esquire 3rd Puisne Judge.

Read letter dated the 31st December 1850 from the Magistrate of Canara forwarding certain papers connected with a case of murder and requesting authority to offer a conditional pardon to a Prisoner named Dher Fomarah in the event of his giving such evidence as may lead to the conviction of the parties concerned-

/Present Fl. No. 85 of 1851/

The Court of Foujdaree Udalut

under the provisions of Section XX Regulation VIII of 1802 as modified by Section XII Regulation XIII of 1832 sanction the offer of a conditional pardon to Dher Fomarah-

Ordered that Extract from these Proceedings be sent to the Magistrate of Canara for his information-

/Sent in No. 60./

Read

Read Letter dated 9th January 1851 from the Magistrate of Madura requesting with reference to a charge of forgery preferred by Mr. Fischer of Salem against Kotasawmy Tavoo the manager of the Rammad Zemindary, Menatchee Soondram Pillay and Alagheanagunn Pillay his Goomastahs, that the Original Vakalutnamah executed by the appellants from the Decree of the Civil Judge of Madura in Original Suit No. 2 of 1849 may be forwarded to him.

[Here enter F.C. No. 98 of 1851]

The Court of Foujdaree Udalut direct that the said Vakalutnamah be transmitted to the Magistrate of Madura, who will return the same when no longer required.

Ordered that Extract from these Proceedings be forwarded to the Magistrate of Madura for his information.

[Sent in No. 61]

Read again letter dated the 7th December 1850 from the Principal Sudder Ameen of Tellicherry recommending the offer of a conditional pardon to the 3rd and 4th Prisoners in Criminal Case No. 90 of 1850 on the file of this Court.

Court.

[Here enter F.C. No. 3003 of 1850]

Read also return and Supplemental return from the same officer to the precept of the Foujdaree Udalut under date the 24th December 1850 calling for translations of the depositions given in the abovementioned Case by the Prisoners in question.

[Here enter F.C. No. 3147 of 1851]

The Court of Foujdaree Udalut under the provisions of Section XX Regulation VIII of 1802 as modified by Section XII Regulation XIII of 1832 sanction the offer of a conditional pardon to Kanniavel alias Koondyil Kapiy and Poothenpoorail Amboo, 3rd and 4th Prisoners in Case No. 90 of 1850 on the Criminal file of the Principal Sudder Ameen of Tellicherry.

Ordered that Extract from these Proceedings be forwarded to the Principal Sudder Ameen of Tellicherry for his information.

[Sent in No. 62]

Read Miscellaneous Petition presented on the 9th December 1850 by Leelanmode Ammāl

16th January 1851.

Annual of Zillah Guntoor-

/ Reenter F. M. P. No. 205 of 1850 /

W. G. S. Hooper
W. E. P. Thompson
and
W. W. A. Morehead.

The Court of Foujdaree Udalut observe that the prisoner referred to in this Petition has been already released-

Ordered that Extract from this Proceedings be furnished to the Petitioner on her application-

The Record of the trial in Case No. 14 of 1850 on the Calendar of the Sessions Court of Tellicherry under reference to the Foujdaree Udalut not having been yet submitted to this Court-

Ordered that the Sessions Judge of Tellicherry be required by Precept returnable in 7 days from and after its receipt to shew what progress has been made in the preparation of the English translation of the said trial, and to explain the delay in its transmission-

/ Sent following precept No. 63 /

The Record of the trial in Case No. 40 of 1850 on the Calendar of the Sessions Court of Nellore under reference to the Foujdaree Udalut, not having been yet submitted to this Court-

Ordered, that the Sessions Judge of Nellore

16th January 1851.

Nellore be required by Precept returnable in 3 days from and after its receipt to shew what progress has been made in the preparation of the English translation of the said trial, and to explain the delay in its transmission-

/ Sent following precept No. 64. /

Read Calendar of Case No. 32 of 1850 submitted by the Sessions Judge of Tinnevelly under date the 8th Instant-

/ Hereenter F. C. No. 69 of 1851 /

Read Calendar of Case No. 40 of 1850 submitted by the Sessions Judge of Coimbatore under date the 15th Instant-

/ Hereenter F. C. No. 70 of 1851 /

Read Calendar of Case No. 1 of 1851 submitted by the Sessions Judge of Madura under date the 9th Instant-

/ Hereenter F. C. No. 72 of 1851 /

Read Criminal Report dated the 2nd Instant submitted by the Sessions Judge of Chittoor for the Month of December 1850

/ Hereenter F. C. No. 74 of 1851 /

Read Return dated the 5th Instant from the Sessions Judge of Coimbatore to the precept of the Foujdaree Udalut under date the 19th December 1850

1850, directing to review the number of Cases in which the Prisoners have been placed under a requisition of security by the Principal Sudder Ameen in the Month of October last.

/Here enter F.C. No. 76 of 1851/

Read Letter dated the 8th Instant from the Session Judge of Salem Reporting his having in conformity with the Circular letter of the 13th February 1849 visited the Gang of Convicts detached from the Salem Gail under charge of the Magistrate.

/Here enter F.C. No. 78 of 1851./

Read Quarterly Statement dated the 1st Instant Submitted by the Subordinate Judge of Combaconum Shewing the Amount realized by the Labor of Prisoners in the 4th Quarter 1850.

/Here enter F.C. No. 89 of 1851/

Read Calendar of Case No. 18 of 1850 Submitted by the Sessions Judge of Guntoor under date the 11th Instant

/Here enter F.C. No. 90 of 1851/

Read Calendar of Case No. 33 of 1850 Submitted by the Sessions Judge of Chittoor under date the 10th October 1850.

/Here enter F.C. No. 91 of 1851/

10th January 1851.

Reads Calendar of Cases Nos. 96 and 97 of 1850 Submitted by the Sessions Judge of Calicut under date the 8th Instant.

/Here enter F.C. No. 94 of 1851/

Ex. 180

F. No.

Monday
20th January 1851. At a Court of the Fouzdaree Udalut

Present

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

Record letter dated 9th January 1851 from the Sessions Judge of Bellary, submitting for the final Judgment of the Fouzdaree Udalut the Record of Case No. 50 of 1850 of the Calendar of the Sessions Court.

(Here Intix No. 107 of 1851.)

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

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

1st. Pinjar Balagah.
2nd. Madiga Yelloogah.
3rd. Madiga Dasoogah.
4th. Madiga Hoosaineo.
5th. Madiga Hirooshully.
6th. Talary Honkariagah
7th. Hoorooba. Mullah.
8th. Talary Mullooagah.
9th. Boya Goodewadoo.
10th. Chigalee Nursah.

All

11th Madiga Busmah.
12th Koorkoondee Ramah.
13th Madiga Eroyah.
14th Madiga Runyah.
15th Pinjar Kassadu, alias, Koosenee.
16th Selaga Chennayah
17th Kumbaladinny Kanmah.
18th Pinjar Emma.
19th Mal Madayah.
20th Dundoo Nurah.

and

21st Dundoo Lutchmah,

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

1. The Court of Fouzdaree Udalut have been unwilling to sentence any of the prisoners in this case to the extreme penalty of the Law, the evidence against them resting almost entirely on their own confessions, which they have retracted before the Sessions Court.

2. The Court of Fouzdaree Udalut consider

consider it is to be regretted that the Subordinate Judge, when receiving the prisoners' confessions, omitted to warn them severally that every thing they stated would be recorded and used as evidence against them with a view to their conviction of the crimes laid to their charge.

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

(Sent in No. 71)

Read letter dated 7th Instant from the Sessions Judge of Honore, submitting for the final Judgment of the Fouzdaree Udalut the Record of Case No. 33 of 1850 on the Calendar of the Session Court.-

(Here enter No. 112 of 1851)

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

The Court of Fouzdaree Udalut on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the prisoner,

1st Soobba Nairy

is not convicted on presumptive proof, on the evidence of credible witnesses, or on his own confession, of the crime charged, do acquit him

thereof.

5th February 1857.

Read Letter dated the 1st Instant from the Supreme Judge of Chingleput Reporting that no cases to be reported on are pending by the Circuit Letter dated the 16th October 1854 and 21 January 1856 were pending last month before the Supreme Court

Returned File No. 317 of 1857

Read Letter dated the 1st Instant from the Supreme Judge of Cuddalore Reporting that no case is pending trial for a period exceeding 25 days.

Returned File No. 320 of 1857

Ld 1857.

20th. January 1851.

× No 53 of 1850.

annexed remarks of the Dewaye-aol Dewayyat upon the Futwa recorded in this × case be communicated to the Moosby Sudder Ameen for his information and future guidance.

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

(Sent following precept No 74)

Read Calendar of Case No 34 of 1850 of the Session Court of Madura.

(Here enter F. D. No 45 of 1851.)

The Court of Foujdaree Udalut are not prepared to mitigate the sentence recorded against the 1st. Prisoner in the above case to the extent recommended by the Session Judge, as they consider that one months imprisonment would not be adequate punishment for the serious offence of which the said Prisoner has been convicted.- Adverting, however, to the extenuating circumstances set forth in the Calendar the Court deem it proper to direct that the sentence now recorded against him be

reduced

20th. January 1851.

reduced to six months' imprisonment, and the Session Judge will be pleased to issue his Warrant accordingly.-

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

(Sent in No 75 15

F. D.

F. C.

Tuesday 21st January 1851.

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. 42 of 1850 of the Sessions Court of Cuddalore.

(Here enter F. C. No. 51 of 1851).

The Court of Foujdaree Adalut observe that when a translation of the Futwa of the Mohamedan Law officer is transcribed in the Calendar, its transmission on a separate piece of paper is uncalled for.

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

(Sent in No. 76)

Read return dated 6th January 1851. from the Acting Subordinate Judge of Rajahmundry to the Precept of the Court of Foujdaree Adalut under date 28th December 1850 calling for explanation as to the cause of the maximum rate of grain being issued to the majority of the Prisoners under his charge.

(Here enter F. C. No. 55 of 1851)

S.I.

It appears that Cholum in the husk has been supplied to the Prisoners in the Jail at Rajahmundry and the Court of Foujdaree Udalut direct that the Acting Subordinate Judge be instructed to issue henceforward the ordinary rate of husked and cleaned Cholum to Prisoners liable to hard labor generally, reserving the maximum rate for such particular individuals as may in the opinion of the Medical officer absolutely require it.-

Ordered that Extract from these Proceedings be forwarded to the Acting Subordinate Judge of Rajahmundry for his information.-

(Sent in No. 77).

Read Calendar of Case No. 55 of 1850 of the Sessions Court of Bellary.-

(Here enter S. D. No. 63 of 1851).

1 The Court of Foujdaree Udalut observe that in accordance with Circular Order of the 2nd October 1850. the previous conviction of the Prisoner specified in the Note appended to this Case should have been entered as a separate count in the Statement of the charge, and evidence adduced to establish the identity of the Prisoner with the individual to whom the said conviction referred.-

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

21st January 1851.

of Bellary for his information and for communication to the Subordinate Judge for the future guidance of that officer.-

(Sent in No. 78).

Read Calendar of Case No. 44 of 1850 of the Sessions Court of Cuddalore.-

(Here enter S. D. No. 71 of 1850).

1. The Court of Foujdaree Udalut are of opinion that a sentence of 5 Years imprisonment with hard labor in irons will be adequate punishment for the offence of which the Prisoner in this Case has been convicted, and, on the recommendation of the Sessions Judge, the Court will be prepared to mitigate the sentence now recorded against him to that extent.-

2. The Sessions Judge, if unable to concur in the foregoing opinion, will be pleased to submit a translation of the entire Record of the Case for the consideration of the Foujdaree Udalut.

3. The Court observe that the previous convictions of the Prisoner adverted to in the sentence of the Sessions Judge should have been entered as separate Counts in the Statement of the charge, and evidence adduced to prove the identity of the Prisoner with the individual to whom the said convictions referred. The simple Statement

by

January 1851.

by the Nazir of the Prisoner's previous convictions, unsupported by other testimony, the Court observe, was not sufficient.—

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

(Sent following Precept No. 79).—

Jr. 18 W.

F. Vs.

Thursday 23d January 1851.

At a Court of the Fouzdaree Udalut.

Present

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

Read Miscellaneous Petition presented on the 23d December 1850 by Soobba Tillay and Veerapa Naiken of Tillah Combaconum.

(Here enter F. Vs. M. P. No. 211 of 1850)

The Court of Fouzdaree Udalut observe that this Petition should be addressed to the Board of Revenue, the Court of Fouzdaree Udalut having no authority to interfere in the matter to which it refers

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

Mr. G. S. Hooper
Mr. E. P. Thompson
Mr. W. A. Morehead

Read Miscellaneous Petition presented on the 23d December 1850 by Moorooguttah of Tillah Chinglepet.

(Here enter F. Vs. M. P. No. 212 of 1850)

Mr. G. S. Hooper
Mr. E. P. Thompson
Mr. W. A. Morehead

The Petitioner is referred to the former

23rd January 1851.

former orders passed in the matter to which this Petition relates.

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

The Vakeel Sreenevasa charry on behalf of Talangundy Tharagan and 5 others of Immediately moved the Court to return the enclosure, on Miscellaneous Petition No. 191 of 1850.

Ordered accordingly.

Ex 180.

F. No.

Friday, 24th January 1851.

At a Court of the Foujdaree Udalut.

Present.

G. L. Cooper, Esquire 1st Puisne Judge.

E. D. Thompson, Esquire 2nd Puisne Judge.

W. A. Morehead, Esquire 3rd Puisne Judge.

Read Calendar of Cases No. 1 of 1851 of the Session Court of Rajahmundry.

Here Enter F. No. No. 95 of 1851.

1. Adverting to the "exceedingly "simple and unaggravated features in "this case," the Court of Foujdaree Udalut are of opinion that a further mitigation of the Prisoner's sentence than that recommended by the Session Judge may with propriety be allowed, and under the provisions of Clause third Section III Regulation XI of 1825, the Court resolve to direct that the term of his imprisonment be reduced to (2) two years.

The

2. The Sessions Judge will be pleased to issue a fresh Warrant in accordance with the foregoing resolution.

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

/ Sent following Precept No. 80 /—

Read the following Letter dated the 10th January 1851 from the Sessions Judge of Rajahmundry.—

/ Vide Enter Vol. VI. No. 102 of 1851. /—

1 The Sessions Judge submits with the above Letter copies of the Report, and of the proceedings connected therewith, in Case No. 133 of 1850 disposed of by the Acting Subordinate Judge, in which the Prisoner, who was sentenced to one years' imprisonment, has complained in Appeal to the Sessions Court that the witnesses named by him to prove his defence were not examined by the Subordinate Court.—

The

2. The Sessions Judge states that he is satisfied from a perusal of the record of the guilt of the Prisoner, and that the sentence, which is substantially correct, need not be interfered with, but that the Court of Foujdaree Adalut should take a different view of the case, he has deemed it proper to submit the point for their final consideration and orders.—

3 The Court of Foujdaree Adalut concur with the Sessions Judge in his opinion, that, under the circumstances stated in his Letter, the examination of the Prisoner's witnesses is, in the present instance, uncalled for; The Court request, however, that it may be pointed out to the Acting Subordinate Judge, that in all future cases, when a Prisoner may express a desire to have witnesses examined for the defence, the fact of his so doing should be recorded in the sentence, together with the reasons which may actuate that

Officer

January, 1851.

officer in dispensing with their examination.—

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

/Sent in No. 81/—

Read Criminal Reports submitted by the Sessions Judge of Cuddalore for the month of December 1850.

/Here enter F.16. No. 120 of 1851/—

The Court of Foujdaree Adalut observe that the date of the death of the individual referred to in the charge preferred against the prisoners in this case should have been stated in it.—

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

/Sent in No. 82/—

Read again Criminal Reports of the Sessions Court of Madura for

short B.

e No. 114.—

2/

F.16.

24th January, 1851.

for the month of November 1850.—

/Here Enter F.16. No. 3005 of 1850/—

Read also Return dated the 10th January made by the Sessions Judge of Madura to the Precept of the Foujdaree Adalut under date the 2d January 1851 calling for a Report in Form A of Case No. 82 of 1850 on the Criminal File of the Subordinate Court.—

/Here Enter F.16. No. 99 of 1851/—

Adverting to the explanation afforded in the foregoing Return, the Court of Foujdaree Adalut direct that it may be pointed out to the Acting Subordinate Judge that when the Prisoner is convicted of a minor offence than the one charged such should be explained in report B.—

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

/Sent in No. 83/—

Read

24th January, 1851.

Read Letter dated the 13th instant from the Session Judge of Calicut, referring for the final Judgment of the Foujdaree Udalut, the Record of Case No 95 of 1850 of the Calendar of the Session Court.—

/Here Enter F.R. No 145 of 1851/—

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

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

"Tiroomangalatha Vafsoo Duwan Numboodry"—

is sufficient to convict him of the crime of Murder, do convict him thereof—and sentence him to be transported to such place or places beyond sea as the Governor in Council shall appoint, there to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of his natural life.—

/Seal in Ass. Ph/—

Read

24th January, 1851.

Read return dated the 28th ultimo from the Session Judge of Chicacole to the precept of the Foujdaree Udalut under date the 13th idem, requiring to be informed more distinctly of the grounds, upon which the Prisoner in Case No 23 of the Security Calendar, disposed of by the Principal Assistant Magistrate of Ganjam, has been held to security, and also whether the Examination prescribed by Circular Order Foujdaree Udalut, dated 25th February 1824 was observed in that and the following Case No 22.—

/Here Enter F.R. No 8 of 1851/—

Read Statement dated the 1st instant, submitted by the Session Judge of Combaconam of batta paid to the Prosecutors and Witnesses during the 2d half of the year 1850.—

/Here Enter F.R. No 126 of 1851/—

Read Amount realized by the labor of the Prisoners in the 4th Quarter of 1850 submitted by the Session Judge of Masulipatam under date

the

the 14th instant.—

//Here Enter F.16. No. 128 of 1851//-

Read Criminal Reports
under date the 14th instant submitted by
the Sessions Judge of Rajahmundry for
the month of December 1850.—

//Here Enter F.16. No. 129 of 1851//-

Read Criminal Reports
under date the 15th instant submitted
by the Sessions Judge of Guntoor for
the month of December 1850.—

//Here Enter F.16. No. 132 of 1851//-

Read Calendar of Cases
No. 38 of 1850 submitted by the Sessions
Judge of Chittoor under date the 27th
ultimo.—

//Here Enter F.16. No. 137 of 1851//-

Read Calendars of Cases
Nos. 82 and 83 of 1850 submitted by
the Acting Sessions Judge of Cuddapah
under date the 16th instant.—

//Here Enter F.16. Nos. 139 and 140 of 1851//-

Read Calendar of Case
No. 98 of 1850 submitted by the Sessions
Judge

Judge of Calicut under date the 13th
instant.—

//Here Enter F.16. No. 142 of 1851//-

Read Calendars of Cases
Nos. 47 and 51 of 1850 submitted by
the Sessions Judge of Nellore under
date the 16th instant.—

//Here Enter F.16. Nos. 143 and 144 of 1851//-

Read Criminal Report
under date the 15th instant submitted
by the Agent to the Governor at Kurnool
for the month of November (Supplemental)
and December 1850.—

//Here Enter F.16. No. 177 of 1851//-

Read Report of Persons
apprehended in the separate Tracts of
Vizagapatam during the month of
December 1850 submitted by the Agent
to the Governor at Vizagapatam under
date the 15th instant.—

//Here Enter F.16. No. 178 of 1851//-

Read letter dated the 14th
instant from the Sessions Judge of
Mangalore, reporting the death of the
Prisoners

21st January, 1851.

Prisoners Coombar Rama and Appana Shetty in the Murder Case No. 47 on the Calendar for 1850.

//Here Enter F.No. No. 182 A of 1851//-

Read further return dated the 17th instant from the Session Judge of Madura to the precept which accompanied the Extract from the Proceedings of the Foujdaree Udalut dated 2d idem upon the Criminal Reports for November 1850.

//Here Enter F.No. No. 182 of 1851//-

Read return dated the 18th instant from the 2d Session Judge of Madura to the precept of the Foujdaree Udalut under date the 14th idem, directing the unconditional release of Prisoners in Calendar Case No. XIX of 1850.-

//Here Enter F.No. No. 184 of 1851//-

Read Statement dated the 1st instant, submitted by the Acting Session Judge of Tinnevelly of Batta paid to Prosecutors and Witnesses from 1st July to 31st December 1850.-

//Here Enter F.No. No. 185 of 1851//-

Read

24th January, 1851.

Read Calendar of Case No. 1 of 1851 submitted by the Acting Session Judge of Tinnevelly under date the 17th instant.-

//Here Enter F.No. No. 186 of 1851//-

Read Accounts dated the 20th instant submitted by the Session Judge of Combaconum of the Jails in charge of the Magistracy of Tanjore for the month of December 1850.-

//Here Enter F.No. No. 194 of 1851//-

Read Criminal Reports B. under date the 1st and 18th instant submitted by the Sessions Judge of Combaconum of the Magistracy of Tanjore for the month of December 1850.-

//Here Enter F.No. No. 195 of 1851//-

Read Statement shewing the amount realized by the labor of Prisoners in the 4th quarter of 1850 submitted by the Session Judge of Chingleput under date the 31st ultimo.-

//Here Enter F.No. No. 198 of 1851//-

Read

24th January, 1851.

Read Statement dated the 31st ultimo, submitted by the Sessions Judge of Chingleput of Batta paid to Prosecutors and Witnesses during the Half year ending 31st December 1850.—

/Here Enter F 16. No. 199 of 1851/—

4th Idem.

F 16

Saturday 25th January 1851.

At a Court of the Foujdaree Udalut

Present

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

W.R. for E.P.S. E.P. Thompson Esqre 2nd Puisne Judge

W.R. for W.A. W.A. Morehead Esqre 3rd Puisne Judge

Read return from the Sessions Judge of Calicut dated 31st December 1850 to the precept of the Court of Foujdaree Udalut under date 20th Idem transmitting a translation of the record of case No. 66 on the Calendar for 1850.

/Here Enter F 16. No. 32 of 1851/

1. This records was called for in accordance with the desire of Government conveyed in the Extract Minutes consultation of Government under date 16th December 1850 in order to ascertain whether the investigation as regards the Prisoner's State of mind when perpetrating the offence with which he was charged / severe wounding / was conducted as closely as the occasion demanded.—

2. The acquittal recorded on the plea of insanity is not in the opinion of the Court of Foujdaree Udalut borne out by the records of the

the case. It would seem indeed that until the commission of the act charged no suspicion of the Prisoner's sanity had been entertained, and there is nothing in the act itself which would imply the existence, then, of insanity.

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

/Sent in No. 87/

Ordered also that Extract from these Pro: be forwarded to the Secretary to Government in the Judicial Department for the purpose of being laid before the Right Honorable the Governor in Council.

/Sent in No. 88/

Read letter dated 27th December 1850 and dispatched on the 16th January 1851 from the Sessions Judge of Salem submitting for the final Judgment of the Foujdaree Udalut the Record of case No. 37 of 1850 of the Calendar of the Sessions Court.

/Here enter. F. Pk No. 171 of 1851/

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

that the proof against the prisoner.

"Marvodagounden"

is sufficient to convict him of the crime of Perjury, do convict him thereof, and under the provisions of Clause First Section III Regulation XI of 1811, do Sentence him to be imprisoned and kept to hard labor in irons on the Public roads, or other public works, for and during the period of (2) Two years.

The Court of Foujdaree Udalut have been unable to concur with the Sessions Judge in considering that the prisoner in this case should be exempted from the punishment to which he has rendered himself liable by the commission of the perjury of which he has been convicted.

The Court of Foujdaree Udalut find it stated by the Pros. witness that on both the occasions upon which the prisoner gave the depositions which form the subject of the charge, he was warned of the consequences of making a false statement upon oath.

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

/Sent in No. 89/

Read

25th January 1851.

Read Calendar of Case No. 17 of 1850 of the Session Court of Chittoor -

/ Vide enter F.C. No. 3054 of 1850 /

1 The Court of Foujdaree Adalut are not prepared to accede to the recommendation of the Session Judge in this Case that the Sentence recorded against the 2nd & 3d Prisoners be mitigated to 5 years' imprisonment, as the Court consider that, with reference to the large amount of property stolen, any Sentence less severe than that now awarded would not adequately meet the demands of justice.

2 The Court of Foujdaree Adalut direct that the Session Judge, in drawing the attention of the Magistrate to the great delay which occurred in the disposal of this Case before the Police authorities, will inform that officer that he is expected to issue peremptory orders to the Heads of Police within his jurisdiction to abstain from detaining Prisoners in the Talook for so long a period, and the Session Judge will at the same time be pleased to point out the omission of the Head of Police to take proper depositions from the Prosecutor previous to searching the Prisoner's house as well as to his omission to issue regular Warrants -

3 The Court further direct that an

explanation

25th January 1851.

explanation may be submitted of the great delay which occurred between the arrival of this Case before the Subordinate Court, and its final disposal by the Sessions -

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Chittoor by precept returnable within 7 days from and after its receipt -

/ Sent following precept No. 90 /

Read Letter dated 10th January 1851

from the Session Judge of Salem submitting for the final Judgment of the Foujdaree Adalut the record in Case No. 38 of 1851 of the Calendar of the Sessions Court -

/ Vide enter F.C. No. 172 of 1851 /

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 -

"Perryagounden"

is not convicted on presumptive proof, or on the evidence of credible witnesses, or on his own confession of the crime charged, do acquit him thereof; and direct that he be set at liberty -

Sent in No. 91.)

Read.

F.R.

25th January 1851.

Read Calendar of Case No. 1 of 1851 submitted by the Session Judge of Coimbatore under date the 20th Instant.

/ Here enter F.R. No. 149 of 1851 /

Read Calendar of Case 1 of 1851 Submitted by the Session Judge of Cuddalore under date the 20th Instant.

/ Here enter F.R. No. 151 of 1851 /

Read Statement dated 16th January 1851 Submitted by the Acting Session Judge of Tinnevelly of the amount realized by the labor of Convicts during the 4th Quarter of 1850

/ Here enter F.R. No. 157 of 1851 /

Read return dated the 20th Instant from the Session Judge of Honore to the precept of the Fouzdaree Adalut under date the 25th Ultimo on a review of the Petty calendars of Cases disposed of by the Magistracy of Canara during the 3d Quarter of 1850

/ Here enter F.R. No. 158 of 1851 /

Read Supplemental Return dated the 20th Instant from the Session Judge of Masulipatam to the precept of the Fouzdary Adalut under date the 28th November last communicating their Orders upon the Calendars of Cases Nos. 61-62-63 & 64 of 1850 on the file of his Court

/ Here enter F.R. No. 159 of 1851 /

Read

F.R.

25th January 1851.

Read return dated the 20th Instant from the Session Judge of Nellore to the precept of the Fouzdaree Adalut under date the 6th Idem requiring explanation of the cause of the Govt. Vakeel having conducted the prosecution in cases Nos. 138, 154, & 155 of 1850 before the Principal Sudder Ameen.

/ Here enter F.R. No. 161 of 1851 /

Read report marked B dated the 21st Instant submitted by the Session Judge of Guntoor of Case No. 63 of 1850 forwarded by the Magistrate of Guntoor together with a copy of the correspondence passed thereon.

/ Here enter F.R. No. 174 of 1851 /

40 lbs

F. C.

Wednesday 29th January 1851. At a Court of the Foujdaree Adalut.

Present

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

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

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

Read Calendar of Case No. 81 of 1850 of the Sessions Court of Cuddapah.

(Here enter F. C. No. 138 of 1851).

1. The Court of Foujdaree Adalut are of opinion that a sentence of one years imprisonment with hard labor in irons will be adequate punishment for the offence of which the Prisoner in this Case has been convicted.—

2. If the Acting Sessions Judge be enabled to concur in the foregoing opinion he will be pleased to submit a recommendation for the mitigation of the Prisoners Sentence accordingly and carry the same into effect without further orders from the Court of Foujdaree Adalut.—

3. If unable to concur in that opinion the Acting Sessions Judge will be pleased to submit an English translation of the entire Record of the Case, for the consideration of the Court of Foujdaree Adalut.—

Ordered

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

(Sent following Precept No 97).

Read Calendar of Case No 49 of 1850 of the Sessions Court of Coimbatore.-

(Here enter F: 86: No 150 of 1851).

1. Upon a careful consideration of the evidence recorded in the Calendar of this case, the Court of Foujdaree Adalut are of opinion that the grounds upon which the 3d 4th 6th and 8th Prisoners have been held to security, are insufficient to justify such requisition, and the Court direct that the said Prisoners be unconditionally set at liberty.

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

(Sent following Precept No 98).

Read return dated the 18th Instant from the Sessions Judge of Masulipatam to the precept of the Foujdaree Adalut under date the 14th Idem, directing the release of the Prisoners in Case No 49 of 1850 Masulipatam Sessions Courts file.-

(Here enter F: 86: No 204 of 1851.)

Read

Read return dated the 17th Instant from the Sessions Judge of Mangalore, to the Precept of the Foujdaree Adalut under date the 8th Idem, calling for explanation of the delay in the trial of the Case No 41 on the Calendar for 1850.-

(Here enter F: 86: No 207 of 1851).

Read Calendar of Case No 35 of 1850 submitted by the Acting Sessions Judge of Trichinopoly under date the 20th Instant.-

(Here enter F: 86: No 211 of 1851).

Read Calendar of Case No 1 of 1851 submitted by the Sessions Judge of Combaconum under date the 21st Instant.-

(Here enter F: 86: No 213 of 1851).

Read Calendar of Case No 40 of 1850 submitted by the Sessions Judge of Honore under date the 16th Instant.-

(Here enter F: 86: No 214 of 1851).

Read Calendars of Cases No 94 and 106 of 1850 submitted by the Sessions Judge of Calicut under date the 18th Instant.-

(Here enter F: 86: No 216 and 217 of 1851).

Read Calendars of Cases No 41 of 1850 and 2 of 1851 submitted by the Sessions Judge of Honore, under date the 17th Instant.-

(Here enter F: 86: No 218 and 219 of 1851)

Read

29th January 1851.

Read report dated the 10th Instant submitted by the Sessions Judge of Chittoor, of persons apprehended in the zillah of Chittoor, and tried by the Magistracy under Section 54 Act VII of 1843, in the month of December 1850.-

(Here enter F. C. No. 220 of 1851).

Read return dated the 17th Instant, submitted by the Sessions Judge of Chittoor, exhibiting the number of Convicts under the charge of the Head Assistant Magistrate at Vellore, to whom the Maximum and other rates of diet were issued for the month of December 1850.-

(Here enter F. C. No. 221 of 1851).

Read return dated the 21st Instant, from the Sessions Judge of Guntoor, to the precept of the Foujdaree Adalut under date the 8th Idem, containing their observations on the Petty Calendars of the Magistracy of Guntoor for the 3rd Quarter of 1850.-

(Here enter F. C. No. 223 of 1851).

Read Calendar of Case No. 314 of 1850, submitted by the Acting Sessions Judge of Trichinopoly under date the 23rd Instant.-

(Here enter F. C. No. 228 of 1851).-

No. 180.

No. 89

F. C.

Thursday 30th January 1851. } At a Court of the Foujdaree Adalut.

Present

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

Read Criminal Reports submitted by the Sessions Judge of Tellicherry for the month of December 1850.-

(Here enter F. C. No. 735 of 1850)

Report B.-
Case No. 91.

Adverting to the trifling nature of the offence committed by the Prisoner in this Case the Court of Foujdaree Adalut consider that he will be adequately punished by two months' imprisonment with hard labor in irons, and they direct that the sentence recorded against him be reduced to that extent.-

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.-

(And following precept No. 100)

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

months of December 1850.-

/True extract J. B. No. 176 of 1851./

Case No. 35.

The Court of Faydaree Atolulut observe that it should have been stated in the Report of this case whether or not the prisoner was convicted of the offence thereto laid to his charge.-

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

/Sentence No. 101/

Read the annual Jail Return for the year 1850 submitted by the Acting Subordinate Judge of Salem under date 16th January 1851.-

/Peruntur J. B. No. 1550 of 1851./

1. With reference to the unhealthiness of this Jail, the Court of Faydaree Atolulut resolve to direct that the number of prisoners in confinement be forthwith reduced by the transfer of 50 to the charge of the Officer superintending the works in progress at the Pamben Channel.-

2. In selecting the prisoners for removal and in making provision for their march, the Acting Subordinate Judge will be guided by the

the rules prescribed in the Faydaree Atolulut Circular Orders Nos. 99. 100. and 135 and the Order of Government dated 9th June 1837.

Ordered that Extract from these Proceedings be forwarded to the Acting Subordinate Judge of Salem, and to the Sessions Judge of Madura for his information and for communication to the Officer in charge of the Jail at Pamben.-

/Sentence No. 102./

Read Criminal Reports submitted by the Sessions Judge of Bonara for the months of December 1850.-

/Peruntur J. B. No. 1750 of 1850./

The Court of Faydaree Atolulut observe in respect to this case, that if the offence committed by the Prisoner is to be viewed as a Fraud, as designated in the heading prefixed to the Statement of charge, the case should have been disposed of by the Sessions Judge, and Sentence passed under Clause Seventh Section III Regulation XV of 1843.- If on the other hand, the offence has been treated as a Theft, the Sentence and the Regulation cited in support thereof are correct.-

2. The Court of Faydaree Atolulut require an explanation upon this point.-

Ordered

30th January 1857.

Ordered that Extract from these Proceedings be forwarded to the Superior Judge of Zomba by first mail following first Ps No 103

Read Miscellaneous Petition presented on the 23rd December 1856 by B. Sorbiah and two others of Zilala Chitton.

Inwards P.B. No 213 of 1856

The Court of Zoyo declared Udala but are precluded from passing any orders on the above Petition until the Petitioners shall have submitted for their consideration an attested Copy of the Acting Magistrate from which their Petition is virtually an appeal.

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

Read Criminal Reports of the Superior Court of Zomba for the Months of November 1856.

Inwards P.B. No 3257 of 1856

It is not apparent from the statement of the charge in this case that the Prisoner

Ps No 2 Cooper
Ps No 3 Rochead
Ps No 6 Thompson

Magistrates Report B.
Case No 82.

30th January 1857

Prisoner was accused of stealing, as well as cutting down the Possessors trees, the Court of Zoyo declare Udala but are disposed to view his offence as being one of a Civil rather than a Criminal nature, but before passing their final orders on the case the Court deem it proper to call for further information upon this point, under any circumstances however, the Court observe that the Read Assistant Magistrates Sentence must be annulled from the fact of his having exceeded his legal jurisdiction in demanding security for more than six months, and a new Sentence passed according to Law. The Court of Zoyo Udala but further observe that the value of the Trees alleged to have been destroyed by the Prisoner should have been set forth in the Statement of charge.

Case No 54.

2 In this case likewise the Court observe that the Read Assistant Magistrate has exceeded his legal jurisdiction in requiring the prisoner to furnish security for one year, and his Sentence must accordingly be annulled, and adverting to the fact that the Prisoners were charged with having carried off the produce

produce of the said trees the Court observe that their offence should have been designated a Theft & rather than a Misdemeanor.-

Ordered that a Extract from these Proceedings be forwarded to the Sessions Judge of Kumaoli by precept returnable within X days from and after its receipt.-

/Sent following receipt No 104/

Read Calendar of Case No 3 of 1850 submitted by the Sessions Judge of Trichinopoly under date the 17th April 1850.-

/Hereunto F.R. No 1106 of 1850/

Read Report dated 1st August 1850 submitted by the Sessions Judge of Salem of Cases pending before him for a period exceeding 25 days

/Hereunto F.R. No 2110 of 1850/

Read letter dated the 29th July 1850 from the Subordinate Judge of Mangalore reporting that the Prisoner in Case No 9 committed suicide on the morning of the 27th instant.-

/Hereunto F.R. No 2018 of 1850./

Read Calendar of Case No 50 of 1850 submitted by the Sessions Judge of Mangalore under date the 7th December 1850.-

/Hereunto F.R. No 2991 of 1850/ Read

Read Calendar of Case No 52 of 1850 submitted by the Sessions Judge of Mangalore under date the 12th December 1850.-

/Hereunto F.R. No 3130 of 1850/

Read Return dated the 21st December 1850 from the Sessions Judge of Masulipatam to the Precept of the Foujdaree Adalut under date the 28th November 1850, communicating their Orders upon the Calendars of Cases Nos 61. 62. 63. and 64 of 1850 on the file of the Sessions Court.

/Hereunto F.R. No 3077 of 1850/

30th Jan

F. 76.

Monday, 3rd February 1851. At a Court of the Tonjdaree Udalut.—

Present.—

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

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

W. A. Morehead Esquire 3rd Puisne Judge.

Read again Calendar of Case No. 21 of 1850 on the file of the Session Court of Trichinopoly.—

(Here enter F. 76. No. 223 of 1850.)

Read also Miscellaneous Petition presented on the 21st November 1850 by Malyandy Ambalacaran of Zillah Trichinopoly.—

(Here enter F. M. P. No. 198 of 1850.)

Read also return under date the 8th January 1851 from the Acting Sessions Judge of Trichinopoly to the precept of the Tonjdaree Udalut dated the 19th December 1850 directing the transmission of the original record of case No. 21 of 1850 on the file of the Sessions Court.—

(Here enter F. 76. No. 77 of 1851.)

Mr. G. S. Hooper. and Mr. W. A. Morehead. v. The prisoners in this case eleven in number were charged with having assaulted the Prosecutors, Police Sons, and rescued from them

their custody and Veeramalay whom they the Prosecutors had been deputed to apprehend.—

2. The prisoners were severally convicted by the Sessions Judge in concurrence with the Mahomedan Law Officer and sentenced on the 26th August last to Imprisonment with hard labor in irons the 1st prisoner for five years and the remaining prisoners for three years each.—

3. At the suggestion of the Court of Foujdaree Udalut these sentences were subsequently reduced in the case of the 1st prisoner to three years imprisonment and in the case of the other prisoners to two years.—

4. On an attentive consideration of the record the Court of Foujdaree Udalut see strong reason to question the propriety of the conviction of the prisoners of the offence laid to their charge.

5. It appears from the report addressed by the Tahsildar to the Magistrate under date the 9th July 1850 that on the 21st of the preceding month a disturbance had taken place between the Prosecutors and the 1st prisoner both of whom appeared before the Tahsildar on the afternoon of that day the Prosecutors exhibiting charges against the 1st prisoner and others with

having committed the offence charged in the indictment and the 1st prisoner accusing the Prosecutors of having beaten and otherwise ill-used him.—

6. The 1st prisoner is the Village Moonsiff, and it appears to the Court of Foujdaree Udalut most extraordinary that he should have acted in the manner stated by the Prosecutors, aware as he must have been that for such conduct severe punishment must be the inevitable result.—

7. It is stated in the evidence that after the alleged rescue had taken place the Prosecutors instead of at once proceeding to the Tahsildar to report it, remained about the village until the afternoon when they reapprehended the individual who had been rescued from their custody, in a field only three Indian miles distant from the village after which it would appear that both parties repaired to the Tahsildar, both complaints being dated the 21st of June.—

8. The Court of Foujdaree Udalut consider that the case has been insufficiently investigated and are satisfied that whatever occurred, the facts have been much exaggerated.— It is not explained satisfactorily how the Prosecutors on the day in question obtained information that

Veeramalay

3rd February 1851.-

Veeramaloy was in the 4th Prisoners house and the Court of Foujdaree Udalut cannot reconcile the fact of his re-apprehension on the same day in the neighbourhood of the 4th prisoners village with the other circumstances deposed to by the witnesses in support of the charge upon which the prisoners in this case have been tried.-

9. The Court of Foujdaree Udalut considering therefore that the imprisonment the prisoners have already undergone is amply sufficient for any offence they may have committed on the occasion in question Resolve to direct that they be now unconditionally released.-

Ordered that Extract from these proceedings be forwarded to the Acting Sessions Judge of Cuddapah by precept returnable within 11 days from and after its receipt.-

(Sent following precept No 104)

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

Read Miscellaneous Petition presented on the 6th January 1851 by Cotty Amma of Zillah Salem.-

(Here enter F. M. P. No 4 of 1851.)

The

F. M.

3d February 1851.

Mr. G. S. Hooper.
Mr. E. P. Thompson.
and
Mr. W. A. Morehead.

The Petitioner is referred to the former orders passed by the Court of Foujdaree Udalut in the matter to which this Petition relates, and the Petitioner's application is dismissed.

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

Read Miscellaneous Petition presented on the 6th January 1851 by V. Setta Sam Coy: Vakeel on behalf of Chenguloya Chetty of Zillah Chittoor.-

(Here enter F. M. P. No 6 of 1851.)

Mr. G. S. Hooper.
Mr. E. P. Thompson.
and
Mr. W. A. Morehead.

1. The Petitioner appeals from certain proceedings held by the Sessions Judge of Chittoor under date the 17th September last confirming an order passed by the Magistrate of North Arcot directing the remission of a fine imposed by the Joint Magistrate upon certain persons inhabitants of the village to which the Petitioner belongs upon a charge preferred against them by the Petitioner.-

2. The Court of Foujdaree Udalut cannot interfere in the matter to which the Petitioner refers the orders passed by the Joint Magistrate therein having been overruled by competent authority.-

3. Should the Petitioner apprehend danger

danger to himself from the party in question it is open to him to apply to the Magistracy who will adopt such precautionary measures as the circumstances of the case may appear to require.—

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

Read Miscellaneous Petition presented on the 6th January 1851 by V. Seth Sambey Vakeel on behalf of Condama Naicken of Zillah Madura.—

(Here enter J. M. P. No. 7 of 1851.)

Mr. E. D. Thompson. This is an application for the release of Ramasamy Naicken prisoner in Case No. 15 of 1850 on the file of the Sessions Court of Madura.—

2. The Court of Foujdaree Adalut on full attentive consideration of the record of the case referred to concurred with the acting Sessions Judge in the conviction of the prisoner of the Forgery laid to his charge and sentenced him to two years imprisonment with hard labor in irons.—

3. The Court of Foujdaree Adalut see no reason to question the propriety of the said sentence

and they accordingly resolve to dismiss the Petitioners application.—

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

Read Miscellaneous Petition presented on the 17th December 1850 by Sivacamoo of Zillah Cuddalore.—

(Here enter J. M. P. No. 208 of 1850.)

Mr. G. S. Hooper. Mr. E. D. Thompson and Mr. W. A. Morehead. The Court of Foujdaree Adalut resolve to direct that the English translation of this Petition be forwarded to the Sessions Judge of Cuddalore who will be pleased to submit such observations as he may think proper with reference to the allegations therein set forth.—

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Cuddalore by precept returnable within x days from and after its receipt.—

(Sent following precept No. 108)

Ordered also that Extract from these proceedings be furnished to the Petitioner on her application.—

Read Return dated 16th January 1851 by the Sessions Judge of Tellicherry to the Precept

of the Court of Fouzdaree Udalut under date 3d. Idem conveying their orders in Case No. 17 on the Calendar for 1850.—

(Here enter F. U. No. 210 of 1851.)

1. In para: 1 of this return the Sessions Judge states that the declaration of the deceased was duly submitted with the Proceedings and proved by the 16th and 17th witnesses.—

2. The Court of Fouzdaree Udalut are fully aware that the declaration was on the record of the Police Proceedings and that the 16th and 17th Witnesses deposed to the fact that a declaration had been given by the deceased.— The declaration was not however read over to the said witnesses nor was it identified by them, as it might to have been, and the remarks contained in the 6th Para: of the Proceedings in question had reference to these omissions.—

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

(Sent in No. 109.)

Read Calendar of Case No. 49 of 1850 of the Sessions Court of Nellore.—

(Here enter F. U. No. 229 of 1851.)

Upon a careful consideration of the

evidence set forth in the Calendar of this case, the Court of Fouzdaree Udalut are of opinion that the grounds upon which the 3d. Prisoner has been held to security are insufficient to justify such requisition, and the Court accordingly direct that he be unconditionally set at liberty.—

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

(Sent in No. 110.)

Read Calendar of Case No. 61 of 1850 of the Sessions Court of Mangalore.—

(Here enter F. U. No. 215 of 1851.)

The Court of Fouzdaree Udalut ap-
prove of the recommendation made by the Sessions Judge in this Case, that the punishment awarded to the Prisoner on the conviction of Theft be mitigated to 5 years imprisonment with hard labor in irons, and the Sessions Judge is authorized 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. 111.)

Read

3d February 1851.

Read again Calendar of Case
No. 44 of 1850 of the Session Court of Cuddalore.—
(Here enter J. C. No. 71 of 1851.)

Read also Return dated the 24th
January made by Session Judge of Cuddalore to the
Precept of the Foujdaree Adalut under date the
21st January suggesting a mitigation of the sentence
recorded against the Prisoner in the above Case.—
(Here enter J. C. No. 240 of 1850.)

In accordance with the recommen-
dation contained in the foregoing Return, the Court
of Foujdaree Adalut direct that the sentence
recorded against the Prisoner in the above Case
be mitigated to 5 years imprisonment with hard
labor in irons, and the Session Judge will be pleased
to issue a fresh Warrant accordingly.—

Ordered that Extract from these
proceedings be forwarded to the Session Judge of
Cuddalore for his information and guidance.—
(Sent in No. 112)

Read Calendar of Case No. 18
of 1850 of the Sessions Court of Coimbatore.—
(Here enter F. C. No. 201 of 1851.)

The Court of Foujdaree Adalut
approve of the recommendation made by the Session
Judge

Judge in this Case, that the punishment awarded
to the 2d Prisoner on his conviction of Gang
Robbery be mitigated to 5 years imprisonment with
hard labor in irons, and the Session Judge is auth-
-rized to issue his warrant accordingly.—

Ordered that Extract from these
proceedings be forwarded to the Session Judge of
Coimbatore for his information and guidance.—
(Sent in No. 113.)

Read Calendar of Case No. 9 of
1851 of the Session Court of Bellary.—
(Here enter F. C. No. 231 of 1851.)

Adverting to the concluding obser-
-vation of the Sessions Judge recorded in the 15th para
of the foregoing Calendar, the Court of Foujdaree
Adalut deem it proper to direct that the Magistrate
be instructed to call upon the Head of Police of the
Vaualpaud Taluk to submit a full and immed-
-diate explanation of his conduct in permitting
the deceased Hussan to be detained for so long a
period under the custody of the Village authorities.

Ordered that Extract from these
proceedings be forwarded to the Session Judge of
Bellary by Precept returnable within XV days
from and after its receipt.—
(Sent following Precept No. 114)

Read

3d February 1851.

And Criminal Reports of the Sessions Court of Mangalore for the months of December 1850.-

(Here enter F.H. No. 176 of 1851)

Report B. Cases Nos. 213 and 214.-

1. The Court of Foujdaree Adalut observe that, agreeably to the requisition contained in Foujdaree Adalut Circular Order dated 25th October 1850,- the previous conviction of the Prisoner specified in the Note appended to the report of Case No. 213 should have been entered, as a separate count in the indictment against the Prisoner in Case No. 214, and evidence adduced to prove the identity of the Prisoner with the individual to whom the said conviction referred.-

Case No. 230.- 2. The same remarks, the Court also observe are applicable to the Case noted in the margin in which the 1st Prisoner is alleged to have been previously convicted and punished.-

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

(Sent in No. 115.)

Read letter dated 23d Ultimo, from the Sessions Judge of Nellore submitting for the final judgment of the Foujdaree Adalut the record

4/

F.H.

3d February 1851.

record of Case No. 40 of the Calendar of the Sessions Court.-

(Here enter No. 256 of 1851.)

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 prisoner

"Potula Venkama"

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, though not amounting to conviction, attaches to him, they direct that under Clause Sixth Section II Regulation XV of 1803 and Section XXXIV Act VII of 1843 he be required to find two Sureties in (100) One hundred Rupees each Surety for his good behaviour and appearance when required within three years or in default thereof he be detained for three years in confinement.-

Adverting to the remark recorded by the Sessions Judge in the 12th para of the foregoing letter the Court of Foujdaree Adalut observe that in all cases in which the Sessions Judge may be unable to peruse the former depositions

depositions of witnesses previous to the trial it is the duty of the Sessions Judge to have the said depositions read to him while the trial is in progress and not to entrust to his ministerial officers the task of discovering any discrepancies or omissions which the depositions of the witnesses may contain.—

2. The Court of Zuzdaree Udalut are not of opinion that any advantage would result from the adoption of the suggestion contained in the 2d" para of the foregoing letter.—

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

(Sent in No. 116.)

Read letter dated the 20th January 1851 from the Sessions Judge of Coimbatore submitting the Petty Calendars of Cases disposed of by the Magistracy during the 3d Quarter of 1850.—

(Here enter J. C. No. 202 of 1851.)

Case No. 76. 1. Adverting to the fact that the charge was proved against the Prisoner in this Case, the Court of Zuzdaree Udalut observe that the demand of Security from him was illegal, and must be immediately cancelled.—

J.

2. It is with regret that the Court of Zuzdaree Udalut observe the large number of Cases which have been incorrectly disposed of by the Joint Magistrate of Cotacamund during the period under review.— The Sessions Judge will be pleased to inform this officer that he is expected to be more careful in future in passing his sentences in accordance with the Regulations, and that he is only empowered in cases of theft to award corporal punishment under Regulations IX and X of 1816.—

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

(Sent in No. 117.)

Read report of the labor of Convicts in the Jail at Vellore for the month of December 1850 submitted by the Magistrate of Salem under date the 2d" Ultimo.—

(Here enter J. C. No. 270 of 1851.)

Read Calendars of Cases Nos. 79 of 1850 and 5 of 1851 submitted by the Acting Sessions Judge of Cuddapah under date the 27th Ultimo.—

(Here enter J. C. Nos. 274 & 275 of 1851.)

Read

3d February 1851.

Read Calendar of Case No. 50 of 1850 submitted by the Session Judge of Nellore under date the 28th ultimo.-

(Here enter F.H.C. No. 276 of 1851.)

Read letter dated the 27th ultimo from the Session Session Judge of Cuddapah - reporting the execution of the Prisoner Siddojee in Case No. 77 of the Calendar for 1850.-

(Here enter F.H.C. No. 279 of 1851.)

Read Statement dated the 22d ultimo submitted by the Session Judge of Tellicherry of Batta paid to Prosecutors and witnesses attending before the Session Court during the 2d half year of 1850.-

(Here enter F.H.C. No. 284 of 1851.)

Read return dated the 22d ultimo from the Session Judge of Tellicherry to the precept of the Tondaree Udalut under date the 16th Idem requiring information as to what progress has been made in the preparation of the English translation of trial in Case No. 14 of 1850 on his Calendar and to explain the cause of the delay in its transmission.-

(Here enter F.H.C. No. 287 of 1851.)

Read

57

F.H.C.

3d February 1851.-

Read Calendar of Case No. 2 of 1851 submitted by the Session Judge of Combaconum under date the 28th ultimo.-

(Here enter F.H.C. No. 292 of 1851.)

Read Calendar of Case No. 3 of 1851 submitted by the Session Judge of Rajahmundry under date the 27th ultimo.-

(Here enter F.H.C. No. 295 of 1851.)

Read Calendars of Cases Nos. 2 and 3 of 1851 submitted by the Acting Sessions Judge of Tinnevelly under date the 25th ultimo.-

(Here enter Nos. 296 and 297 of 1851.)

Read Statement dated the 1st ultimo submitted by the Sessions Judge of Coimbatore of Batta paid to Prosecutors and witnesses attending before his Court during the 2nd half of 1850.-

(Here enter F.H.C. No. 299 of 1851.)

Ed. 18.W.

F. 96

Wednesday
5th. February 1851. At a Court of the Foujdaree Udalut

Present

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

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

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

Read letter under date the 25th. January 1851 from the Sessions Judge of Coimbatore submitting a translation of the record of Case No. 41 of 1850 on the file of the Sessions Court for the final judgment of the Foujdaree Udalut-

[Here enter F.96. No. 268 of 1851]

The Court of Foujdaree Udalut upon

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 Prisoners

1 Aundy moodoo goundon

2 Nullucktan

3 Ramasamy goundon

4 Chinna Amanandy goundon

5 Coothoocara Siddandy goundon

6 Ponnaundy

7 Dansary Naicken

8 Pothum Palany

9 Palany

10 Avalvo. (and

11 Madalay goundon.

are

are not convicted on presumptive proof or on the evidence of Credible witnesses or on their own confession of the Crime charged, do acquit them thereof and direct that the Prisoners.

1 Arundy mootoo goundon
2 Nellucktaul
3 Ramadamy goundon
4 Chinna Amanandy goundon
6 Ponnandy
7 Dandary Naicken
8 Pottum Palamy
9 Palamy
10 Avalon
and
11 Madalay goundon

be Set at liberty.

But being of opinion that Strong Suspicion, though not amounting to conviction, attaches to the Prisoner.

5th Cottorcara Siddandy goundon

the Court direct under the Provisions of Clause Sixth Section II Regulation XV of 1803, that he be required to find two Sureties in fifty 50 of Rupees each Surety, for his good behaviour and to appearance when required within two years, and to that in default thereof he be detained for two years in confinement.

On an attentive perusal of the record of this Case the Court of Foujdaree Udalut consider the evidence insufficient for the full conviction of any of the prisoners charged.

The Court of Foujdaree Udalut can attach no Credit to the Prosecutors Statements which they observe involve many contradictions & great improbabilities. The Court find that this individual stated before the Police on the 16th September that four or five days after the alleged murder Viz. about the 1st August the 20th witness gave him most important information regarding the complicity of the prisoners and others no 1st 2nd 3rd 4th 5th 6th and 11th and yet it appears that on the 16th August known and yet it appears that on the 16th August fifteen days after the information in question is stated to have been received by him he had admitted before the same authority, that he had no clue to the murder, while on the 10th of September he accused the witness above referred to as having been an accessary.

The evidence of the witnesses for the prosecution appears to the Court to be open to Similar objections and to be therefore undeserving of belief. Many of them depose to most important facts

facts implicating the Prisoners in the murder of the deceased and some of them even state that they saw the deed committed and yet for more than 40 days although the Police were on the alert and a reward to 1000 Rs offered for the discovery of the murderers none of the witnesses came forward to depose to the circumstances to which they have now sworn

5 The Court would further remark that the place of the alleged murder about 10 or 20 Fathoms from the Police Chowdy is hardly reconcilable with the common prudence which would influence persons bent on committing so foul an act as that with which the prisoners are charged, nor is the extent of the injury to the body of the deceased satisfactorily deposed to; it being impossible without a professional opinion to ascertain the character of the violence the deceased received for it is clear that a Brahmin who could not approach the Corpse and ignorant country people, who knew not the difference between the wind-pipe and the bone of the necks were not competent to explain the nature of the injury inflicted, or whether it was sufficient to cause death.

6 The only part of the evidence upon which

which the Court of Foujdaree Adalut can place any reliance is that which has reference to the calling of the deceased from his house by the 5th prisoner and the Court have considered the evidence to justify a requisition of Security from the 5th prisoner, being of opinion that strong Suspicion attaches to him of having been concerned in the commission of the crime -

7 The remaining prisoners the Court of Foujdaree Adalut have for the reasons above stated have ordered to be unconditionally released.

8 It appears to the Court that the pressure of the responsibility laid on the Police by the joint Magistrate in his order of the 13th and 20th of August to find out the perpetrators of the murder, forced them in self defence to endeavour to fix the offence on Some one or other and that they selected the prisoners in this case as the best suited for their purpose from the enmity which was known to exist between some of them and the deceased.

9 The Court of Foujdaree Adalut are of opinion that the conduct of the 7th witness Sheikh Moideen who was acting as a Police Peon at the time the murder is said to have been committed, in whatever way it is viewed renders him

him unworthy of public employment, and they do accordingly resolve to direct that the said individual be dismissed the Service if he is now employed in it, and if not, that he be not re-employed either in the revenue or Police departments.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Coimbatore for his information and guidance and for Communication of paras 8 and 9 to the acting Magistrate of Coimbatore.

/Sent in No. 128./

Read Calendar of Case No. 43 of 1850 of the Sessions Court of Cuddalore.

/Here enter F.C. No. 263 of 1851/

1. The Court of Foujdaree Adalut are of opinion that a Sentence of one years imprisonment with hard labor in irons will be adequate punishment for the offence of which the Prisoner in this case has been convicted.

2. If the Sessions Judge be enabled to concur in this opinion he will be pleased to Submit his recommendation for the mitigated Sentence now proposed, and carry the same into effect without further orders from the Court of Foujdaree

Foujdaree Adalut, If on the other hand he be unable to concur in the said opinion, he will be pleased to Submit a translation of the entire Record of the Case for the consideration of the Foujdaree Adalut.

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

/Sent following Precept No. 129/

Read Letter dated the 22d. Jany 1857 from the Sessions Judge of Chittoor forwarding translations of three Petitions from the relations of certain of the Prisoners in Case No. 19 of 1850 of the Sessions Court of Chittoor together with a return from the Acting Joint Magistrate in charge

/Here enter F.C. No. 259 of 1857/

Read also Miscellaneous Petition of Vullee Ummal, relative of the 1st Prisoner in the above Case, Submitted by the Acting Deputy Secretary with an Order of Government under date the 25th January 1857.

/Here enter F.C. No. 262 of 1857/

Before passing their final Orders on the above Petitions the Court of Foujdaree Adalut resolve

5th February 1857

* to be returned

pedure to forward the* same through the Sessions Judge of Chittoor to the Magistrate of North Arcot, who, with reference to the several allegations therein set forth, will be pleased to institute a searching enquiry into the conduct of the Head of Police of Palmanair in the Case referred to, and report the result of his investigation for the consideration of the Court of Foujdaree Adalut.

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

/Sent following precept No. 130./

Read Supplimental Return dated the 25th Ultimo from the Sessions Judge of Chicacole to the Precept of the Foujdaree Adalut dated 13th December 1856, requiring to be informed more distinctly of the grounds upon which the Prisoner in Case No. 23 of the Security calendar disposed of by the Principal Assistant Magistrate of Ganjam, has been held to Security; and whether the examination prescribed by Circular Order dated 25th February 1824 was observed in that and in Case No. 22.

/Rec'd enter F. No. 303 of 1857/

Read

5th February 1857.

Read Return dated the 25th Ultimo from the Sessions Judge of Rajahmundry to the precept of the Foujdaree Adalut under date the 24th Instant directing that the term of imprisonment awarded to the Prisoner a Caste No. 1 of 1857 on the Calendar be reduced to two years.

/Rec'd enter F. No. 303 of 1857/

Read Extract from the Proceedings of the Sessions Court of Trichinopoly dated 27th Ultimo on Review of the Calendar of persons furnished by the Magistracy for the 4th Quarter of 1850.

/Rec'd enter F. No. 304 of 1857/

Read Calendar of Case No. 1 of 1857 submitted by the Sessions Judge of Salem under date the 25th Ultimo.

/Rec'd enter F. No. 314 of 1857/

Read Calendar of Case No. 7 of 1857 submitted by the Acting Sessions Judge of Cuddapah under date the 31st Ultimo.

/Rec'd enter F. No. 315 of 1857/

Read Calendar of Case No. 8 of 1857 submitted by the Acting Sessions Judge of Cuddapah under date the 31st Ultimo.

/Rec'd enter F. No. 316 of 1857/

5th February 1857.

Read Letter dated the 1st Instant from the Supreme Judge of Chingleput Reporting that no cases to be reported on are pending by the Circuit Letter dated the 16th October 1854 and 21 January 1856 were pending last month before the Supreme Court

Returned File No. 317 of 1857

Read Letter dated the 1st Instant from the Supreme Judge of Cuddalore Reporting that no case is pending trial for a period exceeding 25 days.

Returned File No. 320 of 1857

Ld 1857.

Saturday - - - -
8th February 1851

At a Court of the Foujdaree Udalut.

Present

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

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

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

Circular - 1 The Court of Foujdaree Udalut having reason to apprehend from the want of uniformity observable in the disposal of Cases recently entered in the monthly Criminal Reports, that the true meaning and intention of their Circular Instructions issued under date the 2d October last, are imperfectly understood by judicial Officers in the Provinces, resolve, in further explanation of those instructions to notify, that, whenever a Prisoner charged with any specific offence before a Criminal Court may be alleged to have undergone a previous sentence of conviction, which, if proved against him, would enhance the punishment awardable for the said specific offence, such previous conviction must invariably be added as a second or separate Count in the indictment, and evidence adduced to establish the identity of the Prisoner with the individual to whom the said previous conviction referred. —

For

2 For the better exemplification of the foregoing instructions the two following Cases are subjoined in each of which it would be necessary to insert the previous conviction of the Prisoner as a second count in the indictment.—

I

A Prisoner is sent up before a Subordinate Criminal Court charged with stealing property to the amount of Rupees 25- As the Case thus stands, it is obvious that the Criminal Judge may deal with the single offence of theft under the provisions of Regulation X of 1816- but if at the same time it be shewn that the Prisoner has been previously convicted of "theft, burglary- robbery or other heinous offence", he becomes immediately liable to an enhanced punishment, and the case must necessarily be disposed of under Clause fourth Section III Regulation VI of 1822.—

II

In like manner a Prisoner is sent up before a Subordinate Criminal Court on a charge of House-breaking and Theft of property valued at Rs. 75- The Subordinate Criminal Judge may punish this offence, as the value of the stolen property

property does not exceed Rs. 100, under the provisions of clause Sixth Section II Regulation VII of 1822- but if a previous conviction of burglary, robbery or other heinous crime be shewn against the Prisoner, he becomes liable to an enhanced punishment, and the Case must necessarily under the second clause of that enactment be committed for trial before the Sessions Court.—

In each of the above Cases the liability of the Prisoner to an enhanced punishment on account of his previous conviction requires that he should be afforded an opportunity of pleading to the charge.—

Ordered that Extract from these Proceedings be sent to the several Sessions Judges for their information and guidance.—

(Sent in No. 137)

Read Calendar of Case No. 36 of 1850 of the Sessions Court of Chittoor

(Here enter F.R. No. 291 of 1851)

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this Case, that the Sentence recorded against the Prisoner on his conviction of Gang Robbery be mitigated to seven years' imprisonment with hard labor in irons, and the Sessions Judge is authorized

to issue his warrant accordingly.—

2 The Court concur with the Sessions Judge in deeming it desirable that informations laid before the Police authorities should be recorded in writing, and the Court request that the Magistrate may be directed to issue instructions to his subordinate Officers to that effect.

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

(Sent in No. 138.)

Read Calendar of Cases Nos. 2 and 3 of 1851 of the Sessions Court of Cuddalore.—

(Hereenter F. U. Nos. 293 and 294 of 1851)

The Court of Foujdaree Udalut require an explanation of the great delay observable in the disposal of these Cases before the Court of the Principal Sudder Ameen, and the Sessions Judge will also be pleased to call upon the Acting Magistrate to explain the cause of the long detention of the Prisoners in Case No. 3 before the Taluck authorities.—

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Cuddalore by Precept returnable within X days from

from and after its receipt.—

(Sent following Precept No. 139)

Read letter dated 31st January 1851 from the Agent to the Governor at Vizagapatam submitting for the final judgment of the Foujdaree Udalut the record of Case No. 20 of 1850 on the Calendar.—

(Hereenter F. U. No. 338 of 1851)

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

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

"Dodhihundy Sauhoo Ghadeyah Ramachendro alias Bully Tickah"

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

(Sent following letter No. 140.)

Read Report, dated the 2d Ultimo submitted by the Sessions Judge of Chittoor, of Cases pending before him on the 31st December 1850 for a period in excess of 25 days calculated from the date of Commitment.—

(Hereenter F. U. No. 96 of 1851)

Read

8th February 1851.

Read Statement, dated the 8th Ultimo submitted by the Session Judge of Madura, of Batta paid to Prosecutors and Witnesses attending before the Sessions Court during 2d half year 1850.—

(Here enter F. U. No. 97 of 1851)

Read Criminal Reports dated 31st December 1850 submitted by the Acting Subordinate Judge of Salem for the month of December 1850.—

(Here enter F. U. No. 100 of 1851)

Read Calendar in Case No. 1 of 1851 submitted by the Acting Sessions Judge of Cuddapah under date the 11th January 1851.—

(Here enter F. U. No. 105 of 1851)

Read Criminal Reports dated 10th Ultimo submitted by the Acting Subordinate Judge of Madura for the month of December 1850.—

(Here enter F. U. No. 108 of 1851)

Read Criminal Reports dated 15th Ultimo submitted by the Sessions Judge of Chingleput for the month of December 1850.—

(Here enter F. U. No. 119 of 1851.)

Read Criminal Reports dated 1st Ultimo

Ultimo submitted by the Session Judge of Combaconum for the month of December 1850.—

(Here enter F. U. No. 121 of 1851)

Read Calendar of Case No. 3 of 1851 submitted by the Acting Session Judge of Cuddapah under date the 14th January 1851.—

(Here enter F. U. No. 123 of 1851.)

Read Calendar of Case No. 45 of 1850 submitted by the Session Judge of Nellore under date the 14th January 1851.—

(Here enter F. U. No. 124 of 1851)

Read Calendar of Case No. 46 of 1850 submitted by the Session Judge of Nellore under date the 14th January 1851.—

(Here enter F. U. No. 125 of 1851.)

Read Criminal Reports dated the 31st December 1850 submitted by the Session Judge of Coimbatore for the month of December 1850.—

(Here enter F. U. No. 131 of 1851)

Read Criminal Reports dated the 15th Ultimo submitted by the Session Judge of Nellore for the month of December 1850.—

(Here enter F. U. No. 134 of 1851)

Read letter dated the 15th January 1851 from the Session Judge of Calicut, transmitting the

8th F. 1851

8th February 1851.

the Criminal Reports for the Month of December last.—

(Here enter F. W. No. 188 of 1851)

2nd Ditto.

F. W.

Monday — — —
10th February 1851 } At a Court of the Foujdaree Adalut.—

Present

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

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

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

Read Miscellaneous Petition presented on the 6th January 1851 by Ramalinga Manaya Karan of Tillah Tinnevelly.—

(Here enter F. M. P. No. 2 of 1851)

Mr. G. S. Hooper
Mr. E. D. Thompson
and
Mr. W. A. Morehead.

1 The Court of Foujdaree Adalut cannot interfere in the manner requested in this Petition the persons to whom the Petitioners refers having been acquitted by a competent tribunal of the offence laid to their charge.—

2 This Petition is accordingly dismissed. Ordered that Extract from these Proceedings be granted to the Petitioner on his application.—

Read Miscellaneous Petition presented on the 11th January 1851 by T. Appiah Vakeel on behalf of S. Ramakrishnammah of Tillah Tellicherry.—

(Here enter F. M. P. No. 9 of 1851.)

Mr. G. S. Hooper
Mr. E. D. Thompson
and
Mr. W. A. Morehead

1 The Court of Foujdaree Adalut cannot

cannot interfere in the matter to which the Petitioner re-
fers the person whom the Petitioner charges with
having defrauded him having been acquitted by
a Court of competent jurisdiction of the offence
laid to his charge.—

2 The Court observes that it is open
to the Petitioner to institute a Civil Suit for
the recovery of the Jewels adverted to.—

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

Read Miscellaneous Petition presented
on the 20th
January 1851 by T. Appiah Vakeel on
behalf of Velajee Amarachund Shetty of Hillah
Calicut.—

(Here enter F. M. D. No 17 of 1851)

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

The Court of Foujdaree Udalut seeing
no reason to question the propriety of the orders
passed by the Sessions Judge of Calicut under date
the 17th October last in the matter to which the
Petitioner refers and they accordingly resolve to
dismiss this Petition.—

Ordered that Extract from these Pro-
ceedings be granted to the Petitioner's Vakeel on
his application.—

Ex. 1810

Wednesday
12th February 1851

At a Court of the Tonjdaree Adalut.

— Present —

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

Read again Calendar of Cases Nos 53, 54, 55 and 56 of 1850 of the Sessions Court of Mangalore

/Here Enter Nos 23, 24, 25 & 26 of 1851/

Read also Return dated the 29th January made by the Sessions Judge of Mangalore, to the precepts of the Tonjdaree Adalut under date the 20th June 1851, communicating the orders of the Court on review of the above Calendar

/Here Enter No 324 of 1851./

In conformity with the recommendation contained in the foregoing Return, the Court of Tonjdaree Adalut resolve to direct that the sentence recorded against the Prisoners in the above cases, be mitigated to six Months' imprisonment with hard labor in irons, and the Sessions Judge will be directed to issue fresh warrants accordingly:-

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

/Sent in No 144./

Read Calendar of Case No 5 of 1851 submitted by the Sessions Judge of Cuddapah under date the 24th January 18

/Here Enter No 230 of 1851./

Read Statement submitted by the Sessions Judge of Calicut under date the 18th January 1851 of Batta paid to Prosecutors and Witnesses during the 2d half of 18

/Here Enter No 232 of 1851.

12th February 1857.

Read Statement, submitted by the Sessions Judge of Cuddalore under date the 1st January 1851, required by Circular Order No 6 for the 2nd Half of 1850.

/Here Enter the No 234 of 1850./

Read letter dated the 2nd January 1857. from the acting Session Judge of Tinnevelly submitting the usual Petty Calendars of the Magistrate and his Assistants for the 4th Quarter of 1856.

/Here Enter the No 248. of 1857./

Read Letter dated the 18th January 1857 from the Agent at Vizagapatam forwarding a letter from his Second Assistant together with an original Death Warrant issued against the Prisoner N. Narasimudu duly executed.

/Here Enter the No 249 of 1851/

Read Calendars of Cases No 3 and 4 of 1857 submitted by the Sessions Judge of Chingleput under date the 20th January 1857.

/Here Enter the No 253 and 254 of 1851/

Read Statement dated 23d January 1857. submitted by the Sessions Judge of Salem, of Station bound to prosecutors and witnesses before the Sessions Court during the 2d half of 1851.

/Here Enter the No 237 of 1851/

Read Calendar of Case No 1 of 1857 submitted by the Sessions Judge of Mangalore under date the 21st January 1851.

/Here Enter the No 255 of 1851/

Read Calendar of Case No 1 of 1857. submitted by the Sessions Judge of Rajahmundry under date the 23d January 1857.

/Here Enter the No 257 of 1851/

Read

12th February 1857.

Read Letter dated 27th January 1857. from the Sessions Judge of Cuddalore, forwarding the original Petty Calendars of the cases disposed of by the Magistracy during the 4th Quarter of 1856, together with copy of an Extract from the Proceedings of the Sessions Court dated 23d January 1857.

/Here Enter the No 259 of 1857./

No 7810.

P.U.

Thursday
13th February 1851.

At a Court of the Tinnevelly Adalut

Present

G. J. Hooper Esqre _____ 1st Provincial Judge

C. P. Thompson Esqre _____ 2d Provincial Judge

H. A. Morehead Esqre _____ 3d Provincial Judge

Read the annual Statement of the Prisoners in the Jails at Tinnevelly submitted by the Acting Sessions Judge under date 30th January 1851.

/Here take the No 331 of 1851./

The Court of Tinnevelly Adalut observing that the Prisoners are still allowed to cook for themselves and purchase condiments &c by the means of tokens, direct that the attention of the acting Sessions Judge be called to their Circular instructions of the 5th April 1850 which prohibited this practice and required that condiments &c be furnished by the Officers of the Jails in the same way as the daily allowance of grain &c

Ordered that extract from these proceedings be sent to the Acting Sessions Judge of Tinnevelly for his information and guidance.

/Sent in No 145./

Read the Jails Report dated 31st December 1850 submitted by the Acting Principal Sudder Ameen of Vizagapatam

/Here take the No 332 of 1851./

From the 8th Column it would appear that there were 174 Prisoners in the Jails on the 31st December 1850 in the following Columns

166

13 February 1851

166 are entered as employed on the roads
1 ditto ab the Forge
7 as being sick
1 as being unfit for labor making a
Total of 175 And the Court of Enquiry Udalut
direct that the Principal Sudder Ameen be called
upon to explain this discrepancy

Ordered that Extract from these proceed-
ings be sent to the acting Principal Sudder Ameen of
Vizagapatam for his information.—

/ Sent in Ex. Mb. /S

4th 1851.

F. Uo.

Friday
14th February 1851. } At a Court of the Foujdaree Udalut.

Present.

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

Read a letter dated 25th January 1851 from the Acting Magistrate of South Arcot transmitting copies and translates of certain depositions and reports connected with a case recently forwarded to the Court of the Principal Sudder Ameen and recommending that the Head of Police of Tricalore be dismissed from his situation:—

(Here enter F. Uo. No. 260 of 1851.)

It appears that an imperfectly developed male foetus of from 5 months growth having been discovered in a channel the mother was forwarded for trial on a charge of concealing the birth notwithstanding that she had not attempted to conceal her pregnancy that her husband had alleged that she had been pregnant by himself and that it was obvious that the foetus could not have been born

14th Febmary 1851.

born alive.-

2. Although the papers now submitted show great ignorance of his duties on the part of the Head of Police of Tricalore the circumstances of the case do not, in the opinion of the Court of Fouzdaree Udalut call for his dismissal, and the Judges therefore request that the Magistrate will severely censure him and warn him that should the want of judgment and neglect of orders observed on the present occasion be discovered in any of his future proceedings he will at once be removed from the service.-

3. The Deposition of the Village Moonsiff, Enclosure No 3, shows that that Officer was totally ignorant of the orders of the Court of Fouzdaree Udalut noted marginally, and the Judges of the Court of Fouzdaree Udalut consequently request that translations of those orders may be forwarded by the Magistrate to the several Heads of Police with instructions to circulate the same in the different Villages of their several Talooks.-

18th January 1843
15th July 1847

Ordered, that Extract from these Proceedings, be forwarded to the Acting Magistrate

14th Febmary 1851

Magistrate of South Arcot, for his information.

(Sent in No 147 J.s

F.M.

Saturday 5th February 1851. } At a Court of the Sessions Vadalur.

Present

Hon'ble G.T. Hooper Esquire - 1st Puisne Judge.
E.P. Thompson Esquire - 2d Puisne Judge.
Hon'ble W.A. Morehead Esquire - 3d Puisne Judge.

Read Calendar of Case No 34 of 1850 of the Sessions Court of Cuddalore.

/Warrant No 340 of 1851./

The Court of Sessions Vadalur approve of the recommendation made by the Sessions Judge in this Case, that the sentence recorded against the prisoner on his conviction of Gang Robbery be mitigated to 7 years imprisonment with hard labor in irons, and the Sessions Judge is authorized to issue his warrant accordingly.-

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

/Entered No 840/

Read Calendars of Petty Cases disposed of by the Magistracy of Royalmunary during

during the 4th Quarter of 1850 with the remarks recorded by the Sessions Judge thereon.

/True extract F.C. No 353 of 1851/

Calendar of persons punished Cases Nos 84. 99.

The Court of Vizagapatam Adalut resolve to direct the attention of the Magistrate to the note laid down in their Circular Orders dated the 26th August 1818 wherein it is laid down that in all cases of "Petty thefts" the amount charged or proved to have been stolen should be invariably specified in the Calendar.

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Rajahmundry for communication to the Magistrate.

/Entered No 149./

18th Jan 15th J

Read letter dated the 7th February 1851, from the Acting Sessions Judge of Cuddapah, submitting for the final judgment of the Vizagapatam Adalut the record of case No 4 of 1851 on the Calendar of the Sessions Court.

/True extract F.C. No 392 of 1851/

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

"Bavaga Chinna Venkatadrogadu"

is sufficient to convict him of the crime of Murder, do convict him thereof, and sentence him to be transported to such place or places beyond sea as the Governor in Council shall appoint there to be imprisoned and kept to hard labour in irons on the public roads or other public works for and during the period of his natural life.-

The Court of Vizagapatam Adalut concur with the Acting Sessions Judge in the conviction of the prisoner in this case but considering it proved that the act was the immediate result of an ungovernable fit of malice, and as there is no evidence of premeditation or of the existence of previous malice on the part of the prisoner towards the deceased, the Court of Vizagapatam Adalut have refrained from awarding in this case the extreme penalty of the law.-

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

/Entered No 150./

Read letter dated 1st February 1851 from the Sessions Judge of Madura transmitting

13th February 1851.-

transmitting the petty Calendars, submitted by the Magistrate for the 4th Quarter of 1850

/Entered J.C. No 329 of 1851./

No 3 on the Calendar of persons punished.-

In this case the prisoner was for compromising a theft & sentenced to 15 days' imprisonment with labor and, as the Cazee Abdul Cozab has declared that compromises of this nature are not ordinarily punishable under the Mahomedan Law, the Court of Sessions Tuticorin desire that the Magistrate may be called upon for a full explanation of the circumstances out of which the charge arose.-

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

/Sent in 1851./

No 1. of 1851

Read Calendar of Cases submitted by the Sessions Judge of Calicut dated the 4th January 1851.-

/Entered J.C. No 322 of 1851./

Read Report dated the 1st Instant submitted by the Sessions Judge of Moulmein of Cases pending on the 31st December 1850, and committed for trial during the months of January 1851 before the Sessions Judge.-

/Entered J.C. No 330 of 1851./

18th Ja
15th J

Wm C P Thompson.

Wm C P Thompson.

J. C.

Monday 17th February 1851. } At a Court of the Sessions Tuticorin.

Present

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

Read Miscellaneous Petition presented on the 14th January 1851 by Ramakrishna Pootten Adichella Nadan of Tillah Tinnevelly.-

/Entered J.C. No 15 of 1851./

The Petitioner is referred to the former orders passed by the Court of Sessions Tuticorin in the matter to which this Petition relates.-

Ordered, that Extract from these Proceedings be furnished to the Petitioner on his Application.-

Read Miscellaneous Petition presented on the 23d January 1851 by T. Seth Sanadi Tukeboo on behalf of Condanna Pankan of Tillah Madura.- /Entered J.C. No 20 of 1851./

The Petitioner is referred to the orders already passed in the case to which this Petition relates.-

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

Read

17th February 1857.

Read Criminal Reports submitted by the Acting Sessions Judge of Cuddalapah for the Month of December 1856.-

/Entered in Register F.B. No 173 of 1857./

Report B
Case No 331.

It appears to the Court of Zemindary Adalut that the sentence awarded to the prisoner in this case who has been sentenced to one years imprisonment with hard labor in irons for stealing a sheep valued at 12 Annas is unnecessarily severe, and the Court accordingly direct that the Acting Sessions Judge will be called for the Record with a view to the mitigation of the sentence which the Court consider may with propriety be reduced to three months imprisonment.

2 The Acting Sessions Judge will be pleased to report the orders which may be passed by him in this case for the information of the Zemindary Adalut.-

Ordered, that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Cuddalapah, by Parcels Returnable within 8 days from and after its receipt.

/Sent following Parcels No 155./

Read Return dated 1st Instant from the Acting Sessions Judge of Cuddalapah to the

17th February 1857.

the precepts of the Zemindary Adalut under date the 29th January 1857. intimating that if the Sessions Judge be unable to concur in the opinion of the Court of Zemindary Adalut he may submit his recommendation for mitigation of the sentence passed on the prisoner in case No 81 of the Calendar for 1856. to one years imprisonment.-

/Entered in Register F.B. No 327 of 1857./

Read Letter dated the 29th Ultimo from the Agent to the Governor in Council regarding an Extract from the Proceedings of the Court of Zemindary Adalut forwarded to the Agent thro' the Sessions Judge of Chicacole on case No 17 of the Assistant Agents Report B for the Month of November 1856.-

/Entered in Register F.B. No 332 of 1857./

Read Calendar No 1 of Cases submitted by the Sessions Judge of Cuttack under date the 29th January 1857.-

/Entered in Register F.B. No 335 of 1857./

Read Report dated the 3d Instant submitted by the Acting Sessions Judge of Cuddalapah of Cases pending on the 31st December 1856 and committed for trial during the month

of

of January 1851 which remained on the file of the Sessions Court for more than 25 days.

/Herewith enter F.C. No 336 of 1851./

Read Calendar of Case No 3 of 1851 submitted by the Sessions Judge of Combaconum under date the 4th February 1851.

/Herewith enter F.C. No 339 of 1851./

Read Report dated the 2nd instant submitted by the Sessions Judge of Calicut of Cases pending on the 31st December 1850 and committed for trial during the Month of January 1851.—

/Herewith enter F.C. No 343 of 1851./

Read Statement dated the 3rd December 1850 submitted by the Sessions Judge of Chingleput, of Batta paid to the Prosecutors and witnesses attending before the Sessions Court from 1st July to 31st December 1850.

/Herewith enter F.C. No 347 of 1851./

F. C.

Tuesday 18th February 1851.

At a Court of the Foujdaree Adalut.

Present

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

Read Calendar of Case No 9 of 1851 of the Session Court of Cuddapah.—

/Herewith enter F.C. No 341 of 1851./

1. The Court of Foujdaree Adalut observe that, under their Circular Instructions issued under dates the 25th October and 8th instant, the former convictions of the Prisoner, specified in the note appended to the Sentence passed in this case, should have been entered as separate Counts in the statement of the charge, and evidence, adduced to establish the identity of the Prisoner with the individual to whom the said convictions referred.—

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

(Sent in No 758.)

Read return dated the 3rd Instant, from the Principal Sudder Ameen in charge of the Session

Sessions Court of Coimbatore to the precept of the Fouzdaree Adalut under date the 29th Ultimo directing the unconditional release of the 3rd 4th 6th and 8th Prisoners in Case No. 49 of 1850 on the Calendar of the Sessions Court of Coimbatore.-

(Here enter F. 86: No. 348 of 1851).

Read report dated the 1st Instant, submitted by the Sessions Judge of Nellore of Cases pending before the Sessions Court for the month of January 1851.-

(Here enter F. 86: No. 352 of 1851).

Read statement dated the 31st Ultimo submitted by the Sessions Judge of Honore shewing the amount realized by the labor of the Prisoners in the Jail of the Zillah Honore in the 4th quarter of 1850, required by Fouzdaree Adalut Circular Order No. 88 dated 9th June 1837.-

(Here enter F. 86: No. 356 of 1851).

Read letter dated the 31st Ultimo, from the Sessions Judge of Tellicherry reporting that no work of the nature described in Circular Order No. 45 of 1835 was undertaken during the 2nd half year 1850.-

(Here enter F. 86: No. 358 of 1851).

Read Calendar of Cases No. 2 of 1851 submitted by the Sessions Judge of Chittoor under date

date the 28th Ultimo.-

(Here enter F. 86: No. 359 of 1851).

Read report dated the 31st Ultimo, submitted by the Sessions Judge of Salem.- of Cases pending on the 31st January 1851 before him for a period in excess of 25 days calculated from the date of Commitment.-

(Here enter F. 86: No. 366 of 1851).

Read letter dated the 31st Ultimo, from the Sessions Judge of Tellicherry reporting that no disbursement of the nature described in the Fouzdaree Adalut's Circular Order No. 50 and 65 was made during 4th Quarter 1850.-

(Here enter F. 86: No. 369 of 1851).

Read letter dated the 31st Ultimo from the Sessions Judge of Tellicherry reporting that no amount was realized by the labor of Prisoners in the Jail at Tellicherry during 4th Quarter 1850.-

(Here enter F. 86: No. 370 of 1851).

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 January 1851.-

(Here enter F. 86: No. 371 of 1851).-

Ex 1851.

F: 86:

Wednesday 16th February 1851.

At a Court of the Foujdaree Adalut.

Present.

G: S: Hooper Esqre — 1st Puisne Judge

E: P: Thompson Esqre — 2nd Puisne Judge

W: A: Morehead Esqre — 3rd Puisne Judge

Read Report of Cases pending on the 31st December 1850 and committed for trial before the Sessions Court of Mangalore in the month of January 1851.—

(Here enter F: 86: No: 364 of 1851).

No: 58.

The Court of Foujdaree Adalut are not prepared to admit the validity of the reasons assigned for the non-disposal of this Case, as they consider that Civil business should never be allowed to interfere with Criminal duties, and they also observe that the said case might have been taken up and disposed of while the translations in the preceding case were in course of preparation.—

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

(Sent in No: 161)

Read Calendar of Case No: 2 of 1851 submitted by the Sessions Judge of Rajahmundry

under

under date the 8th Instant.-

(Here enter F: C: No. 373 of 1851).

Read Calendars in Cases Nos. 3 and 4 of 1851 submitted by the Sessions Judge of Masulipatam under dates the 30th January and 5th Instant.-

(Here enter F: C: Nos. 374 and 375 of 1851).

Read return dated the 7th Instant, from the Sessions Judge of Cuddalore to the precept of the Foujdaree Adalut under date the 5th Idem observing that a Sentence of one years imprisonment with labor in irons is adequate punishment to the Prisoner in Session Case No. 43 of 1850 and directing to carry the same into effect, if the Sessions Judge concur in the above opinion and if not to submit a translation of the case.-

(Here enter F: C: No. 376 of 1851).

Read report dated the 1st Instant, submitted by the Sessions Judge of Nellore of cases pending before him for more than 25 days during the month of January 1851.-

(Here enter F: C: No. 378 of 1851)

Read statement dated the 31st Ultimo, submitted by the Sessions Judge of Masulipatam of Batta paid to Prosecutors and Witnesses attending before him for the 2nd half year 1850.-

(Here enter F: C: No. 381 of 1851)

Read

Read final return dated the 3rd Instant from the Sessions Judge of Masulipatam to the Precept of the Foujdaree Adalut under date the 28th November 1850, communicating the orders upon the Calendars of Cases Nos. 61. 62. 63. and 64 of 1850 on the file of his Court.-

(Here enter F: C: No. 382 of 1851).

Read Calendar of Case No. 12 of 1851 submitted by the Acting Sessions Judge of Cuddapah under date the 8th Instant.-

(Here enter F: C: No. 389 of 1851).

Read letter dated the 8th Instant, from the Sessions Judge of Combaconum submitting the Calendars of the Magistracy for the 4th Quarter of 1850 together with Copy of the Remarks made thereon.-

(Here enter F: C: No. 390 of 1851).

Fr 18 Dr

F: C:

Thursday 20th. February 1851.

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 6th. Instant from the Agent to the Governor of Fort St. George at Ganjam submitting a Summary of the proceedings held in Criminal Case No. 5 of 1851 on the file of his Court together with his opinion as to the sentence that should be passed.-

(Here enter F: C: No. 407 of 1851).

The Court of Foujdaree Adalut concur in the conviction of the Prisoner Allaka Vencatanaidoo and approve of the sentence of (2) two Years imprisonment with hard labor in irons proposed by the Agent to be passed upon him, under Clause 7th. Section II Regulation XV of 1803.—

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

(Sent in No. 162)

Read return dated the 4th. Instant,

from

from the Sessions Judge of Tellicherry, to the precept of the Foujdaree Adalut under date the 30th Ultimo, mitigating the sentence in Case No. 91. of 1850 on the Criminal file of Tellicherry.-

(Here enter F: R: No. 393 of 1851).

Read Calendar of Case No. 59 of 1850, submitted by the Sessions Judge of Mangalore under date the 5th Instant.-

(Here enter F: R: No. 395 of 1851).

Read Calendar of Case No. 5 of 1851. submitted by the Sessions Judge of Rajahmundry under date the 7th Instant.-

(Here enter F: R: No. 396 of 1851).

Read letter dated the 10th Instant from the Sessions Judge of Chingleput, reporting that he made the 1st Half yearly inspection of the Convicts in the Grundy Gaol for the year 1851.-

(Here enter F: R: No. 398 of 1851).

Read Calendar of Case No. 105 of 1850 submitted by the Sessions Judge of Calicut under date the 8th Instant.-

(Here enter F: R: No. 403 of 1851). →

Ja[illegible] 1852.

T. C.

Friday
21st February 1851. } Hon Court of the 2nd Joydaree Adalut.

Present

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

Read letter dated the 12th Instant from the Sessions Judge of Coimbatore submitting for the final Judgement of the Joydaree Adalut the Records of Case No 450 of 1850 of the Calendar of the Sessions Court.

/ Interpreter No 446 of 1851. /

Mr. E. P. Thompson.

The Court of Joydaree 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 Chinna Palany

4th Cacyah, alias, Cadesham

and

3d Sadayan

is sufficient to connect them of the crime of Gang Robbery do convict them thereof and under the provisions of Clauses third and fifth, Section IV Regulation XV of 1816 and Section XXXIV Act VII

of 1848 Sentence them to be imprisoned and kept to hard labor in irons on the public Roads or other public works for and during the period of (10) Ten years.-

Vide Circular Proceedings 18th October 1850. 1. The Court of Foujdarry Adalut observe that it was competent to the Sessions Judge to order the release on security of the 2d & 3d Prisoners and to release unconditionally the 1st prisoner in this case, and they resolve to direct that the Sessions Judge in future dispose of the said prisoners according to the rule laid down in Circular Order Pge 47.-

2. The Court of Foujdarry Adalut recently directed that a copy of the warrant issued for the apprehension of the prisoner should be sent invariably subjoined with records of referred trials; which order it is observed has not been complied with in this case.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Coimbatore by Precept returnable within 2 days from and after its receipt.-

/ Sent following Precept Pge 164 /

Road Calendar & Case No. 2 of 1851 of the Sessions Court of Madura.-

/ Interpreter F. R. No. 360 of 1851 /

1. The Court of Foujdarry Adalut approve of the recommendation made by the Sessions Judge in this case that the Sentence recorded against the three Prisoners convicted of Highway Robbery be mitigated to (7) Seven years imprisonment with hard labor in irons, and the Sessions Judge is authorized to issue his warrant accordingly.-

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

/ Sent in Pge 165 /

Road Calendar of Case No. 3 of 1851 of the Sessions Court of Madura.-

/ Interpreter F. R. No. 360 of 1851 /

2. The Court of Foujdarry Adalut approve of the recommendation made by the Sessions Judge in this case, that the Sentence recorded against the 3d Prisoner on his conviction of the crime of Highway Robbery be mitigated to seven (7) years imprisonment with hard labor in irons, and the Sessions Judge is authorized to issue his warrant accordingly.-

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

/ Sent in Pge 166 /

21st February 1851.-

Read Extract dated the 12th Instt, submitted by the Acting Sessions Judge of Cuddalapah, from the Proceedings of the Sessions Court under date the 12th February 1851 reporting the escape of a Convict "Yasadoo" under sentence of the Sessions Court in Calendar Case No 21 of 1850.-

/Forwarded F.R. No 422 of 1851/

Read letter dated the 13th Instant from the Sessions Judge of Cuddalore reporting upon the manner in which the Worshipful Sudder Ameen discharged his Criminal duties during the year 1850.

/Forwarded F.R. No 423 of 1851./

Read letter dated the 17th Instant from the Sessions Judge of Tellicherry offering explanations in regard to the proceedings of the Foujdaree Adalut held on review of Case No 17 of 1850 on the Calendar of the Sessions Court.

/Forwarded F.R. No 425 of 1851./

Read Return dated the 1st Instant from the Acting Sessions Judge of Trichinopoly to the precept of the Foujdaree Adalut under date the 23d February 1851 directing that the prisoner in Calendar of Case No 21 of 1850 on the file of the Sessions Court of Trichinopoly be unconditionally released.-

/Forwarded F.R. No 427 of 1851./

E.W.

×

No 9.

F.R.

Monday 24th February 1851. } At a Court of the Foujdaree Adalut.-

Present

W.G.H. G.S. Hooper Esquire 1st Puisne Judge.

C.D.T. C.D. Thompson Esquire 2d Puisne Judge.

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

Read again Miscellaneous Petition presented on the 17th December 1850 by Arnacanny of Pillah Cuddalore.-

/Forwarded F.R. No 208 of 1850./

Read also Return under date the 5th February 1851 from the Sessions Judge of Cuddalore to the precept of the Foujdaree Adalut conveying their orders on the foregoing Petition.-

/Forwarded F.R. No 355 of 1851/

W.G.H. Mr G.S. Hooper.

C.D.T. Mr C.D. Thompson.

W.A.R. Mr W.A. Morehead.-

The Court of Foujdaree Adalut see no reason to question the propriety of the manner in which the property referred to in the foregoing Petition has been disposed of, and the Court of Foujdaree Adalut accordingly resolve to dismiss the Petitioner's application.-

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

Read

Read letter dated the 14th February 1851 from the Sessions Judge of Salem requesting permission to offer a conditional pardon to the 2d Prisoner in Case No 5 of the Calendar of the Sessions Court for 1851.

/ Interpreter No 455 of 1851 /

The Court of Foujdaree Adalut having maturely considered the circumstances represented in the letter referred under the authority ascribed in them by Section XII Regulation XIII of 1832 to sanction the offer of a Pardon to the prisoner

2nd Ramaje.

on the terms and conditions specified in Section XX Regulation VIII of 1802.

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

/ Entered No 164 /

Read Calendar of Case No 2 of 1851 of the Sessions Court of Mangalore.

/ Interpreter J. K. No 404 of 1851. /

The Court of Foujdaree Adalut approve of the recommendation made by the Sessions Judge in this Case that the sentence recorded against the 4th Prisoner on his conviction of "Housebreaking and Theft" be mitigated to two years' imprisonment subject to hard labour in irons, and the Sessions Judge is authorized to issue his warrant accordingly.

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

/ Entered No 168. /

Read Miscellaneous Petitions presented on the 14th January 1851 by Poonen Pachay and Parayekha of Pillah Trichinopoly.

/ Interpreter J. K. Petns Nos 10, 11, 12 & 13 of 1851 /

The Petitioners are referred to the former orders passed by the Court of Foujdaree Adalut in the matter to which the Petitioners relate and these Petitions are dismissed.

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

Read again Calendar of Case No 19 of 1850 on the file of the Sessions Court of Canara.

/ Interpreter J. K. No 2565 of 1850. /

Read also Miscellaneous Petition presented on the 27th January 1851 by Ramoola Row Takeeon behalf of Sittoboya of Pillah Canara.

/ Interpreter J. K. D. No 21 of 1851. /

24th February 1851

Present

W. G. Cooper Esq.

W. E. D. Simpson Esq.

W. W. Whitehead Esq.

Mr G.H.Cooper.
Mr C.D.Thompson.
Mr H.H.Morehead.

The Court of Foujdaree Udalut see nothing in this Petition which would induce them to question the propriety of the sentence awarded to the 1st Prisoner in Case No 19 of 1850 on the file of the Sessions Court of Tinnevelly and the Court accordingly resolve to dismiss the Petitioner's application.-

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

B Soobiah and two others of Chittoor move the Court to return the enclosures in their Miscellaneous Petition No 218 of 1850.-

Ordered accordingly.

Read Returns dated the 3d Instant from the Sessions Judge of Chittoor to the Precept of the Foujdaree Udalut under date the 25th January 1851 in Case No 170 of the Calendar for 1850.-

/ Hurrenter F.C. No 363 of 1851 /

Read Copy of the Calendar No 100 of 1850 submitted by the Sessions Judge of Calicut under date the 8th Instant.-

/ Hurrenter F.C. No 402 of 1851 /

Read Letter dated the 7th Instant from

the Sessions Judge of Tellicherry transmitting copies of Letters of Reference and Calendars of Case No 1 Tellicherry additional Calendar 2d Quarter Sessions 1832 and No 1 Second additional Calendar 1st Quarter Sessions 1834.-

/ Hurrenter F.C. No 414 of 1851 /

Read Calendar of Case No 2 of 1851 submitted by the Sessions Judge of Malabar under date the 14th February 1851.-

/ Hurrenter F.C. No 415 of 1851 /

Read Calendar of Case No 4 of 1851 submitted by the Sessions Judge of Combaconum under date the 13th February 1851.-

/ Hurrenter F.C. No 416 of 1851 /

Read Criminal Report dated the 1st Instant for the months of January 1851 submitted by the Sessions Judge of Chittoor.-

/ Hurrenter F.C. No 419 of 1851 /

Read Criminal Reports for January 1851 submitted by the Sessions Judge of Tellicherry under date the 8th February 1851.-

/ Hurrenter F.C. No 420 of 1851 /

Read Report dated the 8th Instant submitted by the Sessions Judge of Rajahmundry

of

of persons apprehended in that Zillah and delivered to the Criminal Judge in the month of January 1857.

/True extr. F.C. No 433 of 1857./

Read Return dated the 12th Instant from the Acting Sessions Judge of Tanjore to the address of the Tondiarpet Adalut under date the 30th January 1857 calling for further information with reference to Case No 52 of the Magistrate's Report B submitted for November last.-

/True extr. F.C. No 438 of 1857./

Read Criminal and Jail Reports for the Month of January submitted by the Sessions Judge of Cuddalore under date 15th February 1857.

/True extr. F.C. No 442 of 1857./

Read Calendar of Case No 1 of 1857 submitted by the Sessions Judge of Chingleput under date the 14th February 1857.-

/True extr. F.C. 440 of 1857./

Read Calendars of Cases Nos 4 and 5 submitted by the Sessions Judge of Madura under date the 15th February 1857.

/True extr. F.C. No 445 of 1857./

24th February 1857.

Read Miscellaneous Petition presented on the 10th February 1857 by T. Seetharama Pakrabon on behalf of Linganna Naiken of Zillah Chittoor.-

/True extr. M.P. No 38 of 1857./

The Petitioner prays that the Court of Tondiarpet Adalut will call for the Record of Case No 38 of 1856 on the Calendar of the Sessions Court of Chittoor and release his brother the prisoner Varrasawmy alias Vraga Naidoo.-

The Court of Tondiarpet Adalut resolve to direct the Sessions Judge to transmit a translation of the whole record of the case in question without delay.-

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Chittoor by Precept returnable in x days from and after its receipt.-

/Sent following precept No 769./

Ordered also that Extract from these Proceedings be furnished to the Petitioner Pakrabon his application.-

W. R. Thompson
W. A. Morehead

J. C.

Tuesday 25th. February 1851. 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 17th. Instant — from the Acting Sessions Judge of Tinnevelly, submitting for the final Judgment of the Foujdaree Adalut the Record of Case No. 4 of 1851. of the Calendar of the Sessions Court.—

(Here enter No. 493 of 1851).

Mr. G: S: Hooper,
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,

"Trinalaynumbee"

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.—

Vide page 14 Sessions Court Proceedings.

1. The Court of Foujdaree Adalut observe that Sungaranorayen who was wounded by the Prisoner immediately after the commission of

the

the murder charged, and the Cunilgar Arnachellum who assisted the 5th witness in taking the Prisoner to the Cutwal should have been examined as witnesses in the case.—

Vide page 21. Session Court Proceedings

2. The Court of Foujdaree Udalut direct that a Copy of the remarks recorded on the Futwa by the Cauzee ool Coozat be communicated to the Mahommedan Law Officer of the Sessions Court for his future guidance.—

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

(Sent in No. 171.)—

Dd 1813.

F. 26.

Wednesday 26th February 1851. 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. 3d Puisne Judge

Read letter dated 5th February 1851 from the Acting Subordinate Judge of Salem requesting the reconsideration of the Order of the Court of Foujdaree Udalut under date 30th January 1851 for the transfer of 50 Convicts to Paumbaum.—

(Here enter F. 26. No. 367 of 1851)

Read also letter dated 6th Idem from the Magistrate of Salem stating that he is prepared to receive and can employ advantageously the convicts ordered to be transferred to Paumbum.—

(Here enter F. 26 No. 368 of 1851)

Under the circumstances represented in these communications the Court of Foujdaree Udalut authorize the transfer of the Gang specified in their order of the 30th Jany. 1851 to the Custody of the Magistrate of Salem.—

The

2 The Court of Tonjdaree Edalut observe with reference to the remarks contained in the 8th para of the letter from the acting Subordinate Judge that it is Competent to that Officer to entertain the usual complement of Extra Peons for Guarding Security Prisoners as well as other Prisoners when employed without the walls of the Jail.

Ordered that Extract from these Proceedings be forwarded to the Subordinate Judge and Magistrate of Salem and Para I to the Superintendent of Pawnbum for their information.

/Sessions No. 142./

Read letter from the Sessions Judge of Guntoor dated 3rd February 1851 Submitting for the final orders of the Court of Tonjdaree Edalut an Extract from his Proceedings under date 31st Janry. 1851 over ruling a requisition of Security by the Assistant Magistrate in a case of Forgery.

/Vide entry S.D. No. 350 of 1851/

It appears from the report Assistant Magistrate that a Cunnum was charged with receiving 100 Rs. from a ryot under the pretence of procuring the remission of the Bakaya outstanding against him.

2 The Cunnum denied the charge but admitted that he had recommended that the Bakaya should be collected by instalments and he put in a letter from the Tahsildar of Pputtyspand, who, he averred, had instigated the Complainant to prefer the charge, to the effect that his recommendation should be attended to. The date of the letter however had apparently been altered from 1847 to 1849 and there were other erasures and interpolations in it, and consequently the Assistant Magistrate at the instance of the Tahsildar, instituted proceedings against the Cunnum for forgery, and eventually called upon him to furnish Security for his good Conduct and appearance when required in 2 Sureties of 50 Rs. each.

3 This requisition the Session Judge considers to be illegal, the Magistrate not being in his opinion Competent to demand Security in cases cognizable by the Session Court and the objection to the requisition of Security in Cases of perjury being equally applicable to charges of Forgery.

The

4 The Court of Fouzdaree Udalut on
a former occasion ruled that the Magistracy &
cannot demand Security in a Case cognizable
only by the Session Court but are bounds to forward
to be dealt with by the Sub. Criminal Courts parties
appearing to be under strong suspicion of any offence
which Cannot be disposed of under Section VII
Regulation X of 1816.

5 They however observe that in the present
instance the offence with which the Prisoner was charged
does not amount to Forgery as defined by the Circular
Order Fouzdaree Udalut No. 145 and as a misdemea-
=nor it was within the jurisdiction of the Assistant
Magistrate.

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

/ Sent in No. 173 /

Read letter dated the 15th. Instant
from the Session Judge of Calicut transmitting the
Criminal Reports B &c. from the Sub. Judge of Calicut
and Principal Sudr Ameen of Cochin & Report A
of Case No. 341 of 1850 for January last, and stating that the
Magistrate has had no Case to include in those Reports
during the above month.

/ Rec'd enter F. & C. No. 462 of 1851 /

Read Criminal Reports dated
the 15th. Instant Submitted by the Acting Session
Judge of Trichinopoly for the month of January 1851.

/ Rec'd enter F. & C. No. 465 of 1851 /

Read Statement dated the
19th. Instant Submitted by the Session Judge of
Cuddalore of Batta paid to the Prosecutors and
witnesses who attended before his Court during the
2nd. Half Year of 1850.

/ Rec'd enter F. & C. No. 467 of 1851 /

Read Calendar of Case No. 3 of
1851 Submitted by the Session Judge of Chittoor
under date the 12th. Instant.

/ Rec'd enter F. & C. No. 472 of 1851 /

Read Calendar of Case No. 4 of
1851 Submitted by the Session Judge of Cuddalore
under date the 20th. Instant.

/ Rec'd enter F. & C. No. 473 of 1851 /

Read Calendar of Case No. 5 of
1851 Submitted by the Session Judge of Cuddalore
under date the 20th. Instant.

/ Rec'd enter F. & C. No. 474 of 1851 /

Read Calendar of Case No. 4 of
1851 Submitted by the Session Judge of Nellore under date
the 20th. Instant.

/ Rec'd enter F. & C. No. 477 of 1851 /

Read Calendar of Case No. 5 of 1851 Submitted by the Sessions Judge of Mangalore under date the 15th Instant.

/Here enter F. No. A. 478 of 1851/

Read letter dated the 19th Instant from the Sessions Judge of Chingleput Copy of the proceedings of the above Court relative to the remarks made on the Magistracy for the 4th quarter ending 31st December 1850.

/Here enter F. No. A. 479 of 1851/

Read Calendar of Case No. 11 of 1851 Submitted by the Sessions Judge of Bellary under date the 19th Instant.

/Here enter F. No. A. 483 of 1851/

Read Calendar of Case No. 4 of 1851 Submitted by the Sessions Judge of Honore under date the 15th Instant.

/Here enter F. No. A. 485 of 1851/ →

Do 18 Do.

F. U

Thursday 27th. February 1851. } At a Court of the Foujdaree Udalut

Present

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

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

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

Read Extract from the proceedings of the Sessions Court of Cuddapah under date the 3rd. February 1851 forwarding the Calendars of Petty Cases disposed of by the Magistracy during the 3d. Quarter of 1850.

/ Here enter F. U. No. 391 of 1851. /

Calendar of persons discharged Case No. 37.

1 The Court of Foujdaree Udalut observe that the requisition of security in this case was illegal the prisoner having been charged with house breaking and theft, and therefore not being punishable under the provisions of Regulation X of 1816.

2 The Court of Foujdaree Udalut have ruled that the power of the Magistracy to demand security under the provisions of Section IV. Regulation II of 1822 is restricted to those Cases in which the prisoner on conviction would be punishable under Section VII

Regulation

Regulation X of 1816; and this case therefore should have been disposed of by the assistant Magistrate under section XXIV Regulation IX of 1816.

3 The acting Sessions Judge will accordingly be pleased to amend the instructions issued by him to the acting Magistrate regarding the disposal of case No 32 on the release Calendar inconformity with the foregoing observations.

Calendars of persons punished.

4 The Court of Foujdaree Udalut observe that the joint Magistrate has omitted to affix the usual headings to the reports of Cases disposed of by him as prescribed by this Courts Circular Order No 168 which order, it is observed should be conformed to by the officers of the Magistracy in all Calendars prepared by them.

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

(Sent following precept No 175.)

Read Letter dated 7th February 1857 from the Sessions Judge of Rajahmundry submitting under the provisions of Act 4 of 1849 the Calendar of

Case

Case No 7 on the Sessions Courts file and soliciting the orders of Government as to the disposal of the Prisoner Roodraraj Goolooscola Ramaraj who has been acquitted of the offence of Arson on the ground of insanity.

(Accounter F. Dy. No 397 of 1851.)

It appears that the Prisoner in question when arraigned was of unsound mind. He ought not consequently to have been put upon his trial but to have been dealt with under the provisions of Circular Order Foujdaree Udalut 1st June 1829 and 23rd February 1841 No 133, and the Court of Foujdaree Udalut direct that the Proceedings against him be cancelled and that the Subordinate Judge be instructed to adopt the course prescribed in the Circular Order above quoted.

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

(Sent in No 176)

Read Calendar of Case No 5 of 1857 of the Sessions Court of Combaconum.

(Accounter F. Dy. No 417 of 1857.)

The Court of Foujdaree Udalut approve

approve of the recommendation made by the Sessions Judge in this case, that the Sentence recorded against the Prisoner on his conviction of "Highway Robbery" be mitigated to six months imprisonment with hard labor in irons, and the Sessions Judge is 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.

/Sentence No. 177/

Read Calendar of Case No. 6 of 1851 of the Sessions Court of Cuddalore.

/Here enter F.C. No. 418 of 1851/

1 The Court of Foujdaree Adalut are of opinion that a Sentence of 6 months imprisonment with hard labor in irons will be adequate punishment for the offence of which the prisoner in this case has been convicted.

2 If the Sessions Judge be enabled to concur in this opinion he will be pleased to submit his recommendation accordingly, and carry the mitigated Sentence into effect without further orders from the Court of Foujdaree Adalut. If on the other hand, he dissents therefrom, he will be pleased

pleased to submit a translation of the entire Record of the Case for the consideration of the Foujdaree Adalut.

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

/Sent following precept No. 178/

Read the following Letter dated the 14th February 1851 from the Sessions Judge of Guntoor.

/Here enter F.C. No. 437 of 1851./

1 The Sessions Judge adverting to the Circular Instructions issued by the Court of Foujdaree Adalut under date the 8th February 1851, requests to be informed whether thereby it was the intention of the Court to abrogate the discretionary power vested in Criminal Judges by Section III Regulation VII of 1827, and to render it incumbent upon them in all cases of previous convictions to sentence the Prisoner to an enhanced punishment.

2 The Court of Foujdaree Adalut answer the foregoing question of the Sessions Judge in the negative. The object of their instructions above referred to was simply to afford a Prisoner

who

who by his alleged previous conviction had rendered himself liable to an enhancement of the punishment which would be otherwise due to his crime, an opportunity of pleading to the charge, but it is by no means incumbent upon the Criminal Judge to award the enhanced punishment unless he should deem it fitting to do so.

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

/Sent in No. 149./

Read Calendar of Case No. 13 of 1851 of the Session Court of Cuddapah.

/Here enter F.C. No. 443 of 1851/

1 The Court of Foujdaree Udalut are of opinion that a sentence of 2 years imprisonment with hard labor in irons in the case of the first Prisoner, and of 6 months imprisonment in that of the 2nd Prisoner will be adequate punishment for the offence, of which they have been respectively convicted, and under the provisions of Section IV Regulation I of 1825 the Court resolve to direct that the sentence now recorded against the 2d Prisoner be mitigated to the above extent.

2 If the acting Sessions Judge be enabled to concur in the propriety of the mitigation proposed in the case of the first Prisoner, he will be pleased to submit his recommendation accordingly for carrying the reduced sentence into effect without further orders from the Foujdaree Udalut. If, on the other hand he dissents therefrom, he will be pleased to submit a translation of such portions of the record as may affect the 1st Prisoner, for the consideration of the Court of Foujdaree Udalut.

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Cuddapah for his information and guidance by precept returnable within ~~iii~~ days from and after its receipt.

/Sent following precept No. 180./

Read Calendar of case No. 4 of 1851 submitted by the Sessions Judge of Salem under date the 15th Instant.

/Here enter F.C. No. 487 of 1851./

2 Read letter dated the 17th Instant from the Sessions Judge of Calicut, submitting the original Petty Calendars of cases disposed of by the Magistracy during the 4th Quarter of 1850, together with a copy of the Court's Proceedings thereon.

/Here enter F.C. No. 490 of 1851/ Read

Read return dated the 19th Instant from the Acting Sessions Judge of Cuddapah to the precept of the Foujdaree Adalut under date the 17th Idem directing the Acting Sessions Judge to look into the Record of proceedings in Criminal case No. 331 of 1850, and reduce the Sentence passed on the Prisoner to 3 months imprisonment.

/Here enter F. Dk. No. 491 of 1851./

Read Calendar of Case No. 5 of 1851 Submitted by the Sessions Judge of Nellore under date the 22d Instant.

/Here enter F. Dk. No. 496 of 1851./

Read Calendar of Case No. 1 of 1851 Submitted by the Sessions Judge of Guntoor under date the 21st Instant.

/Here enter F. Dk. No. 498 of 1851./

Read Calendar of Case No. 11 of 1851 Submitted by the Acting Sessions Judge of Cuddapah under date the 22d Instant.

/Here enter F. Dk. No. 499 of 1851./

Ex. Dk.

F. Dk.

Friday 28th February 1851.

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. ____ 3d Puisne Judge

Read again Criminal Reports submitted by the Sessions Judge of Bonoor for the month of December 1850.

(Here enter F. Dk. No. 175 of 1851)

Read also Return dated the 10th February 1851 made by the Sessions Judge of Bonoor to the Precept of the Foujdaree Adalut under date the 30th January 1851 calling for certain information regarding the disposal of Case No. 109 entered in the above Reports.

(Here enter F. Dk. No. 448 of 1851)

In the above Return the Sessions Judge explains that the Case above adverted to was viewed by him as a fraud, but was considered to fall within the jurisdiction of the Subordinate Court under the opinion expressed by the Court of Foujdaree Adalut in an Extract from their Proceedings dated 19th November 1849 on the ground of the amount concerned in the Case being

being under 300 Rupees, and that as the Prisoner appears deserving of heavier punishment than that provided for in Section XII Regulation X of 1816, he was sentenced to one years imprisonment under Clause fourth Section III Regulation XI of 1822

2 With reference to the foregoing explanation the Court of Foujdaree Udalut deem it proper to point out to the Session Judge that Clause fourth Section III Regulation XI of 1822 contains no provisions for the punishment of "Fraud", which is an offence punishable only under the Mahomedan Law, and, consequently, when with reference to the amount of the Fraud, which exceeded 50 Rupees, the Prisoner was found liable to a heavier punishment than could be awarded under Section XII Regulation X of 1816, the case was removed beyond the jurisdiction of the Subordinate Court, and it became the duty of Mr Lascelles in his capacity of Session Judge to pass sentence upon the Prisoner under Clause second Section II Regulation X of 1803

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

(Sent in No 181)

Read letter dated the 4th February 1851 from

the Acting Subordinate Judge of Calicut requesting permission to offer a conditional pardon to "Koddashery parambit Aysha Oomah" as approver in No 8 of 1851

(Herewith No 169 of 1851)

The Court of Foujdaree Udalut resolve under the authority vested in them by Section XII Regulation XIII of 1832, to sanction the offer of a pardon to the 1st "Witness,

"Koddashery parambit Aysha Oomah"

on the terms and conditions specified in Section XX Regulation XIII of 1802.

Ordered that Extract from these proceedings be sent to the Acting Subordinate Judge of Calicut for his information and guidance

(Sent in No 182)

Read letter under date the 15th February 1851 from the Session Judge of Coimbatore submitting for the final sentence of the Foujdaree Udalut an English translation of the record of Case No 2 of 1851 on the file of the Session Court

(Herewith F P C No 188 of 1851)

The Court of Foujdaree Udalut

Mr G S Harper
Mr W R Morehead

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

"Veeramalien

28th February 1851.

"Teroonalen"

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

The Court of Tongdaree Udalut observe that in trials for murder the insertion in the indictment of a 2d count having reference to a previous conviction of the accused is unnecessary, as no previous conviction can enhance the punishment prescribed for the crime of murder.

2.

The Court of Tongdaree Udalut observe that the omission of the Talookdar to hold an inquest in this case may be brought to the notice of the Acting Magistrate.

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

(Sent on No 183)

Read letter under date the 15th February 1851 from the Sessions Judge of Mangalore submitting for the final sentence of the Court of Tongdaree Udalut a English translation of the record of Case No 43 of 1850 on the file of the Session Court.

(Here enter T. U. No 489 of 1851)

T. U.

28th February 1851.

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

Mr. G. L. Hooper.
Mr. W. A. Morehead

"Tummoo"

is sufficient to convict him of being accessary to the crime of murder, do convict him thereof and under the provisions of Clause 3rd Section VII Regulation XVII of 1803, sentence him to be transported to such place or places beyond seas, as the Governor in Council shall appoint there to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of his natural life.

The Court of Tongdaree Udalut observe that the Cheekbundy Duffadar and Peon who accompanied the prisoner upon the occasion of his proceeding to point out the spot where the Bill hook had been thrown with which the murder charged is said to have been committed, acted improperly in remaining seated some distance from the Nullah in which the article in question was found and sending the 3 Witnesses alone to receive it from the prisoner, instead of accompanying him themselves in order that they might be enabled to

do pro-

deposes as eyewitnesses to what actually occurred.

2. The Court of Foujdaree Udalut direct that the conduct of these persons be brought to the notice of the Magistrate.

3. It appears to the Court of Foujdaree Udalut that two persons named Chennoo and Hoolnoo who are stated to have been present in the prisoner's house when the quarrel took place between the deceased and the prisoner's brother "Timmy" and a person named "Cottiany" who is said to have accompanied the 3d witness when he went down with the prisoner into the Nullah, should have been examined; and the Court of Foujdaree Udalut observe that this examination of the last mentioned person was the more necessary as the 3d witness was the only deponent to the delivery of the Bill-hook from the Nullah by the prisoner in this case.

4. It is observed that the Sessions Judge has entirely omitted in this case to affix to the depositions of the persons examined the usual heading shewing their occupation or calling, as required by the standing orders of this Court.

Ordered that a Extract from these Proceedings be forwarded to the Sessions Judge of Chingleput for

his information and guidance and for communication of paras 1 and 2 to the Magistrate of Canara.

(Sent in No 184)

Read letter dated the 20th February 1851 from the Acting Session Judge of Cuddapah submitting for the final judgment of the Foujdaree Udalut the record of Case No 73 of 1850 on the Calendar of the Session Court.

(Here enter F. C. No 501 of 1851)

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

Mr. E. J. Thompson
Mr. H. A. Morehead

"Ramareddy"

is sufficient to convict him of the crime of Murder do convict him thereof and sentence him to be transported to such place or places beyond Sea, as the Governor in Council shall appoint, there to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of his natural life.

(Sent in No 185.)

Ex 1851

Saturday 1st March 1851

At a Court of the Fouzdaree 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 Cases No 1 of 1851 of the Session Court of Nellore.

(Here enter F No. No 475 of 1851)

The Court of Fouzdaree Udalut approve of the recommendation made by the Session Judge in this Case, that the sentence recorded against the Prisoner on his conviction of Highway Robbery be mitigated to 7 years imprisonment with hard labor in irons and the Session Judge is authorized to issue his warrant accordingly.

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

(Sent in No 188)

Read Calendar of Cases No 3 of 1851 of the Session Court of Nellore

(Here enter F No. No 476 of 1851)

The Court of Fouzdaree Udalut

approve

7th March 1857.

approve of the recommendation made by the Session Judge in this Case that the sentence recorded against the Prisoner on his conviction of Robbery by open violence attended with wounding be mitigated to 7 years imprisonment with hard labor in irons and the Session Judge is authorised to issue his warrant accordingly

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

(Sent in No. 789)

Ex 810.

T 116

Monday
3rd March 1851

At a Court of the Tongdarce Udalut.

Present

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

Read Miscellaneous Petition presented on the 14th January 1851 by Chittambarakare Mandy of Tillaitt Combacannum

(Here enter T 116 No 1 dated 11th of 1851)

Mr G. L. Hooper
Mr E. P. Thompson
Mr W. A. Morehead

1. The Court of Tongdarce Udalut see no reason to question the propriety of their orders passed on the 5th December last in the matter to which this Petition relates.

2. The Court of Tongdarce Udalut observe that it is not necessary for parties applying for a review of orders passed by this Court to file with their applications attested copies of the orders to which they refer.

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

Read Miscellaneous Petition presented on the 3d February 1851 by C. Seth Sam[illegible]

Vakeel

Vakeel on behalf of Sooreer Comuden of Zillah Coimbatore.

(Hereunto F. No. N. P. No: 25 of 1851)

Mr. G. L. Hooper
Mr. E. P. Thompson
Mr. W. J. Morehead

The Court of Foujdaree Udalut observe that no orders are necessary on this Petition the prisoner on whose behalf it has been presented having been acquitted by the Court of Foujdaree Udalut and ordered to be released.

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

Read the Jail report dated 1st January 1851 submitted by the Acting Subordinate Judge of Rajahmundry.

(Hereunto F. No. No: 452 of 1851)

The Court of Foujdaree Udalut observe that the heading of Column 17 has not been amended in accordance with the form transmitted under date the 15th June 1850 and the aggregate of Columns 3 to 17 does not consequently agree with Column 2. It appears from the Criminal Reports for December that all the Convicts save the sick were capable of performing labor and the entry in Column 17 has been erased. The Subordinate Judge will be pleased to amend his office copy of this return by striking out of the heading of

of Column 17 the word "road" and leaving the Column blank.

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

(Sent in No 191)

Read Calendar of Case No: 1 of 1851 of the Session Court of Chicacole.

(Hereunto F. No. No: 497 of 1851)

Adverting to the fact that the crime committed by the Prisoner in this case amounts only to an attempt to commit theft, and with reference also to the Futwa of the Law Officer which declared him liable to "Ookoobut" the Court of Foujdaree Udalut observe that sentence ought to have been passed upon the Prisoner under Clause seventh Section 7th Regulation XII of 1803.

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

(Sent in No 192)

Read Calendar of Case No: 11 of 1851 of the Session Court of Cuddapah.

(Hereunto F. No. No: 500 of 1851)

Before passing their final orders

3rd March 1851.

on the above Case, the Court of Foujdaree Udalut deem it proper to direct that Translations of such portions of the Record as may have reference to the second Prisoner be submitted for their consideration

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

(Sent following Precept No. 193)

Read Miscellaneous Petition presented on the 3rd February 1851 by Angappa Tevan alias Abraham Tevan of Zillah Tinnevelly

(Here enter F. Ud. M. P. No. 24 of 1851)

Mr. G. L. Hooper.
Mr. E. I. Thompson.
Mr. W. A. Morehead.

1. The Court of Foujdaree Udalut see no reason to question the propriety of the sentence passed in the case to which the Petitioner refers; and they accordingly decline to call for the record

2. The Court of Foujdaree Udalut observe that the name of "Niree Racathan" is not entered in the Calendar of the case referred to and that that individual must therefore have been sentenced in another case.

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

2

F. Ud.

3rd March 1851.

Read again Calendar of Case No. 8 of 1850 on the file of the Session Court of Salem

(Here enter F. Ud. No. 966 of 1850)

Read also Miscellaneous Petition presented by Raman of Tillah Salem

(Here enter F. Ud. M. P. No. 3 of 1851)

Mr. G. L. Hooper.
Mr. E. I. Thompson.
Mr. W. A. Morehead.

1. The Court of Foujdaree Udalut resolve to direct that the English translation of this Petition be forwarded to the Session Judge of Salem with instructions to that Officer to state whether or not the Petitioner's allegation that certain witnesses named by the 1st and 2nd Prisoners in the foregoing case were not examined is correct, and to forward copies of the depositions of the witnesses who deposed that the property found belongs to the Prosecutor.

2. The Session Judge will also be pleased to state what led to the apprehension of the prisoners in question.

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

(Sent following Precept No. 194)

Ordered

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

Read copy of Calendar in Case No. 58 of 1850 submitted by the Session Judge of Mangalore under date the 20th February 1851.

(Here enter F. No. 506 of 1851)

Read Statement dated 18th February 1851 submitted by the Session Judge of Honore, of Batta paid to Prosecutors and Witnesses attending before the Session Court for the half year ending the 31st December 1850.

(Here enter F. No. 509 of 1851)

Read Criminal Reports dated 20th February 1851 submitted by the Session Judge of Mangalore, of Persons apprehended in the Zillah of Canara and delivered to the Magistracy in the Month of January 1851

(Here enter F. No. 510 of 1851)

Read Vellore Jail Reports dated 17th February 1851 submitted by the Session Judge of Chittoor for the month of January last

(Here enter F. No. 513 and 514 of 1851)

Read Calendar of Case No. 5 of 1851 submitted by the Session Judge of Chittoor under date the 17th February 1851.

(Here enter F. No. 515 of 1851)

Read

Read Calendar of Case No. 2 of 1851 submitted by the Session Judge of Chingleput under date the 25th February 1851.

(Here enter F. No. 516 of 1851)

Read the Magistracy Jail Reports dated 24th February 1851 submitted by the Session Judge of Combaconum for the month of January last.

(Here enter F. No. 518 of 1851)

Read Criminal Reports dated 18th February 1851 submitted by the Agent in Ganjam for the month of January last

(Here enter F. No. 520 of 1851)

Read Calendar of Case No. 6 of 1851 submitted by the Session Judge of Honore under date the 21st February 1851.

(Here enter F. No. 524 of 1851) —

4th 1851.

F: C:

Tuesday 4th March 1851.

At a Court of the Fouzdaree Adalut.

Present

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

E: D: Thompson Esqre ——— 2nd Puisne Judge.

W: A: Morehead Esqre ——— 3rd Puisne Judge.

Read letter dated the 20th February 1851. from the Sessions Judge of Calicut; submitting for the final Judgment of the Fouzdaree Adalut the Record of Case No. 93 of 1850. of the Calendar of the Sessions Court.—

(Here enter F: C: No. 511 of 1851).

Mr. G: S: Hooper.

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 prisoners,

1st Cranhoma Cadry.

2nd Parookakel Syed.

3rd Elalpidigail Coonky Ally.

and

4th Cheroomen Candan.

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.—

(Sent in No. 195.)

Do 180.

Thursday
6th March 1851.

In the Court of the Tinpalarra Adalut.

Present.

W. C. Hooper Esquire —— 1st Puisne Judge.
E. P. Thompson Esquire —— 2d Puisne Judge.
W. A. Rochead Esquire —— 3d Puisne Judge.

Read Miscellaneous Petition pre-
sented on the 20th January 1851 by Ramlagun Kun-
lata Head of Police of Cuttyoorlla Talook in
Zillah Cuttalolapatah.

(Vide enter J. C. P. No 18 of 1851.)

Mr C. Hooper.
Mr E. P. Thompson.
Mr W. Rochead

The Petitioner is referred to the former
Orders passed by the Court of Tinpalarra Adalut
in the matter to which this Petition relates; and
the Petitioners application is dismissed.-

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

Read Calendar of Case No 35 of 1851.
of the Sessions Court of Honore.

(Vide enter J. C. P. No 463 of 1851.)

Read also Letter dated the 14th
February 1851 from the Sessions Judge of Honore
forwarding

6th March 1851.

forwarding a rectified copy of the Calendar of the above Case.

/Here enter J.B. No 404 of 1851./

The Court of Sujudarre Udalut

1 are of opinion that a further mitigation in the Prisoners Sentence than that prepared by the Sessions Judge in the foregoing Case may on the present be allowed and under the provisions of Section II. Regulation I of 1825. the Court resolve to direct that the term of his imprisonment be reduced to one year and the Sessions Judge will be pleased to issue a fresh warrant accordingly.

2 The original Calendar is returned as requested by the Sessions Judge.

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

/Entered No 197/

Read Calendar of Case No 2 of 1851 of the Sessions Court of Calicut.

/Here enter J.B. No 507 of 1851/

The Court of Sujudarre Udalut

being of opinion that a further mitigation of the Prisoners Sentence than that prepared by the Sessions Judge may in this Case with the propriety

5th March 1851

propriety be allowed, resolve under Section V Regulation I of 1825 to direct that the term of her further imprisonment be reduced to three Months and the Sessions Judge will be pleased 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.

/Entered No 198/

Read letter dated the 24th February 1851 from the Agent to the Governor in Ganjam submitting a Report of Case No 1 of 1851 on the Criminal file and suggesting that the Prisoner may be sentenced to 5 years imprisonment with hard labour in irons and to receive 100 lashes.

/Here enter J.B. No 555 of 1851./

Before passing their final orders on the above Case the Court of Sujudarre Udalut resolve to call upon the Agent to forward a translation of the prisoners confession before the Police Authorities and on submitting the document the Agent will be pleased to state whether any and what evidence was taken to establish the identity of the Cotton thread

thereof as that stolen and to the fact of it's being the property of the Prosecutor.-

Ordered that Extract from these Proceedings be forwarded to the Agent in Guyana by Precept returnable within X days from and after its receipt.-

/Sent following Precept No 194/

Read Calendar of Case No 4 of 1851 submitted by the Sessions Judge of Clutter under date the 14th February 1851.-

/Hereunto J/6 No 528 of 1851./

Read Calendar of Case No 6 of 18 submitted by the Sessions Judge of Calvert under date the 24th February 1851.

/Hereunto J/6 No 529 of 1851./

Read Calendar of Case No 6 of 1851 submitted by the Sessions Judge of Salem under date the 20th February 1851.-

/Hereunto J/6 No 530 of 1851./

Read Report dated the 1st Ultimo submitted by the Magistrate of Salem of Labor of Convicts at Munchausen under charge of the Magistrate for the Months of January 1851.-

/Hereunto J/6 No 534 of 1851./

No 189.

J/9.

Saturday 8th March 1851.-

At a Court of the Fourth Circuit.

Present.

G S Cooper Esquire —— 1st Puisne Judge.
E P Thompson Esquire —— 2d Puisne Judge.
W A Northrop Esquire —— 3d Puisne Judge.

Read letter dated the 8th February 1851 from the Sessions Judge of Williamsburg transmitting the petty Calendars of Cases disposed of by the Magistracy of Malabar during the 4th Quarter of 1850.-

/Hereunto J/6 No 426 of 1851./

The Court of Fourth Circuit observe that the Orders passed by the Sessions Judge on review of this Case on his Proceedings under date the 7th February 1851 are not correct, the crime committed by the Prisoner being one of snatching the offence was beyond the jurisdiction of the Criminal Court and ought accordingly to have been handed over to that Tribunal for committal to the Court of Session

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

Calendar of Prisoners released by the four Magistrate Case No 2.-

8th March 1857.-

of Tellicherry for his information and future guidance.-

/Entered No 202/

Read letter dated the 5th February 57 from the Sessions Judge of Mangalore transmitting the Petty Calendars of Cases disposed of by the Magistracy during the 3d Quarter of 1850.-

/Here enter Fb No 399 of 1851/

Cases Cr Vy. p. 858 & 65.

The Court of Foujdaree Adawlut request that the explanation which has been demanded in respect to these Cases may be submitted for their consideration when received from the Magistrate.-

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

/Entered No 203/

Read Letter dated the 28th February 1857 from the Sessions Judge of Mangalore submitting for the final Judgement of the Foujdaree Adawlut the Record of Case No 60 of 1850 on the Calendar of the Sessions Court.-

/Here enter Fb No 564 of 1857/

W. E. Thompson.

The Court of Foujdaree Adawlut on a deliberate consideration of all the circumstances of

8th March 1857.-

of the case as rendered before them being of opinion that the proof against the Prisoners

1st Koorodoo.

2nd Mohomed Sheriff

and

3d Brrmoo.

is sufficient to convict them of the crime of theft to convict them thereof, and with reference to the provisions of the Mahomedan Law, as declared in Futwas of their Law officers, annexing the penalty of amputation of one limb to that offence, and to the provisions of Section XXI Regulation VII of 1832 and Section XXXII Act VII of 1843 sentence the Prisoner

1st Koorodoo

to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of /2/ Two years and the prisoners

2d Mohamed Sheriff

and

3d Barmoo

to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of /3/ three months.-

/Entered No 204/

Read Calendar of Case

No

8th March 1851.

W. G. Hooker

№ 88 of 1850 on the file of the Sessions Court of Calicut.

/ Here enter J. B. № 3104 of 1850 /

Read also Miscellaneous Petition presented on the 6th February 1851 by S. Anchatelingal Tahsildar on behalf of Ittarapara Nambu of Zillah Calicut.

/ Here enter J. M. P. № 26 of 1851 /

The Court of Foujdaree Adalut see reason to question the propriety of the Sentence awarded in the foregoing Case; and thereupon accordingly resolve to direct that the original Record may be submitted for their consideration and the execution of the Sentence suspended until further orders.

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

/ And the following precept № 206. /

Ordered also that Extract from these Proceedings be furnished to the Petitioner's Vakeel on his Application.

Read.

8th March 1851

Read letter dated the 1st Instant from the Acting Sessions Judge of Cuddapah reporting that there are no Cases at present to be entered in the monthly Report of Cases pending trial before the Sessions Court for the last Month.

/ Here enter J. B. № 552 of 1851. /

Read Report dated 3d Instant submitted by the Sessions Judge of Cuddalore of Cases pending on the 28th February 1851 committed for trial during the months of January 1851.

/ Here enter J. B. № 556 of 1851. /

Read Calendar of Case № 16 of 1851. submitted by the Sessions Judge of Bellary under date the 1st March 1851.

/ Here enter J. B. № 558 of 1851 /

Read Calendar in Case № 9 of 1851 submitted by the Sessions Judge of Calicut under date the 28th February 1851.

/ Here enter J. B. № 562 of 1851. /

Read Return dated 3d Instant from the Sessions Judge of Cuddalore to the precept of the Foujdaree Adalut under date the 27th February 1851 observing that the Prisoner Monthu — imprisonment

imprisonment with hard labor in irons is sufficient punishment to the Prisoner in Sessions Case No 6 of 1851 and directing the same to be carried into effect without further orders if the Sessions Judge agree with the above opinion and if not to forward translation of the Case.-

/True extract F.R. No 565 of 1851./

Read Report dated 1st Instant submitted by the Sessions Judge of Manjeri of Cases pending on the 31st January 1851 and committed for trial during the month of February 1851.-

/True extract F.R. No 566 of 1851/

Read Report dated the 1st Instant submitted by the Sessions Judge of Tellicherry of Cases pending for the month of February 1851.-

/True extract F.R. No 567 of 1851/

Read Calendar of Case No 3 of 1851 submitted by the Sessions Judge of Chingleput under date the 2nd March 1851.-

/True extract F.R. No 569 of 1851./

Read Calendar of Case No 7 of 1851 submitted by the Sessions Judge of Salem under date 25th February 1851.-

/True extract F.R. No 570 of 1851./

8th March 1851.-

Read letter dated 1st Instant from the Sessions Judge of Calicut stating that there is no Case during the past Month to be entered in the Report required by the Foujdaree Adalut Circular letter of the 16th October 1844.-

/True extract F.R. No 572 of 1851./

2nd [illegible]

F. U:

Monday - - - - }
10th March 1851 } 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 6th January 1851 by T. Appiah Vakeel on behalf of Oopandra Cumpty of Dillah & Tellicherry.—

(Here enter F. M. P. No. 1 of 1851)

The Court of Foujdaree Udalut can

Mr. G. S. Hooper and Mr. E. P. Thompson. pass no orders in the matter referred to in this Petition until the Petitioner present an attested copy of the order of the Session Judge of Tellicherry of the 1st November last to which, it is observed, as well as to that passed on the 7th of the same month, that the Petitioner's appeal refers.—

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

Read Criminal Reports submitted by the Acting Session Judge of Tinnevelly for the month of January 1851.—

(Here enter F. U. No. 456 of 1851).

Jail Report 1 The Court of Foujdaree Udalut direct that

that the kind of grain supplied to the prisoners be invariably specified in this report.—

2 The Court of Foujdaree Udalut have already directed that the issue of the maximum allowance of grain should be discontinued.

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

(Sent in No. 206.)

Read Calendar of Case No. 7 of 1851 of the Sessions Court of Combaconum.—

(Here enter F. D. No. 531 of 1851)

The Court of Foujdaree Udalut approve of the recommendation of the Sessions Judge in this Case, that the Sentence recorded against the Prisoner on his conviction of "Theft" be mitigated to three years imprisonment with hard labor in irons, and the Sessions Judge is authorized to issue his warrant accordingly.—

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

(Sent in No. 207)

Read Calendar of Case No. 6 of 1851 of

of the Sessions Court of Madura.—

(Here enter F. D. No. 539 of 1851)

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this Case, that the Sentence recorded against the 1st, 2d, 3d and 4th Prisoners on their conviction of "Highway Robbery" be mitigated to 7 years imprisonment with hard labor in irons, and the Sessions Judge is authorized 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. 208)

The Vakeel S. Teroomala Charry on behalf of Sashiengar late Goomastah of the Civil and Sessions Court of Trichinopoly, moved the Court to return the enclosures in Sudder and Foujdaree Miscellaneous Petition No. 39 of 1850.—

Ordered accordingly

Cumbagerry row late Head of Police of Coilgoontla Talook in the Zillah of Cuddapah, moves the Court to return the enclosures in his Miscellaneous Petition No. 18 of

10th March 1851.

of 1851.—

Ordered accordingly.—

2d 1851

F. C.

Tuesday 11th March, 1851.

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 Acting Sessions Judge of Cuddapah for the Month of January 1851.—

(Here enter F. C. No. 447 of 1851).

Case No. 11. 1. The Court of Foujdaree Adalut observe that the Sentence passed in this case should have been awarded under the provisions of Section VIII Regulation XIII of 1832.—

Jail Report. 2. The Court direct that the kind of grain supplied to the prisoners be invariably specified in the report.—

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

(Sent in No. 212).

Read return by the Sessions Judge of Madura to the precept of the Court of Foujdaree Adalut under date the 15th February 18

Calling

calling for a full explanation of the circumstances
x Compromising theft. out of which the charge in No. 3 on the Calendar of
persons punished by the Magistracy during the 1st
Quarter of 1850 arose.—

(Here enter F. C. No. 523 of 1851).

1. It appears that the Prisoner in
the case in question missing some property and
suspecting a party to whom he had given lodging
pursued him and having overtaken him and recovered
the property allowed him to depart. The 2nd Prisoner
was the servant of the 1st Prisoner and accompanied
him in the pursuit.—

2. Under these circumstances the Court of
Foujdaree Adalut consider that the punishment inflicted
upon the Prisoner by the Acting Joint Magistrate
was uncalled for.—

Ordered that Extract from these
proceedings be sent to the Sessions Judge of Guntoor
for his information and for communication to the
Magistrate.—

(Sent in No. 213).

Read Letter from the Acting
Sessions Judge of Cuddapah dated 28th. February 1851.
reporting that the Acting Magistrate has refused
to carry out certain orders issued under precept by
the Session Court.—

(Here enter F. C. No. 538 of 1851)

1. It appears that upon an appeal
being presented from a sentence of the Acting
Magistrate imposing a fine of 5 Rupees on one
Chinnapoo Reddy the Acting Session Judge called
for the record of the case, and being of opinion that
the evidence did not warrant the said party's
conviction directed the Acting Magistrate to remit
the fine by precept, in return to which the latter
officer, after attempting to justify his proceedings
in the matter, stated that he declined to remit
the fine as ordered.—

2. The Court of Foujdaree Adalut
consider the conduct of the Acting Magistrate in
the matter now brought to their notice, to be
highly insubordinate and improper. They are
however, willing to attribute it more to ignorance
of his duties and the relative position of a
Magistrate and Session Judge, than to a wilful
opposition to superior authority. and entertaining
this view they direct that it be pointed out to
Mr. Murray that he is bound to obey the orders
issued by the superior Court; and that they trust
they may never have occasion to animadvert
upon any such objectionable proceedings on his
part as have now been brought to their notice.—

3 The Acting Magistrate will
forthwith

forthwith remit the fine in accordance with the instructions issued by the Sessions Court, and report that he has done so to the Acting Sessions Judge.

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

(Sent in No: 214).

Read Calendar dated the 5th Instant submitted by the Sessions Judge of Chingleput of a Prisoner tried by the Sessions Court under Regulation I of 1820 and Act XXXII of 1845.-

(Here enter F: D: No: 573 of 1851).

Read letter dated the 1st Instant, from the Sessions Judge of Tellicherry reporting that no case was before Sessions Court during February 1851 for a period in excess of 25 days from the date of commitment.-

(Here enter F: D: No: 574 of 1851).

Read Extract from the proceedings of the Sessions Judge of Honore dated the 28th Ultimo on review of the Petty Calendars received from the Magistrate of Canara for the 4th Quarter of 1850.-

(Here enter F: D: No: 578 of 1851).

Read Calendar of Case No: 10 of 1851. submitted by the Sessions Judge of Calicut under date

date the 3rd Instant.-

(Here enter F: D: No: 584 of 1851).

Read Calendar of Case No: 17 of 1851. submitted by the Sessions Judge of Bellary under date the 5th Instant.-

(Here enter F: D: No: 585 of 1851).

Read return dated the 4th Instant from the Sessions Judge of Coimbatore to the Precept of the Foujdaree Adalut under date the 21st Ultimo directing the release on security of the 2nd 3rd 6th and 7th Prisoners and the unconditional release of the 8th Prisoner in Case No: 45 of 1850. on the Calendar of the Sessions Court.-

(Here enter F: D: No: 587 of 1851).

Read letter dated the 4th Instant from the Sessions Judge of Coimbatore referring to the Remarks contained in an Extract from the Proceedings of the Sessions Court under date the 24th December last and submitting Copy of a Return made by the Acting Magistrate to a Precept issued to him and of a communication addressed to that Officer by the Joint Magistrate of Dotacamund.-

(Here enter F: D: No: 588 of 1851).

Read report dated the 1st Instant submitted by the Sessions Judge of Honore of

Cases

11th March 1851

Cases pending before him for more than 25 days during the month of February 1851.—

(Here enter F: C: No: 590 of 1851.)

Read Calendar of Case No: 2 of 1851 submitted by the Sessions Judge of Jaffna under date the 6th Instant.—

(Here enter F: C: No: 592 of 1851).—

Ld 1/6.

F. 210.

Wednesday 12th March 1851 } At a Court of the Tongidarees Udalay

Present

G. S. Hooper Esqr — 1st Puisne Judge

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

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

Read letter dated 3rd March 1851 from the Acting Sessions Judge of Cuddapah submitting translations of the record in Case No 10 of the Calendar for 1851 for final decision.

(Here enter No: 563 of 1851)

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

The Court of Tongdarees Udalay on a deliberate consideration of all the circumstances of the Case in evidence before them, being of opinion that the proof against the Prisoner,

"Erayanaboyna Vengadoo."

is sufficient to convict him of the crime of murder, do convict him thereof and sentence him to be transported to such place or places beyond sea as the Governor in Council shall appoint there to be imprisoned and kept to hard labor in irons on the public

public roads or other public works for and during the period of his natural life.

(Sentence No. 215.)

Read letter dated 6th March 1851. from the Acting Sessions Judge of Cuddapah, forwarding translations of the Record in Case No. 15 of the Calendar for 1851 for final sentence.

(Here enter S. Ch. No. 501 of 1851.)

Mr. G. S. Harper and Mr. W. A. Maclean.

The Court of Sujidarew 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.

"Kalesem Lutchmoongandoo"

is sufficient to convict him of the crime of murder do convict him thereof, and sentence him to be transported to such place or places beyond sea as the Governor in Council shall appoint, there to be imprisoned and kept to hard labor in irons on the public roads or other public works, for and during the period of his natural life.

(Sentence No. 216.)

Read letter dated 21st February 1851. from the Acting Subordinate Judge of Salem submitting copies of certain correspondence between

between the Zillah Surgeon and himself, for the consideration of the Court, and soliciting its opinion regarding the application of certain Jail Rules to the Salem Jail.

(Here enter S. Ch. No. 505 of 1851.)

The lengthened correspondence now submitted for the consideration of the Court of Sujidarew Udalut is wholly unofficial. The Court of Sujidarew Udalut consequently direct that the attention of the Acting Subordinate Judge be called

6 September 1842 to the orders of Government noted marginally which strictly prohibited all private correspondence on public matters, and that he be instructed, whenever he may, in the discharge of his duty as officer in charge of the Jail, find it necessary to point out to the Zillah Surgeon any want of attention to the sick, invariably to address that officer officially.

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

(Sent in No. 217.)

Do 1862.

F. Vo.

Thursday
13th March 1851

At a Court of the Fingdaree Udalut
Present

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

Read letter dated 4th Instant from the Session Judge of Salem submitting for the final Judgment of the Fingdaree Udalut the Record of Case No 3 of 1851 of the Calendar of the Session Court.

(Here enter F. Vo No 3 of 1851)

The Court of Fingdaree 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. L. Hooper
Mr W. A. Morehead

"Periagounden"

is sufficient to convict him of the crime of murder, do convict him thereof, and sentence him to be transported to such place or places beyond

places beyond Sea as the Governor in Council shall appoint there to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of his natural life.

1. In the absence of any proof of previous malice or premeditation on the part of the prisoner in this case the Court of Poujdaree Udalut have considered themselves justified in commuting the prescribed penalty of the law to transportation for life.

2. The Court deem it proper to observe that the examination of witnesses after the trial was closed was extremely irregular nor could the evidence of those witnesses be taken into consideration in the disposal of the case.

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

(Sent in No. 218)

Read Miscellaneous Petition presented

presented on the 6th January 1851 by Vinatecta Cadavaroyen of Zillah Trichinopoly.

(Here enter T. M. P. No. 5 of 1851)

M. E. P. Thompson and M. H. A. Macleod

The Court of Poujdaree Udalut observe that this Petition which contains an appeal from the sentence awarded to the prisoner in Case No. 105 of 1850 on the file of the Subordinate Criminal Court, should be addressed to the Acting Sessions Judge to whom the Petitioner is accordingly referred.

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

Read Miscellaneous Petition presented on the 9th January 1851 by Syed Gayasoodeen of Zillah Chittoor.

(Here enter T. M. P. No. 8 of 1851)

M. E. P. Thompson and M. H. A. Macleod

The Petitioner is referred to the former orders passed by the Court of Poujdaree Udalut in the matter to which this Petition relates.

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

Read Miscellaneous Petition forwarded by the Sessions Judge of Madura from Meeriah Naick of that zillah.

(Hereunto S. M. P. No 32 of 1851.)

1 The Court of Foujdaree Udalut direct that this Petition be returned to the Sessions Judge; it not being intented by Circular Order No 180 that any Petitions save those preferred from sentences passed by the Sessions Courts should be forwarded by the Sessions Judge to the Court of Foujdaree Udalut.

2. The Court would suggest to the Sessions Judge the propriety of referring the Petitioner to the provisions of Section XXIX Regulation IX of 1816.

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

(Sent in No 219)

Read Criminal Reports submitted by the Sessions Judge of Honore for the Month of January 1851.

(Hereunto S. C. No 159 of 1851.)

The

Jail Report

The Court of Foujdaree Udalut direct that the kind of grain supplied to the prisoners be invariably specified in this report.

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

(Sent in No 220)

Read Criminal Reports submitted by the Moofty Sudr Ameen lately in charge of the Sessions Court of Masulipatam for the Month of January 1851.

(Hereunto S. C. No 450 of 1851)

Jail Report.

The Court of Foujdaree Udalut direct that the kind of grain supplied to the prisoners in the Jail be invariably specified in this report.

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

(Sent in No 221)

Read Criminal Reports submitted by

by the Sessions Judge of Cuddapah for the Month of January 1851.—

(Hereunto F. No. 431 of 1851.)

Magistrate's Report A 1. The Court of Foujdaree Adalut observe that the manner in which the prisoners in this case effected their entrance into the Prosecutor's house should have been stated in the Charge.—

Convict Labor Report 2. The Court of Foujdaree Adalut direct that the kind of grain supplied to the prisoners be invariably specified in this report.—

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Cuddapah for his information and guidance and for communication of Para. 1 to the Acting Magistrate.—

(Sent in No. 222)

Read Criminal Reports submitted by the Sessions Judge of Mangalore for the Month of January 1851.

(Hereunto F. No. 460 of 1851)

The Court of Foujdaree Adalut direct that the rate of allowance of

of grain granted to the Prisoners, and the kind of grain supplied be invariably specified in the jail report.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Mangalore for Communication to the Subordinate Judge.—

(Sent in No. 223)

Read Criminal Reports submitted by the Agent to the Governor of Fort St. George in Kurnool for the Month of January 1851.—

(Hereunto F. No. 460 of 1851)

Cases Nos. 31, 32, 36, 37, 41, 45. The Court of Foujdaree Adalut regret to observe that a considerable delay has occurred in the disposal of these cases, and consider the explanation submitted with reference thereto to be unsatisfactory.—

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.—

(Sent in No. 224)

Read

13th March 1851.

Read Miscellaneous Petition presented on the 27th January 1851 by Rushava Chetty and another of Tellah Cuddalore.

(Here enter F. No. P. No. 22 of 1851)

The Court of Foujdaree Udalut observed that in their orders of the 25th November last the Petitioners themselves and not their petitions were referred to the Sessions Judge to whom they should now apply.

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

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

Regist

Comm

Ex 180.

F. No.

Friday 14th March 1851.

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 letter dated the 6th Instant from the Sessions Judge of Calicut submitting for the final Judgment of the Foujdaree Udalut the Records of Case No. 8 of 1851 on the file of his Court.

(Here enter F. No. No. 605 of 1851)

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

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

"Nagayah, alias, Goorooepah,"

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

and

and place of execution.-

(Sent in No. 225.)

Read Calendar of Petty Cases
disposed of by the Magistracy of Salem
during the 4th Quarter of 1850.-

(Here enter F. Vo. No. 452 of 1851.)

Magistracy

Calendar of persons committed. Case No. 25.

The Court of Foujdaree Udalut are unable to comprehend how the act charged against the prisoner in this case viz: "evading apprehension" can be considered to constitute a criminal offence, and they resolve to direct that the Magistrate be called upon to submit a more detailed explanation than is contained in the Calendar of the circumstances under which the prisoner was placed under a requisition of security.-

Comm

Calendar of persons punished. 2.

The Court of Foujdaree Udalut observe that the offence charged against the prisoner in this case viz: the "suppression of a complaint brought before him" is not punishable under the provisions of Section III Regulation III of 1819; but should have been disposed of either by the dismissal of

of the offender from his office of Village Moonsiff, or by the imposition of a fine under Section XXXII. Regulation IX of 1816.-

Ordered, that Extract from these Proceedings, be forwarded to the Sessions Judge of Salem, for his information and for communication to the Magistrate by precept returnable within XV days, from and after its receipt.-

(Sent following precept. No. 226.)

Read Criminal Reports submitted by the Sessions Judge of Chicacole for the month of January 1851.-

(Here enter F. Vo. No. 502 of 1851.)

Vizagapatam Criminal Report. Case No. 1.

1. The Court of Foujdaree Udalut observe that the previous convictions recorded against the prisoner in this case should have been entered as additional counts in the statement of charge, and evidence adduced to prove the identity of the prisoner with the individual to whom they referred.

Jail Report.

2. The rate of allowance of grain granted to the prisoners and the Kinds of grain supplied should be invariably specified in this report.-

Ordered,

14th March 1851

Ordered, that Extract from these Proceedings, be forwarded to the Sessions Judge of Chicacole for his information, and for communication to the Acting Principal Sudder Ameen of Vizagapatam.

(Sent in No. 227.)

Read Criminal Reports submitted by the Sessions Judge of Salem for the month of January 1851.

(Here enter F. Vo. No. 441 of 1851.)

Report B Case No. 2.

Adverting to the value of the property which the prisoner in this case has been convicted of having stolen the Court of Fouzdaree Udalut consider the sentence awarded very lenient.

Ordered, that Extract from these Proceedings, be forwarded to the Sessions Judge of Salem for the future guidance of the Acting Subordinate Judge.

(Sent in No. 228.)

Read Criminal Reports submitted by the Sessions Judge of Madura for the month of January 1851.

(Here enter F. Vo. No. 439 of 1851.)

The

F. Vo.

14th March 1851.

The Court of Fouzdaree Udalut resolve to direct that the Sessions Judge will take into consideration the remarks made by the Joint Magistrate in charge of the Jail at Pammbunny in the report of convict labor submitted by him in regard to the necessity of a standing guard for the Jail under his charge, with a view to the adoption of measures for furnishing the same.

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

(Sent in No. 229.)

Read Criminal Reports submitted by the Sessions Judge of Chingleput for the month of January 1851.

(Here enter F. Vo. No. 429 of 1851.)

The Court of Fouzdaree Udalut observe that the rate of allowance of grain granted to the prisoners and the kinds of grain supplied should be invariably specified in the Jail Report.

Ordered that Extract from

these

14th March 1851.

these Proceedings be forwarded to the Sessions Judge of Chingleput for his information.

(Sent in No. 230.)

Read Criminal Reports submitted by the Agent to the Governor of Fort St. George in Vizagapatam for the month of January 1851.

(Here enter F.C. No. 466 of 1851.)

Case No. 1. 1. The Court of Foujdaree Udalut desires to be informed what circumstances were considered to bring this case within the provisions of Clause fourth, Section III Regulation VI of 1822.

Case No. 2. 2. The Court observe that the sentence in this case should have been passed under Clause sixth, Section II Regulation VI of 1822; the provisions of Regulation X of 1816 not being applicable to the offence of "House-breaking"

Cases Nos. 5 & 7. 3. It should have been stated in the reports of these cases whether or not the prisoners were convicted of the offences respectively charged against them therein.

Case No. 6. 4. The same information should have

14th March 1851.

have been afforded in regard to the 9th and 10th prisoners in this case, the former of whom, it is observed was merely placed under a requisition of security in case No. 4, to which case reference is made for the sentence awarded to him.

Ordered, that Extract from these Proceedings, be forwarded to the Agent to the Governor of Fort St. George in Vizagapatam, by precept returnable within V days, from and after its receipt.

(Sent following precept No. 231.)

Read Criminal Reports submitted by the Sessions Judge of Nellore for the month of January 1851.

(Here enter F.C. No. 464 of 1851.)

Report B Case No. 4. 1. The Court of Foujdaree Udalut desire to be informed what circumstances were considered to bring the case within the provisions of Clause fourth Section III Regulation VI of 1822, under which the sentence has been passed.

Case No. 11 2. Adverting to the manner in which the prisoner in this case is stated to have effected his entry into the Prosecutor's house

14th March 1851.

house, viz: by removing the last, the Court of Fouzdaree Udalut observe that the offence charged should have been designated as "house-breaking", and that sentence should have been passed under Clause sixth Section IV Regulation VII of 1827.

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

(Sent following precept No. 232.

Read again Extract from proceedings of the Sessions Court of Cuddapah under date the 3rd February 1851 forwarding the Calendar of Petty cases disposed of by the Magistracy during the 3rd Quarter of 1850.

(Here enter F. No. No. 391 of 1851)

Read also letter under date the 1st March 1851 from the Acting Sessions Judge of Cuddapah.

(Here enter F. No. No. 551 of 1851.)

The Court of Fouzdaree Udalut observe that the orders contained in paras 3 of their proceedings of the 27th Ultimo were intended

F. No.

14th March 1851.

intended to refer both to Case No. 37 and also to Case No. 32 of the Calendar of persons discharged by the Magistracy; the words "this and" having been inadvertently omitted in the para in question.

2 The allusion to Case No. 32 has especial reference to the instructions issued regarding that case in para 9 of the Extract from the proceedings of the Sessions Court under date the 3rd Ultimo authorizing the demand of security, which, the Court of Fouzdaree Udalut observed, with reference to the nature of the offence charged, it was not competent to the Magistracy to direct.

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

(Sent in No. 233)

Read Order of Government dated 20th February 1851 transmitting for enquiry an Original Petition from Nunthoo Boya the mother of the 10th, and mother in law of the 1st Prisoner in Case No. 17 on the Calendar

14th March 1851

Calendar of the Sessions Court of Chittoor for 1850, complaining of abuse of authority on the part of the Heads of Police of Cavarypauk.

(Here enter No 361 of 1851)

The Court of Fouzdaree Udalut direct that this petition be transmitted to the Sessions Judge of Chittoor with instructions to call upon the Magistrate to institute a strict investigation into the allegations contained therein, and to report the result for the information of Government.

Ordered, that Extract from these Proceedings, be sent to the Sessions Judge of Chittoor by precept returnable in XXX days from and after its receipt.

(Sent following precept No 234)

Read return by the Sessions Judge of Chittoor dated 27th February 1851 to the precept of the Court of Fouzdaree Udalut under date the 5th Instn transmitting copies of two returns from the Magistrate of North Arcot, the one reporting the result of his enquiry into the conduct of the Heads of Police of Cadelapaunk in respect to the Cases No 19 on the Calendar

14th March 1851

Calendar for 1850, the other assigning reasons for the detention of certain of the Prisoners in that case after their release by the Sessions Court, and expressing his views upon the Petition presented by the Aunt of the 1st Prisoner to Government.

(Here enter F. Dy. No 549 of 1851)

1. The Court of Fouzdaree Udalut after making every allowance for the magnitude of the offence, the number of depositions taken, and the necessity of copying the mass of papers eventually submitted to the Subordinate Court, are of opinion, that the delay which occurred between the 9th February and the 9th April in forwarding the case to Court might have been avoided, had there strenuous efforts to complete the records, which marked his efforts in tracing and apprehending the offenders, been made by the Heads of Police.

2. The Court of Fouzdaree Udalut further consider that no blame attaches to the Heads of Police for the escape of the ringleaders and other members of the Gang, and the detention of the Prisoners released by the Sessions Court

14th March 1851

Court for the reasons and under the circumstances stated by the Magistrate does not call for their interference.

3. In his return of the 22d February the Magistrate remarks that no complaint of ill usage was made to the Subordinate Judge by the Prisoners in the case in question when they first appeared before him, and that it seems unlikely in the extreme that at this distant time any enquiry could be made to develope the real truth.

4. In this opinion the Court of Fouzdaree Adawlut concur; but before making a final report on the subject to Government they deem it necessary to call for further information in respect to the death of the parties named by the Petitioner, and the circumstances under which Mungulthew Mutt appeared before the Subordinate Court.

Ordered, that Extract from these Proceedings, be forwarded to the Sessions Judge of Chittoor, for his information by precept returnable in XXX days, from and after its receipt.

(Sent following precept No. 235.)

Read

F. Ds.
14th March 1851

Read Criminal Reports submitted by the Sessions Judge of Bellary for the months of January 1851.

(Here enter F. Ds. No. 461 of 1851.)

Magistrate's Report
Case No. 3.

The Court of Fouzdaree Adawlut resolve to direct that a copy of the orders passed by the Sessions Judge in this case under date the 30th January 1851 may be submitted for their considerations.

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

(Sent following precept No. 236.)

F. Ds.

F.16

Saturday
18th March 1851.

At a Court of the Tanjadore Adalut

Present

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

Read the following Letter dated the 3d March 1851 from the Sessions Judge of Chittoor.—

/Here enter Fy. No. 570 of 1851./

1. the Sessions Judge adverting to the Circular instructions of the Tanjadore Adalut under date the 8th February last, requests to be informed whether the course therein laid down is to be observed only in cases in which a previous conviction will require an enhanced punishment, or in any other cases, wherein the mere apportionment of punishment according to the discretion of the Sessions Court, or the recommendation to the Tanjadore Adalut would be effected.

2. the Court of Tanjadore Adalut observe that their Circular Instructions above referred to were merely intended to apply to those cases in which an enhanced punishment for the previous conviction is prescribed by the Regulations.

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

/Sent to C. No. 242./

Read again Calendar of Cases No. 2 and 3 of the Sessions Court of Cuddalore.

/Here enter F.16 C. No. 293 and 296 of 1851/

Read also Return dated the 17th February made by the Sessions Judge of Cuddalore to the Precept of

the

15th March 1857.

the Ponjdarce Adalut under date the 9th February 1857
requiring the Sessions Judge to call upon the Principal
Sudder Ameen for an explanation of the delay in the
disposal of the above Cases before his Comb.

/Here Enter the Ans & of 1857./

The Comb of Ponjdarce Adalut, consider
the explanation afforded by the Principal Sudder Ameen
for the delay in the disposal of the above Cases to be not
unsatisfactory, and they direct that their opinion be
communicated to that Officer by the Sessions Judge
with a caution against the exhibition of similar
dilatoriness. The Sessions Judge will also be pleased to
inform the Principal Sudder Ameen that the occur-
rence of a Native holiday can never be allowed to
interfere with the due discharge of his Ordinary duties
Ordered that Extract from these
Proceedings be forwarded to the Sessions Judge of
Candeish for his information and for communica-
tion to the Principal Sudder Ameen.

/Sent in No. 243. / S

4th 1857.

F: U:

Monday 17th March 1851.

At a Court of the Foujdaree Adalut.

Present

GSR — G: S: Hooper Esqre —— 1st Puisne Judge

EPS — E: P: Thompson Esqre — 2nd Puisne Judge

WAM — W: A: Morehead Esqre — 3rd Puisne Judge.

Read Miscellaneous Petition —

presented on the 13th February 1851 by Vidialinga Pillay of zillah Combaconum.—

(Here enter F: Mi: P: No: 34 of 1851).

Mr. G: S: Hooper
Mr. E: P: Thompson
and
Mr. W: A: Morehead.

The Court of Foujdaree Adalut are precluded from passing any orders on the foregoing Petition as they observe that the complaint therein preferred by the Petitioner should be addressed in the first instance to the Local authorities: if dissatisfied with their orders, the Petitioner may then appeal to the Court of Foujdaree Adalut.—

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

Read Report of cases No: 4 of 1851. of the Session Court of Tinnevelly, submitted by the Acting Session Judge with reference to the trial thereof having been delayed beyond

No.

Tuesday
18th March 1851.

At a Court of the Tongdaree Udalut

-Present-

W.P. pro E.S.T. G. S. Hooper Esquire —— 1st Puisne Judge.
C. P. Thompson Esquire —— 2d Puisne Judge
W. A. Morehead Esquire —— 3d Puisne Judge.

Read letter dated 27th February 1851 from the Agent to the Governor in Kumaon submitting for the final judgment of the Tongdaree Udalut the Record of Case No. 65 of 1850 on the Calendar. -

(Here enter No. 582 of 1851.)

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

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

1st. Podatala Goorooadoo
and
2d. Cotta Ramoodoo. -

is sufficient to convict them of the crime of Murder, do convict them thereof, and sentence them to be transported to such place or places beyond sea as the Governor in Council shall appoint there to be imprisoned and kept to hard labor

labor in irons on the public roads or other public works for and during the period of their natural lives.-

1. The Court of Zuzdaree Udalut observe that it is not necessary in the course of a trial to place a prisoner twice upon his defence, the entry of the prisoners "plea of guilty, or not guilty, when the arraignment has been read to him, and of his full defence at the close of the evidence for the prosecution being sufficient.-

2. The names of the witnesses examined should be invariably entered in the Calendar.-

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

(Sent in No. 246)

Read letter dated 8th instant from the Session Judge of Nellore submitting for the final judgment of the Zuzdaree Udalut the record of Case No. 48 of 1850 of the Calendar of the Session Court.-

(Here enter No. 595 of 1851.)

The Court of Zuzdaree Udalut on a deliberate consideration of all the circumstances

of

Wm. J. Hooper.
and
Wm. C. J. Thompson.

of the case in evidence before them being of opinion that the proof against the Prisoner, "Pattipate Pelugadu"

is sufficient to convict him of the crime of Murder, do convict him thereof and sentence him to be transported to such place or places beyond sea as the Governor in Council shall appoint there to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of his natural life.-

The Court of Zuzdaree Udalut observe that the evidence would have been more complete if the testimony of Chellamagadu, the 3d Prisoner in No. 10 of 1846, and who was released, had been taken, and this the Sessions Judge ought to have done.-

Ordered that Extract from these proceedings be sent to the Sessions Judge of Nellore for his information.-

(Sent in No. 247)

Read letter dated 8th March 1851 from the Sessions Judge of Bellary submitting for the final judgment of the Zuzdaree Udalut the Record of Case No. 12 of 1851 of the Calendar

of

18th March 1851.

of the Sessions Court.-

(Here enter No. 608 of 1851.)

The Court of Foujdaree Udalut

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

on a deliberate consideration of all the circumstances of the case in evidence before them being of opinion that the proof against the prisoner "Yapelemah" is sufficient to convict her of the crime of Murder, do convict her thereof and sentence her to be transported to such place or places beyond Sea as the Governor in Council shall appoint there to be imprisoned and kept to labor suitable to her sex for and during the period of her natural life.-

1. The Court of Foujdaree Udalut have refrained from adjudging the prisoner in this case to suffer the extreme penalty of the Law, as her confession, upon which the evidence of her guilt principally depends, is insufficient to convict her as a principal in the murder laid to her charge.-

2. The Court of Foujdaree Udalut observe that the attention of the Head of Police by whom this case was committed should be directed, with reference to the 5th witness' deposition, to his omission to observe the rules laid down in the Circular Order of the Foujdaree Udalut of the 29th

2/

F.C.

18th March 1851.

29th April 1822 in regard to the presence of attesting witnesses at the time of prisoners' making statements before the Police in admission of their guilt.-

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Bellary for communication of para 2 to the Magistrate.-

(Sent in No. 246)

Read the following letter dated the 11th February 1851- from the Magistrate of North Arcot.-

(Here enter F.C. No. 435 of 1851.)

With the above communication the Magistrate of North Arcot submits for the consideration and orders of the Court of Foujdaree Udalut copies of a correspondence, which has passed between the Acting Magistrate of Cuddapah and himself relative to the conduct of the Head of Police of the Gooramcondah Talook in seizing and carrying off to his own District a Tamaah Peon and other parties, apprehended by him within the limits of the Arcot District, on the suspicion of their having been concerned in a case of Gang Robbery committed within the confines of

of Cuddapah.-

2. Mr. Bourdillon submits that the act of the Goorumcondah Head of Police in thus carrying off the parties in question, without the previous knowledge and sanction of the ordinary Head of Police, within whose jurisdiction they were at the time of their capture, was not only illegal, as being opposed to the requisition contained in Section XXXV Regulation XI of 1816, but that it was also in direct contravention of the rules, which in concurrence with Mr. Cochrane the late Magistrate of Cuddapah, had been issued to the Police Officers of the respective Districts for their guidance in cases of a similar nature.-

3. On a careful perusal of the foregoing correspondence, the Court of Fouzdaree Adalut concur with Mr. Bourdillon in deeming the acts of the Head of Police Goorumcondah in the case now brought under their consideration, and especially with reference to his deportation of the Tamah Peon, to have been most improper, and in direct violation of the provisions of the enactment above referred to; and they consider it to be regretted that Mr. Murray, instead of justifying the obviously illegal course pursued by his

his subordinate officer, did not at once point out to him the error into which he had fallen, and require his instant obedience to the rules which had been concurrently issued by the Magistrates of the respective Districts for adoption by their Police Officers in cases of the like description. The Court request that Mr. Murray will issue immediate and peremptory instructions to all Police Officers in the Cuddapah District, enjoining them on all future similar occasions to pay strict obedience to the rules and regulations now in force.-

In conclusion, the Court of Fouzdaree Adalut are constrained to record their disapprobation of the objectionable nature of the remarks contained in Mr. Murray's letter to the address of Mr. Bourdillon of the 31st December. Such remarks the Court observe would under any circumstances be highly reprehensible in official correspondence, and on the present occasion they appear to have been wholly unwarranted and uncalled for.-

Ordered that Extract from these proceedings be forwarded to the Magistrates of North Arcot and Cuddapah for their information

18th March 1851.

information and guidance respectively. –

(Sent in No. 249.)

Read the Criminal Annual Statements for the year 1850 submitted by the Superintendent of Rajahmundry under date the 12th February 1851. –

(Here enter T.C. No. 451 of 1851.)

Appendix D to Statement No. 2. – 1. The aggregate of the entries in the Total Column of this appendix under the head "Heads of Police", Viz. 598, appear to be incorrect – the total of Columns 16 – 17 – and 19 in the Statement No. 2 being 593. –

Appendix C to No. 2. 2. The total number of persons disposed of under Act XII of 1843 is stated to be 16, but in Column 37 of the Statement the entry is 12. –

3. It is necessary that the heading "monthly Statements of the Police", which has been left blank, should be filled up. –

Statement No. 3. B. – 4. The total of Columns 6 and 7 do not agree with Columns 16 and 17 of Statement No. 2. –

5. The entries in Columns 10 and 11. under heading 60 require explanation. –

6. Columns 6 and 7, Head 48, do not correspond with Columns 16 and 17 Head 48 of Statement

3/

J. 116.

18th March 1851. –

Statement No. 2. –

Statement No. 3 B. Appendix A. – 7. The aggregate of the entries of the head "Imprisoned" is 46, it should however apparently be 50. Viz. 21 + 4 + 5 + 20 = 50. –

Appendix D to Statement No. 3. B. – 8. The entries in this Appendix do not correspond with the Statement, the total of Columns headed 6 in the latter being 44 and 145 – and not 18 and 146 as entered in the former – the entries in Columns 5 and 7 are also incorrectly stated in the appendix. –

9. A further mistake is observable in this appendix, for it appears that the 3 Cases entered therein as included in Column 8 of the Statement were separate and distinct offences Viz. attempt at House-breaking, attempt at Theft and Theft –

10. It would also seem, from the entry connected with Column 9 of the Statement, that one person was charged with the 3 offences above specified – and if this be the case the entry under the heading "Accused charged with more than one offence" should have been 2 – and 1 should have been entered in the last Column under the head "3 offences".

11. In correcting these discrepancies, the

the Subordinate Judge will be pleased to bear in mind that other Columns of the Statement and the Appendicies will be affected thereby.—

Statement shewing the nature and result of charges against the Police.—

12. The 9 persons appearing in Column 3 heading 2 of Statement No. 4 should be entered in this Statement.—

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Rajahmundry by precept returnable within 15 days from and after its receipt.—

(Sent following precept No. 250)

Read Calendar of case No. 7 of 1851 submitted by the Sessions Judge of Chittoor under date the 6th instant 1851.—

(Here enter T. R. No. 618 of 1851.)

Read Calendar of Case No. 8 of 1851 submitted by the Sessions Judge of Mangalore under date the 11th March 1851.—

(Here enter T. R. No. 621 of 1851.)

Read Calendar of Case No. 5 of 1851 submitted by the Acting Sessions Judge of Tinnevelly under date the 12th March 1851.—

(Here enter T. R. No. 622 of 1851.)

Read letter dated 13th instant 1851 from

from the Sessions Judge of Coimbatore reporting execution at 1/2 6 o'clock on the morning of the 13th instant of the sentence of death passed on Veeramalien Prisoner in case No. 2 of 1851 on the Calendar of the Sessions Court.—

(Here enter T. R. No. 632 of 1851.)

F. W.

F: W:

Thursday 20th March 1851. 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 20th January 1851 by Narayani of Zillah Chingleput.—

(Here enter F: W: P: No 16 of 1851).

Mr G: S: Hooper / Mr E: P: Thompson and Mr W: A: Morehead

The Court of Foujdaree Adalut see nothing in this Petition which would induce them to question the propriety of the sentence awarded to the Petitioner's brother the 3rd prisoner in Case No 14 of 1850 on the file of the Sessions Court of Chingleput.—

2. The Court of Foujdaree Adalut accordingly resolve to dismiss the Petitioner's Application.—

Ordered that Extract from these Proceedings be furnished to the Petitioner on her Application.—

Read Calendar of Case No 1 of 1851 of the Sessions Court of Trichinopoly.—

(Here enter F: W: No 583 of 1851).

Before

Before passing their final orders on this case the Court of Foujdaree Adalut deem it proper to direct that an English translation of the entire Record be submitted for their consideration.

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

(Sent following Precept No. 254)

Read Calendar of Case No. 10 of 1851. submitted by the Sessions Judge of Combaconum under date the 15th Instant.—

(Here enter F: G: No. 638 of 1851).

Read Calendar of Case No. 18 of 1851. submitted by the Sessions Judge of Cuddapah. under date the 15th Instant.—

(Here enter F: G: No. 639 of 1851).

Read report B dated the 12th March 1851. submitted by the Sessions Judge of Mangalore of Persons apprehended in the zillah of Mangalore and delivered to the Subordinate Judge and tried in the month of February 1851.—

(Here enter F: G: No. 641 of 1851)

Read Calendar of Case No. 9 of 1851 submitted by the Sessions Judge of Rajahmundry under date the 15th Instant.—

(Here enter F: G: No. 650 of 1851)

Read

Read Calendar of Case No. IV and V of 1851 submitted by the Sessions Judge of Calicut under date the 13th Instant.—

(Here enter F: G: No. 651 and 652 of 1851)

Ds 180.

F.C.

Friday,
21st March 1851. At a Court of the Foujdaree Adalut.

Present.

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

Read Calendars of Petty cases disposed of by the Magistracy of North Arcot during the 4th Quarter of 1850.-

(Here Enter F.R. No. 532 of 1851)

The Court of Foujdaree Adalut observe that in the Calendars of persons committed to Jail under the provisions of Section III Regulation II of 1822 and Section VI Regulation VII of 1827 it has been omitted to enter the usual headings showing the designation of the offence charged such as "Vagrancy" "Suspicious Character" &c.-

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

(Sent in No. 255)

J. R.W.

F: C:

Saturday 22nd March 1851.

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 letter dated 11th instant from the Sessions Judge of Tellicherry submitting for the final Judgment of the Foujdaree Adalut the Record of Case No. 14 of 1850 of the Calendar of the Sessions Court.-

(Here enter F: C: No. 648 of 1851).

Mr. W. A. Morehead.

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

5th Pathear Poken.

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. Twelve prisoners were charged in this case with having with others on the night of the 14th July 1850 entered the Prosecutors house.

house by climbing over the roof by means of a ladder, taking off the cadjans and straw, cutting the latter and removing the staple of the door, seized and prefsed him down broken open the locks of the door and of boxes and stolen therefrom coin and gold and silver ornaments valued at Rupees 5040 and certain deeds.

2. The Mahommedan Law officer of the Sefsion Court convicted the 5th prisoner of the offence charged acquitting the remainder.

3. The Sefsion Judge dissented from the conviction of the 5th prisoner and stating his concurrence in the acquittal of the remainning prisoners released the 6th, 10th 11th and 12th prisoners referred the trial regarding the remainder of the prisoners charged with a recommendation that the 1st 2nd 3rd and 9th prisoners should be unconditionally released and that the 4th 5th 7th and 8th prisoners should be required to produce security for their good conduct and appearance when required for one year in the sum of 50 Rupees each.

4 The evidence against the prisoners was confined almost entirely to confessions alleged to have been made by them before the Police and which were proved to have been obtained from them by inducements improperly held out to them.

The

22nd March 1851.

5. The Court of Foujdaree Udalut observe that the reference of the trial regarding the 1st 2nd 3rd 7th 8th and 9th prisoners in whose acquittal by the Mahommedan Law officer the Sefsion Judge has recorded his concurrence was irregular and that it is not competent to the Court of Foujdaree Udalut to pafs any sentence upon those Prisoners, whom the Court accordingly directs that the Sefsion Judge will dispose of either by ordering their unconditional release or by placing them under requisitions of security in accordance with the rule laid down in the Circular Order of the Foujdaree Udalut dated the 5th June 1815 according to his discretion.

6. The Court of Foujdaree Udalut has directed that the 5th prisoner, the only prisoner in this case upon whom it is competent to the Court to pafs sentence either of acquittal or conviction, should be unconditionally released, the evidence appearing to the Court insufficient to justify even the requisition of security under which the Sefsion Judge has recommended that this prisoner should be placed.

7. Adverting to the remarks recorded by the Sefsion Judge in the 8th para of his letter of reference the Court of Foujdaree Udalut directs that

that a Copy of those remarks be forwarded to the Magistrate of Malabar with instructions to that officer to issue immediate orders to the Native Police officers under his jurisdiction for invariably observing the rules laid down by the Court of Foujdaree Adalut in regard to the correct insertion of the dates of the apprehension of parties in the records of cases committed by them.

8. And in regard to the recommendation made by the Sessions Judge in the 4th para. of his letter of reference that the Police Ameen of Tellicherry by whom this case was committed should be suspended from employment for one year as a punishment for the irregularities committed by him in the investigation of the case the Court of Foujdaree Adalut observe that as the Sessions Judge has abstained from recommending the dismissal of the Police Ameen from office, the conduct of the latter should be brought to the notice of the Magistrate under the provisions of Section XL Act VII of 1843 who will be pleased to pass such orders thereon as he may think proper reporting the same thro' the Sessions Judge for the information of the Court of Foujdaree Adalut.

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

Rs 180.

(Sent following Precept No. 257).

X

F. W.

Monday 24th March 1851.

At a Court of the Foujdaree Adalut.

Present.

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

Read Miscellaneous Petition —
presented on the 10th February 1851 by Veerai of Zillah Trichinopoly.—

(Here enter F. M. P. No. 29 of 1851).

Mr. G. S. Hooper
Mr. E. P. Thompson
and
Mr. W. A. Morehead.

The Court of Foujdaree Adalut observe that this Petition containing a complaint against the Native officers of Police, should be addressed to the Magistrate of Trichinopoly.—

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

Read Miscellaneous Petition —
presented on the 17th February 1851 by Packchayappa Moodali of Zillah Chittoor.—

(Here enter F. M. P. No. 35 of 1851).

Mr. G. S. Hooper.
Mr. E. P. Thompson
and
Mr. W. A. Morehead.

The Court of Foujdaree Adalut observe that the prisoner in Case No. 38 of 1850 on the file of the Sessions Court of Chittoor has been sentenced.

sentenced to four years Imprisonment with hard labor in irons, which the Court consider a sufficient punishment for the offence committed by him.-

This Petition is accordingly -- dismissed.-

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

Read again Calendar of Case No. 9 of 1851 of the Session Court of Bellary.-

(Here enter F: C: No. 231 of 1851).

Read also Return dated the 6th March 1851, made by the Session Judge of Bellary to the Precept of the Foujdaree Adalut under date the 3rd February 1851. demanding a full and immediate explanation from the Head of Police of Yadkee of his conduct in respect to the deceased Hussain, brother of the Prosecutor in the above Case.-

(Here enter F: C: No. 596 of 1851).

1. On a careful consideration of the explanation of the Head of Police of Yadkee -- submitted with the foregoing Return, and of the remarks offered in respect to it by the Session Judge the Court of Foujdaree Adalut have been compelled to arrive at the conclusion that the Head of Police was both cognizant of the lengthened detention of the

the deceased Hussain before the Village authorities, and that he gave to it his tacit sanction.-

2. These facts the Court of Foujdaree Adalut consider to be conclusively established by the evidence of the witnesses examined before the Session Court, and which is now further corroborated by the statement of the Peon Boogah, as well as from the inference to be drawn from the silence maintained in respect to the arrest of the deceased in the communications which respectively passed between the Head of Police and Village authorities on the subject of that individuals death.- x dated 19th and 20th December

3. The Court consider the sanction of these irregularities on the part of the Village authorities to be very prejudicial to the character of Soobrow as a Police officer, and they direct that it be intimated to him that his conduct in this matter, and more especially his attempt to deceive the Courts by falsehood has been viewed by the Foujdaree Adalut with grave displeasure.-

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

(Sent in No. 258)

Read

Read Letter dated 17th February 1851 from the Sessions Judge of Nellore — requesting that the Prisoners under his charge may be permitted to draw the maximum rate of grain prescribed in the Dist. Tables of the 5th April 1850.-

(Here enter F: G: No. 471 of 1851)

The Court of Fouzdaree Adalut observe that of 881 Prisoners confined at Chittoor, Chingleput, and Cuddapah not one was at the date of the last reports drawing the maximum allowance of grain - and under these circumstances the Court of Fouzdaree Adalut must insist upon their orders of the 8th February 1851 being carried out by the Sessions Judge of Nellore.-

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

(Sent in No. 259).

Read Letter dated 28th February 1851 from the Sessions Judge of Honore requesting that the Prisoners under his charge may be — permitted to draw the maximum rate of grain prescribed on the Dist. Tables of the 5th April 1850.

(Here enter F: G: No. 589 of 1851).

The Court of Fouzdaree Adalut observe that

that of 552 Prisoners confined at Mangalore, Calicut and Tellicherry not one was at the date of the last reports drawing the maximum allowance of grain - and under these circumstances the Court of Fouzdaree Adalut must insist upon their orders of the 8th February 1851 being carried out by the Sessions Judge both at Honore and Sircy.-

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

(Sent in No. 260).

Read Calendar of Case No. 6 of 1851 submitted by the Acting Sessions Judge of Tinnevelly under date the 11th Instant.-

(Here enter F: G: No. 656 of 1851).

Read Criminal Reports dated the 1st Instant submitted by the Acting Sessions Judge of Tinnevelly for the month of February 1851.-

(Here enter F: G: No. 657 of 1851).

Read letter dated the 11th Instant, from the Sessions Judge of Calicut transmitting the Criminal Reports B and other statements from the Acting Sub. Judge of Calicut and Principal Sudr. Ameen of Cochin for — February last and stating that the Magistrate has had no case to include in those Reports during the above month.-

(Here enter F: G: No. 660 of 1851).

Read

Read Criminal Report B. dated the 12th Instant submitted by the Sessions Judge of Honore for the Month of February 1851.-

(Here enter F: G: No. 661 of 1851).

Read Criminal Report B dated the 15th Instant submitted by the Sessions Judge of Masulipatam for the Month of February 1851.

(Here enter F: G: No. 662 of 1851).

Read Calendar of Cases No. 8 of 1851 submitted by the Sessions Judge of Honore under date the 13th Instant.-

(Here enter F: G: No. 667 of 1851).

Read letter dated the 12th Instant from the Sessions Judge of Honore reporting that he made his 1st quarterly visit to the Jail at Sirsy on the 10th March 1851, having been absent for that purpose on that day and on the 11th.-

(Here enter F: G: No. 668 of 1851).

Read Criminal Report B dated the 20th Instant submitted by the Sessions Judge of Nellore for the month of February 1851.-

(Here enter F: G: No. 673 of 1851).

Read report dated the 15th Instant submitted by the Sessions Judge of Rajahmundry of the labour of the convicts in the Jail at Cocanada under charge of the Magistrate of Rajahmundry for

for the month of February 1851.-

(Here enter F: G: No. 674 of 1851).

Read Criminal Report B dated the 13th Instant submitted by the Acting Principal Sudr Ameen of Tellicherry for the Month of February 1851.-

(Here enter F: G: No. 675 of 1851).

2d Ditto.

F: 66:

Tuesday 25th March 1851. 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 17th March 1851. from the Session Judge of Calicut, submitting for the final Judgment of the Foujdaree Adalut the Record of Case No. 3 of 1851 of the Calendar of the Session Court.—

(Here enter F: 66: No. 682 of 1851).

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,

"Malyakel Mamod adjee"

is sufficient to convict him of the crime of ... Attempt at Wounding with intent to kill, for which, according to Futwahs of their Law Officers, Discretionary Punishment is awardable under the Moohummedan Law, do convict him thereof: and in conformity with the provisions of Clause third, Section VII Regulation XV of 1803 and Section XXXIV Act VII of 1843 sentence him to be imprisoned

and

and kept to hard labor in irons on the public roads or other public works for and during the period of (1) One Year.-

The Court of Foujdaree Adawlut observe that on the prisoner's release it will be competent to the Magistrate to use his discretion in regard to requiring the prisoner to give Security for keeping the peace.-

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

(Sent in No. 262.)

Ent. Rec.

F U

Wednesday
26th March 1851.

At a Court of the Tanjolarre Adalut

Present.

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

Read letter dated the 15th March 1851 from the Sessions Judge of Mangalore, submitting for the final judgement of the Tanjolarre Adalut the record of Case No. 57 of 1850 on the Calendar of the Sessions Court.

(Here enter F.U. 671 of 1851.)

The Court of Tanjolarre Adalut,

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

on a deliberate consideration of all the circumstances of the Case in accordance before them, being of opinion that the prisoner

1st Nijuly

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 though not amounting to conviction, attaches to him, they direct

22nd

26th March 1851.

direct that under clause Sixth Section II Regulations XX of 1803 he be required to furnish two Sureties in 500/ Five hundred Rupees each Surety, for his good behaviour and appearance when required within one year, or in default thereof that he be detained for one year in confinement.

L.S.

Certificate of Pardon

to

Dhur Cunnaya

Whereas under date the 15th January 1851 the Court of Foujdaree Udalut were pleased to authorize the Sessions Judge of the Zillah of Mangalore to tender an offer of pardon to Dhur Cunnaya on condition of his making a full disclosure of every circumstance within his knowledge relative to the murder committed on the night of the 9th November 1850 on the person of Bootha Bhut alias Cunnaya Bhut an Inhabitant of the Village Salekud in the District of Mangalore.

And whereas the Court of Foujdaree Udalut are of opinion that the conditions of the said grant of pardon have been sufficiently fulfilled:-

Now

26th March 1851.

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 Regulations VIII of 1802 to confirm the pardon conditionally tendered as aforesaid to the said Dhurchunnaya in so far as regards the acts herein referred to:-

And the Court do hereby confirm the said pardon accordingly:-

Given under our hands and the Seal of this Court this 26th day of March 1851.-

Seal of the Court

Court in No. 264.

Roll Calendar of Case No. 4 of 1851

of the Sessions Court of Coimbatore.

Register File No. 619 of 1851

The Court of Foujdaree Udalut

1 are of opinion that the offence committed by the Prisoner in this Case will be adequately punished by a sentence of six months imprisonment with hard labor in irons.

If the Sessions Judge be enabled

2 to concur in the foregoing opinion he will be pleased to submit his recommendation for the mitigated sentence and carry the same into effect without further orders from the Court of Foujdaree Udalut if he dissents therefrom he will

will be pleased to submit an English Translation of the entire record of the case for the Courts consideration.

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

(Sent following precept No. 265.

Read Calendar of Case No. 67 of 1851 of the Sessions Court of Combatoor.

(Vide Entry No. 37 of 1851.)

The Court of Fouzdaree Adawlut having taken into consideration the propriety of the disposal of this case deem it proper to direct that an English Translation of the entire record be submitted for their consideration.

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

(Sent following precept No. 266.)

2d Bld.

F. Vo.

Thursday
27th. March 1851.

At a Court of the Fouzdaree Adawlut

Present:

The Honble. J. F. Thomas Esqre. Chief Judge.
G. S. Cooper Esqre. — 1st. Puisne Judge.
E. P. Thompson Esqre. — 2nd. Puisne Judge.
W. A. Morehead Esqre. — 3rd. Puisne Judge.

Read letter dated 15th. Instant from the Sessions Judge of Bellary referring for the final Judgment of the Fouzdaree Adawlut the Record of Case No. 14 of 1851 on the Calendar of the Sessions Court.

(Vide Entry F. Vo. No. 678 of 1851.)

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

The Court of Fouzdaree 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,

"Roddoo Thimmah"

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

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 in. No. 269)

Read again Calendar of Case No. 444 of 1850 of the Sessions Court of Coimbatore

(Here enter F. No. No. 3063 of 1850.)

Read also Miscellaneous Petition of Chocalinga Moodaly, Prisoner in the above case submitted by the Sessions Judge of Coimbatore.

(Here enter F. M. P. No. 23 of 1851.)

The Court of Foujdaree Udalut see no reason to question the justness of the above Petitioner's conviction, or the propriety of the sentence passed, consequently upon him. The Petitioner's application for the reversal of the same is accordingly rejected.

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

(Sent in. No. 270.)

Read

Read again Calendar of Case No. 11 of 1851 on the file of the Sessions Court of Cuddapah.-

(Here enter F. No. No. 500 of 1851)

Read also Miscellaneous Petition presented on the 3rd. March 1851 by Venyamma of Dillah Cuddapah.-

(Here enter F. M. P. No. 36 of 1851.)

Read also return under date the 13th. March 1851, from the Sessions Judge of Cuddapah, to the precept of the Foujdaree Udalut dated 3rd. March 1851, declining the transmission of translations of such portions of the record of the foregoing case as have reference to the 2nd. Prisoner.-

(Here enter F. No. No. 642 of 1851)

The Court of Foujdaree Udalut

1. are unable to concur with the late Acting Sessions Judge in considering the evidence sufficient to the conviction of the 2nd. prisoner in this case.

The evidence to the identity

2. of the property found in possession of the 2nd. Prisoner with that of which the Prosecutor was said to have been robbed appears to

Fid

27th March 1857.

the Court of Fouzdaree Udalut far from satisfactory; but supposing this point to have been proved the Court can find nothing in the records of the trial to justify the conclusion that the property in question was purchased by the 2d Prisoner with a guilty knowledge of the manner in which it had been obtained.

3

The Court observe that the property referred to is of little value, that it is such as the 1st Prisoner might readily have sold without exciting in a purchaser any grounds of suspicion and that it is also such as the 2d Prisoner was likely to have become innocently possessed of.

4. The Court of Fouzdaree Udalut accordingly resolve to direct that the 2d Prisoner in this case be unconditionally released.

Ordered, that Extract from these Proceedings, be forwarded to the Sessions Judge of Cuddapah, by first opportunity returnable within III days, from and after its receipt.

/Sent following precept No. 271./

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

W.

7

Fll.

Friday 28th March 1857. } At a Court of the Fouzdaree Adalut.

Present

G. J. Cooper Esquire 1st Puisne Judge.
E. G. Thompson Esquire 2d Puisne Judge.
W. A. Morehead Esquire 3d Puisne Judge.

Read Criminal Reports for the month of February 1857, submitted by the Sessions Judge of Coimbatore.

/Here Enter Fll No. 625 of 1857/

The Court of Fouzdaree Adalut observe that a note should be inserted at the foot of the Convict Labor report showing the rate at which grain is issued to the Prisoners as well as the description used.

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

/Sent in No. 272./

Read Calendar of Case No. 5 of 1851 of the Sessions Court of Coimbatore.

/Here Enter Fll No. 685 of 1851/

Refe

Before passing their final Orders on the above case the Court of Tanjadarce Zedalut deem it proper to direct that translations of such portions of the Record as may have reference to the 2d. 4th. 5th. and 8th. Prisoners be prepared and submitted for their consideration.

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

/Sent following Precept No 273/

Read Criminal Reports for the Month of February 1851 submitted by the Session Judge of Chingleput.

/Here enter Fil. No 624 of 1851/

The Court observe that the Report of Convict Labor should contain a note showing the rate at which grain is supplied to the Prisoners as well as the description in use.

Ordered, that Extract from these Proceedings be sent to the Session Judge

Judge of Chingleput for his information.

/Sent in No 274/

Read Criminal Reports for the Month of February 1851 submitted by the Session Judge of Rajahmundry

/Here enter Fil. No 630 of 1851/

The Court of Tanjadarce Zedalut observe that a note should be inserted at the foot of the Convict Labor report showing the rate at which grain is issued to the Prisoners as well as the description used.

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

/Sent in No 275/

Read Convict labor report submitted by the Session Judge of Guntoor for February 1851.

/Here enter Fil. No 629 of 1851/

The Court of Tanjadarce Zedalut observe that this Report should specify the description of grain issued to

to the Prisoners.

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

/ Sent in No. 246 /

Read Criminal Reports submitted by the Principal Sudr Ameen in charge of the Sessions Court of Tpichingoly for the Month of February 1851

/ Here Enter No. 649 of 1851 /

The Court of Fouzdaree Adalut observe that 472 Prisoners received the Maximum allowance of grain and with reference to their Orders of the 8th February direct that Explanation be called for on the subject.

Ordered, that Extract from these Proceedings be sent to the Acting Sessions Judge of Tpichingoly for his information by Receipt returnable in III days from and after its receipt.

/ Sent following Receipt No 277 /

Read letter dated the 15th March 1851 from the Sessions Judge of Masulipatam transmitting the Petty Calendars

28th March 1851

Calendars of the Magistracy for the 4th Quarter of 1850.

/ Here Enter Ft. No. 672 of 1851 /

The Court of Fouzdaree Adalut observe that in the above Calendars the usual heading shewing the designation of the Offence charged has been omitted.

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

/ Sent in No. 248. /

Read Statement submitted by the Sessions Judge of Chittoor, of Batta paid to Prosecutors and witnesses who attended before his Court during the

2d Half of 1850.

/ Here Enter Ft. No. 656 of 1851 /

It does not clearly appear how this Statement is prepared, but it is supposed that each day on which payments are made is entered, whereas the entry should shew how many days each witness was detained and the amount paid as shewn below, and

the

28th March 1851.

the Sessions Judge will be pleased to transmit an amended Statement.

Cases	Number of persons who received Batta	Number of days during which they received Batta	amount paid to them at what rate per diem.			amount paid to them for travelling charges			Grand Total		
				Rs	as	p.					
	16	10	at an	10	.	.					
	5	5	.	1	9	.					
No 10 of 1851.	2	3	1	.	6	.					
	1	1	1	.	1	.					
	24	.	.	12	.	.	.	.	.	12	.	.

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

/ Sent in Bo 279 /

Read Return dated 4th January 1851 from the Sessions Judge of Combaconum to the precept of the Fouzdaree Adalut under date the 2d January 1851 directing that a copy of No 168 of the Report A for the month of November 1850 may be transmitted for their information

/ Here Enter Ft No 54 of 1851 /

4th Bd.

22

F. C.

Saturday
29th March 1854.

In the Court of the Joydaree Adalut.

Present

G/R — G. L. Cooper Esquire —— 1st Puisne Judge.
E.P.J. — C. T. Thompson Esquire —— 2d Puisne Judge.
W. A. — Muirhead Esquire —— 3d Puisne Judge.

Fresh Criminal Reports of the Sessions Court of Cumbacumma for the Months of January 1854.

/ Ferreter F.C. No 480 of 1854 /

The Court of Joydaree Adalut observe that the Clause of the Section under which the Prisoner was punished should have been specified in the Sentence passed in this Case.

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

/ Sentence No 289. /

Fresh Criminal Reports of the Sessions Court of Cumbatore for the Months of January 1854.

/ Ferreter F.C. No 585 of 1854. /

B. Case No 345. /

The Court of Joydaree Adalut

direct that Report A of this case be submitted for their consideration.

2 The Court observe that the particular kind of grain given to the prisoners should be invariably specified in the jail Report.

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.

Vide following precept - No 290.

Read the Criminal Reports submitted by the Sessions Judge of Bellary for the year 1850.

(Vide entries 7th & No 439 of 1851)

Statement No 2.

1 Columns 8 and 11 Heads do not correspond with Columns 3.

2 The aggregate of Columns 4 to 10 and 28 Heads 11 should after deducting Column 10 correspond with Column 2.

Appendix D to St. 3 The 7 persons entered in Column 23 and pending should be excluded from the Price Columns.

Statement No 3 B

4 The one Case and one person entered under Heads of Columns 2 and 3 and referred to in the foot note should have been entered in Columns 4 and 8 of this Statement and in Columns 24. 25. 30. 31. 34 and 35 of the Statement No 2.

5 The one Case involving one person entered in Columns 4 and 8 and the other Case and person in Columns 5 and 9 and referred to in the foot Note should have been true on the Statement as pending on the 1st January 1851 before the Magistracy and Police according to the instructions contained in the Circular Letter of the Sessions Judge dated 28th October 1850 which on the part of the subordinate functionaries the Sessions Judge will be pleased hereafter to enforce.

6 It should be noted that the Appendix A to Statement No 2 and Appendix D to Statement No 3 B will be the appendices Extracted by the Remarks in Para 4.

Appendix A to Statement No 3 B.

7 The 6 persons imprisoned in default of payment of fine should also be entered in the following heading "Imprisoned."

Appendix C to Statement No 3 B.

8 The 116 persons committed to Sessions Court should be included.

Appendix D to

9 The one person in Columns 9 heading "Under charged with more than one offence" appears to have been excluded from the last Column of which charged with &c.

Appendix E to Statement No 4.

10 The aggregate Number of persons entered in this Memo should be 113.

Statement showing the Number of Cases forwarded to the Criminal Court by each Head of Police.

11 The totals of Columns 2 and 3 does not correspond with the returns for 1849 which gave

31st March 1851.-

2 Cases and 3 persons as the number pending on the 31st December 1850.-

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Bellary by precept returnable within x days from and after its receipt.-

Sent following Precept No 291. / —.

Ex 1851.

+

J. U.

Tuesday 1st April 1851.

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 under date the 6th March 1851. from the Sessions Judge of Calicut, submitting the records of cases Nos 84 and 87 of 1850 on the file of the Sessions Court of Foujdaree Adalut for the final judgment of the Court of Foujdaree Adalut.-

(Here enter J. U. No 647 of 1851).

Case No 84-
Mr G. S. Hooper.

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

1st Palakoonatha alias
Mancatha Oony alias
Koudew Nair.-
2nd Nalagatha Koya Moideen
3rd Mangat Shalib Pattany fidagail Koyan
4th Kanoondakaren alias
Malakaren Varikootha Koonhaly
5th Manayatha Odakamana Coolly Poonatha
and
7th Palakoonatha tayib tody Kanoocoolly Nair

are not convicted on presumptive proof or on the evidence of

of credible witnesses or on their own confessions of the Crime charged, do acquit them thereof; and direct that the Prisoners,

2nd Nalagatha Koya Moideen.

3rd Mungat Shatil Pattany Pidigail Koyamo

and

4th Kawoondakaren alias Malakaren Varikootta Koonhaly.

be set at liberty.—

But being of opinion that strong suspicion though not amounting to conviction attaches to the Prisoners,

1st Palakoonatha alias Maneatha Cony alias Kouden Nair.

5th Manayata Odakamana Coolly Poonatu Chandoo.

and

7th Palakonatha tayil tody Komoo Coolly Nair.

the Court direct, under the provisions of Clause Sixth Section II Regulation XV of 1803, and Section XXXIV Act VII of 1843, that they be severally required to find two sureties in One hundred (100) Rupees each surety, for their good behaviour and appearance when required within three years, and that in default thereof, they be detained for three years in confinement.—

Case No. 87.
M.L: S. Hooper

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

that the prisoner,

"Jenootty Kalingal alias Chittarikel Moideen Cotty"

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.—

In the former of these cases the 1st

1.

and 7th prisoners were charged with having assembled certain persons to commit a Gang robbery in the Prosecutor's granary and the 2nd 3rd 4th and 5th with having on the night of the 3rd September 1850 in company with certain other individuals not apprehended, proceeded in a Gang with lighted torches to the Prosecutor's granary, broke into the same, ill-treated the Prosecutor and 3rd witness and carried away property valued at Rupees 6864-12-2.—

The 6th prisoner was charged with

2.

having received a portion of the said property knowing it to have been obtained by Robbery.—

In the latter case one prisoner

3.

was charged with having been concerned in the Gang Robbery charged against the prisoners in the preceding case.—

Two assessors were associated

4

with the Sessions Judge in the trial of each case.

Both

5. Both the assessors acquitted the 6th prisoner in Case No. 84 and the Sessions Judge concurring in their verdict released the said prisoner forthwith.—

6. One of the assessors convicted all the other prisoners Viz.t the 1st and 7th in Case No. 84 of having assembled persons to commit the gang robbery charged in the indictment and the 2nd 3rd 4th and 5th prisoners together with the prisoner in Case No. 87 of having been concerned therein.

7. The other assessor convicted the 1st 2nd 3rd 4th and 5th prisoners but acquitted the 7th and the prisoner in Case 87.—

8. The Session Judge concurred in neither of these findings considering that they were not borne out by the evidence adduced which rested mainly on the testimony of two Approvers, which for various reasons, he pronounces to be untrustworthy, concocted, and worthless.—

9. The Session Judge rejects entirely the testimony of the Prosecutor and 3rd and 4th witnesses as to their alleged recognition of the 2nd 4th and 5th Prisoners and states his opinion that the evidence to the discovery of certain cloths in the possession of the 3rd prisoner is discrepant and unsatisfactory and that to certain articles produced being the property

property of the Prosecutor and to other points—equally vague and inconclusive, and with the exception of that of the 6th 7th and 9th witnesses quite valueless.—

10. The Session Judge accordingly recommends the unconditional release of the 2nd 3rd and 4th prisoners in Case No. 84 and of the prisoner in Case No. 87 and suggests that the 1st 5th and 7th prisoners should be severally held to security in two sureties of Rupees 50 each for one year.

11. He also strongly urges that the 1st and 2nd witnesses in each case who were admitted as approvers should be arraigned and tried upon their voluntary confessions as prisoners before the Subordinate Court, they having failed to perform the conditions upon which the offer of pardon to them was made.—

12. On an attentive consideration of the records of these cases, the Court of Foujdaree Adalut concur with the Session Judge in considering the evidence for the prosecution to be insufficient for the full conviction of any of the prisoners charged, and they have accordingly directed the unconditional release of the 2nd, 3rd and 4th prisoners but being of opinion that strong suspicion attaches to the 1st, 5th, and 7th prisoners have directed

directed that they should be severally required to furnish security in two sureties in the sum of Rupees 100 each for the period of three years.-

13. In regard to the approvers the Court of Foujdaree Udalut observe that although these persons have in their depositions before the Sessions Court varied in some respects from their former statements, it does not appear to the Court that they have so "concealed or misrepresented any material fact," as to have forfeited their title to the conditional pardon promised to them, and the Court of Foujdaree Udalut do not therefore concur with the Sessions Judge in considering it necessary for the ends of justice or expedient for the sake of example that they should be arraigned and tried upon their voluntary confessions as prisoners before the Subordinate Court.-

14. The Court of Foujdaree Udalut however fully agree with the Sessions Judge in viewing the practice instituted by the Sessions Judge which appears to be constantly adopted by the officers of the Magistracy in the District of Malabar of questioning prisoners, whilst in the custody if not in the actual presence of the Police officers in regard to the genuineness of their alleged confessions before those officers, instead of taking fresh depositions from them as in many respects objectionable

objectionable, and adding nothing to the validity of such confessions.-

15. The Court of Foujdaree Udalut resolve to prohibit the adoption of this practice in future and they direct that the officers of the Magistracy will abstain from interfering in this manner in cases under investigation by the Police, it being of course open to them in any case to take the entire investigation out of the hands of the Police.-

16. The Court however are of opinion that, when this latter course may be adopted, the reasons for resorting to it should be fully stated, and that the proceedings of the Magistrate should embrace the entire examination of the case.-

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

(Sent following Precept No. 306.)

Ld Bld.

T. Ud.

Thursday 3rd April 1851.

At a Court of the Foujdaree Udalut.

Present

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

Read letter dated 26th ultimo from the Session Judge of Calicut, submitting for the final judgment of the Foujdaree Udalut the record of Case No 13 of 1851 of the Calendar of the Session Court.

Here enter T. Ud. No 734 of 1851

Mr E. S. 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

"Tekke Eringata Ommy Cootty"

is sufficient to convict him of the crime charged do convict him thereof, and under the provisions of Clause third Section VII Regulation XX 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 (5) five years.

The

1 The Court of Foujdaree Udalut have considered a sentence of five years imprisonment a sufficient punishment for the offence of which the prisoner in this case has been convicted.

2 The Court observe that the record should have furnished information as to the size and weight of the two stones which the prisoner has been convicted of having thrown at the Prosecutor in the well into which he had pushed him as without this information the Court are unable to ascertain the amount of injury the stones in question were calculated to cause the prosecutor if they had been properly directed.

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

(Sent in No. 304.)

Read letter dated 21st March 1851 from the Session Judge of Combaconum, submitting an Extract from the Proceedings of the Session Court in reversing the sentence passed by the Moofty Sudr Ameen in Case No. 15 of 1851 and recommending the removal of that Officer to some other District where the duties are of a less onerous nature, whenever opportunity offers.

(Hereunder S. Ud. No. 456 of 1851.)

Before

1 Before passing final orders upon this communication the Court of Foujdaree Udalut resolve to direct that the Session Judge of Combaconum be requested to report, whether he attributes the lax manner in which the Moofty Sudr Ameen is represented to conduct his duties to the heavy work he is called upon to perform or to idleness or neglect of duty.

2 With this report the Session Judge will be pleased to furnish a statement shewing the total number of cases brought before him in 1848-1849-50, distinguishing those disposed of with the aid of assessors or a jury from those tried with the Moofty and, if, as the Court of Foujdaree Udalut have reason to believe, the former greatly predominate, the Session Judge will be pleased to state whether the course pursued by him had reference to the character and ability of the said Officer.

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

(Sent in No. 308.)

Read Miscellaneous Petition presented on the 20th January 1851 by Venkata soobiaya of Zillah Chittoor.

(Hereunder F. Ud. M. P. No. 19 of 1851.)

The

Mr. G. L. Hooper
Mr. E. L. Thompson
Mr. W. A. Marshall

1

The Court of Foujdaree Udalut see no reason to question the propriety of the order passed by the Session Judge of Chittoor under date the 16th October last refusing to remit a fine imposed upon him by the Magistrate of North Arcot under the provisions of Section ~~XXXII~~ IX Regulation ~~IX~~ of 1816; the Magistrate's sentence having been passed on a full investigation of the merits of the case.

2

The Court of Foujdaree Udalut observe that if the Petitioner have any just claim to the possession of the well to which he refers, it is open to him to seek redress by a Civil action, as remarked by the Session Judge.

3

The Petitioner's application is dismissed.

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

Read Criminal Reports submitted by the Acting Session Judge of Tinnevelly for the year 1850

(Here enter F. 26. No. 554 of 1851)

Statement No. 1 Appendix B

1

The Court of Foujdaree Udalut request that the one person who has paid a portion of the fine should be entered in the Column headed "Confined in default of payment" alone.

2

Appendix B.

The 53 persons forwarded to the Joint Magistrate by the Police Officers should be expunded from the Police Columns in the Appendix.

Statement No. 2

3.

The Cases reported within the year (Column 2) were ——— 462

The Cases in which no one person was apprehended (Column 4) were ——— 156

The balance, or the number of Cases in which persons were apprehended for offences committed within the year, being ——— 306

The Cases brought before the Police (Column 10) were ——— 268

And those before the Magistracy (Column 28) were ——— 38

Total 306

But of the Cases brought before the Magistracy, 19 were referred by the Police, of which, as the total of Column 26 is but 6, 13 must have been offences committed within the year. These 13 Cases should consequently be deducted from the above and this will give 29 as the number of Cases actually detected - and the Statement will require amendment in this par- 13

to

It is to be noted that the cases referred by the Police and entered in Column 18 should all again appear in Column 26 or 28.

4. Columns 19 and 29 under Head 5 do not correspond

5. The Case and person in Columns 18 and 19 Head 6 do not appear in Columns 28 and 29

Statement No. 2. Appendix C. 6. The total number of persons disposed of under Act XII of 1843 is stated to be 46; but in Column 37 of the Statement the entry is 45, the number also appearing in Appendix A

Statement No. 3 A. 7. The total of Columns 4 and 5 do not correspond with Columns 14 and 15 of Statement No. 3 B.

D. - Appendix 8. The 4 person imprisoned in default of payment of fine should also be entered in the proper Columns of the following heading "Imprisoned"

(D. - B 9. The total of Columns 2 and 3 do not correspond with the return for 1849 which gave 6 Cases and 13 persons as the number pending on 31st December 1849.

10. The totals of Columns 6 and 7 do not agree with Columns 16 and 17 Statement No. 2 and the entries under the various headings of these Columns

Columns in the 2 Statements also differ greatly.

11 The totals of Columns 25 and 26 do not agree with Columns 4 and 5 Statement No. 4. and as Case is entered under heading 66 in Statement No. 4 which does not appear in Columns 25 and 26 of Statement No. 3. B.

The 8 persons imprisoned in

Statement No. 3 B Appendix A. 12 default of payment of fine should also be entered in the proper Columns of the following heading "Imprisoned"

D. - Appendix B 13. The Cases pending at the close of the year and those committed to the Session Court have been improperly included in this Appendix

14 Memorandum D does not agree with Memo. E. Statement No. 2, which shews that there were 6 separate Committals from the Police and 1 from the Magistracy. There as also a difference of 16 persons charged with more than one offence between these memoranda.

15. The Court of Foujdaree Adalut observe that had the Session Judge carefully revised these returns as he was bound to do, these errors and discrepancies would have been at once corrected and all the delay and inconvenience caused by their being returned for amendment would have been

3d. April 1851

been obviated.

Ordered that Extract from these Proceedings be forwarded to the Acting Session Judge of Tinnevelly by precept returnable within [illegible] days from and after its receipt.

(Send following Precept No. 309.)

[illegible] 1851.

F. W.

Friday 4th. April 1851.

At a Court of the Fouzdaree Adalut.

Present.

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

Read letter from the Sessions Judge of Tellicherry dated 13th. March 1851 transmitting the annual Criminal returns for 1850.—

(Here enter F. W. No. 653 of 1851).

1 In the 19th. para. of this letter the Sessions Judge attributes much of the delay observable in the disposal of cases brought before the Officers of Police to their time being wasted in deciding cases which can only legally be disposed of under — Regulation V of 1822. He remarks that "notwithstanding the opinion expressed by the Court of Sudder Adawlut in their Proceedings of the 16th. September 1844 and 14th. December 1849 there is still much difference of opinion between the Magistrate and the Courts upon the subject" and states "that without specific orders he is utterly at a loss to dispose of the numerous appeals pending before the Sessions Court."—

2 The points considered by the Civil

Civil Judge not to have been fully met and disposed of by the Court of Sudder Udalut in their Proceedings above adverted to are not stated and the Court of Sudder Udalut are unable to conjecture in what respect they are not sufficiently explicit.—

3 In the Proceedings first quoted it is laid down, in conformity with the ruling of the Court under date 16th September 1844, that "under Section 51 Regulation XI of 1816 power is "vested in the Magistracy to oppose and undo "force on the occupation of land crops and water "and to determine the right of ploughing when "riotous assemblages occur. But this power is "strictly confined to cases where force is proved or "riotous assemblages do take place"— that the "Magistrates decision" is a mere temporary decision "as to possession the parties being left at liberty "to seek redress as to their right itself from any "competent jurisdiction"— and that "a Magistrate has no authority to enter into the merits of a case brought before him under the said Regulation any further than to obtain proof of the forcible occupation.—

4. In the Proceedings of the Court of Sudder Udalut dated 16th December 1849 it is declared

declared that Section 1st Regulation XI of 1816 limits the interference of the Magistracy to cases of forcible occupation or seizure "and that" all other claims to "lands or crops except those cognizable by the Collector "under Regulation V of 1822 must be invariably "preferred to the Courts"—

5 These rulings appear fully to provide for all questions that can arise in respect to the class of cases cognizable by the Magistracy under Section 1st Regulation XI of 1816.—

6. It would seem however that the Sessions Judge is of opinion that a case falling within the jurisdiction of the Collector under Regulation V of 1822 cannot be dealt with by the Magistrate under Section 1st Regulation XI of 1816— and therefore the Court of Sudder Udalut deem it proper to state that they consider that the Collector under Section XI Regulation V of 1822, in like manner as the Magistrate, is only competent to deal with complaints of forcible dispossession and that in fact the powers vested in the Magistrate by Section, 1st Regulation XI of 1816 and in the Collector by Section XI Regulation 5 of 1822 are to a certain extent identical; that consequently a party forcibly dispossessed may apply for redress either to the Magistrate or the Collector,

Collector, and that either officer can dispose of the case according to the powers vested in him - i.e. the Magistrate by simply restoring possession, leaving the party injured to sue for damages before a Civil Court. The Collector by both restoring the Land seized or the crops removed and assessing the agressor in damages and costs. And that in either case the enquiry should only extend to the point at issue, the forcible removal of the complainant.—

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

(Sent in No. 310).—

Ex. 18th.

J. U.

Saturday 5th April, 1851.

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 1st April 1851 from the Session Judge of Cuddalore, submitting for the final Judgment of the Foujdaree Adalut the Record of Case No. 7 of 1851 of the Calendar of the Session Court.—

(Here enter J. U. No. 768 of 1851).

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,

"Ruckery Ravootun".

is sufficient to convict him of the crime of Perjury do convict him thereof: and under the provisions of Clause First Section III Regulation VI of 1832 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 a period during the period of (1) one years.—

(Sent in No. 311.)

5th April 1851.

Read the Annual Criminal Reports submitted by the Sessions Judge of Tellicherry for the year 1850.-

(Here enter F. Lr. No. 653 of 1851).

1. The Court of Foujdaree Adalut on a revision of these returns observe the following errors.-

Statement No. 2. 2. The aggregate of Column 4 and 10 head 12 does not correspond with Column 2.-

3. Columns 3 and 11 head 23 do not correspond.-

4. It would seem that in Column 3 the number of persons apprehended during the year is entered, instead of the number of persons supposed to have been concerned in the cases in Column 2 for, except under headings 12 and 53, Columns 3 and 11 precisely agree.-

Appendix D. to D. 5. The aggregate of the entries in the total Column of this Appendix under the head "Heads of Police Cases", Viz. 368, appear to be incorrect. the total of Columns 14 and 17 in the Statement No. 2 being 369.-

Appendix E to Statement No. 2. 6. The number of persons in Column 17 head "Total persons entered in" does not agree with the total of Column 17 in the Statement, and the entry under the head "Deduct charged with more than one offence" should be 13, if the Columns

of

5th April 1851.

of which charged with" Viz. be correct. For the latter shews that 11 persons were charged with 2 offences and 1 with 3 offences, and that consequently from the total number of persons entered in Column 17 - 13 should be deducted, Viz. 11 for the number twice entered therein and 2 for the one thrice entered.

7. To explain this more in detail let it be supposed that 10 persons charged with 1 case of theft are sent.-

5 persons — D°. — 2 — D°. — } to the Police
2 — D°. — D°. — 3 — D°. — } the entries
1 person — D°. — 5 — D°. — } in Column
18. } 12 of state-

-ment No. 2 will be 31 and in Column 13 also 31. but 18 persons will only have been actually forwarded- and in Memo: F. the entry under head "deduct charged with more than one offence" - "Column 17" will be "13" and in Column of which "charged with"

"2 Offences" 5 or = 5.
3 Offences 2 — = 4
5 Offences 1 = 4/13.

Appendix A to Statement No. 3B. 8. The aggregate of the entries in the first five Columns is 62, but the total of Column 24 of the statement No. 3B is 64.-

9. The 14 persons imprisoned in default of payment of fine should also be entered in the following heading "Imprisoned".-

The

5th April 1851.

Appendix C to Statement No. 3B.

10. The aggregate of the entries in this Memo: should be 15 (in accordance with the total of Columns 22-24 and 26 of Statement No. 3B.

Appendix D to Statement No. 3B.

11. The number of persons in Column 7 head "Deduct charged with more than one offence" should be 14 if the entry in Column "of which charged with" be correct.

Appendix A to Statement No. 4

12. The aggregate of the entries in the first five Columns is 14; but the total of Column 15 of the Statement No. 4 is 15.

13. The total number of persons entered under the head "Imprisoned" should also be 15.

Appendix B to Statement No. 4.

14 The aggregate of the entries in this Memo: should be 42.

Statement shewing the number of Cases forwarded to the Criminal Court by each Head of Police.

15. In Columns 16 and 17 of Statement No. 2, 98 cases including 179 persons are entered, whereas the total of this statement is 95 cases and 166 persons.

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

Ed 1851

(Sent following Precept No. 312.)

F. C.

Monday 7th April 1851. } At a Court of the Zeyslaree Adalut.

Present.

W.M.P. G. S. Hooper Esquire ——— 1st Principal Judge.
E.P. E. P. Thompson Esquire ——— 2d Principal Judge.
W.A. W. A. Morehead Esquire ——— 3d Principal Judge.

Read Calendar of Case No. 13 of 1851 of the Sessions Court of Combaconum.

Appellant F.C. No. 710 of 1851

The Court of Zeyslaree Adalut

approve of the recommendation made by the Sessions Judge in this Case that the sentences recorded against the prisoners on their conviction of theft be mitigated in the case of the 1st Prisoner to three months imprisonment and that of the 2d Prisoner to one months imprisonment with hard labor in irons and the Sessions Judge be authorized to issue his warrants accordingly.

2 The Court observe that the Sessions Judge has omitted to state in his sentence whether or not the 1st Prisoner was committed on the

7th April 1851.

the 2d Count of the Charge.

Ordered that Extract from the Proceedings be forwarded to the Supreme Judge of Combaconam for his information and guidance

/ Entered Nº 314. /

Read again Calendar of Case Nº 30 of 1850 on the file of the Supreme Court of Calicut.

/ Warrantor J.W. Nº 3104 of 1850 /

Read also Miscellaneous Petition presented on the 6th February 1851 by J. Cockburn Esq. Advocate on behalf of Sthuraspan Menon of Pillacode Calicut.

/ Warrantor J.M.P. Nº 26 of 1851 /

Read also Return under date the 15th March 1851 from the Supreme Judge of Calicut to the precept of the Zoujdaree Adalut dated the 8th March 1851 directing the transmission to the Zoujdaree Adalut of the original record of the foregoing Case.

/ Warrantor J.W. Nº 654 of 1851 /

The prisoner in this Case was tried before the Supreme Court of Calicut upon an indictment charging him with the

having

J.S. Hooper
J.P. Thompson
W. Strahead.

7th April 1851

having on the 29th December 1849 in concert with the prisoner in Case Nº 23 of 1850 on the file of the Supreme Court and one Cholakara Chinoony Panikar, not apprehended and others assembled together armed with sticks and knives and proceeded to the field of the Prosecutor Unnidesavan Athakalathil Ramen Nair called Chakrarathiry, situated at Tirikkalum in Amsom, held by him in Kanom and forcibly reaped and carried away the whole of the crop grown it whereon the said Ramen Nair objecting to the removal of the crop the 2d Prisoner in Case Nº 22 of 1850 and Chinoony Panikar urged and held Ramen Nair and the 1st Prisoner in Case Nº 22 then and there stabbed the Prosecutor's Nephew the said Ramen Nair with a knife and inflicted two severe wounds on his breast and below the pit of his stomach from which he died then and there

2 The 4 Persons who were associated with the Supreme Judge at the trial convicted the prisoner in this Case of having instigated and caused the forcible reaping of the crop which led to the commission of the

the offences above referred to.

3 The Sessions Judge concurred in this Verdict and Sentenced the prisoner to five years imprisonment with hard labour in irons.

4 The Court of Zanzibar Vakeels observe that the prisoner has been convicted of an offence to which he was not called upon to plead in the indictment upon which he was arraigned the verdict of the assessors having acquitted him of having been present and concurring in the commission of the acts charged, but convicted him of having instigated the commission of the same, to which offence no reference was made in the indictment upon which he has been tried.

5 The Court of Zanzibar Vakeels observe that such a conviction is illegal it not being competent to the Courts to convict any prisoner of any act which may not have been specifically charged in the indictment to which he may have been called upon to plead.

6 Irrespective however of the foregoing irregularity which in itself would compel

compel the Court of Zanzibar Vakeels to reverse the sentence passed in this case the Court consider the evidence altogether insufficient for the conviction of the prisoner of the crime for which the sentence has been passed.

7 The statements of the witnesses for the prosecution are altogether of a hearsay character and in many instances the witnesses are unable to specify from whom they heard the circumstance they detail.

8 On some points they state that the Prosecutor was their informant, which it appears from the Prosecutors deposition that his knowledge of the circumstances narrated by him was entirely derived from others.

9 The Court are unable to understand how the Sessions Judge could have founded a conviction upon evidence so palpably worthless.

10 The Court are of opinion that the Sessions Judge would have acted more regularly if he had recorded and stated the statements of each witness regarding

regarding the prisoner in this Case instead of confining himself to having read over to them their former deposition given in another Case.-

11 The Court of Zoyjedary Adalut direct that the prisoner in this Case be unconditionally released.-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Calicut by precept returnable on/or before the III days from and after its receipt.-

/And following precept No. 315/

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

Read Biennial Reports submitted by the Sessions Judge of Cuddalore for the year 1850.-

/Fine entry Vol No 695 of 1851./

The following errors and discrepancies are observable in these Returns.-

Statement No 2. 1 Columns 3 and 10 Heads 6-4 & and 6 do not correspond.-

3 Columns 4 and 10 Heads 26-28 and 31 do not correspond with Columns 3.-

Appendix C. do. 3 The total No of Cases disposed of under Act VII of 1843 as stated in Column 16 but in

but in Column 36 of the Statement the entry is 33.-

The total No of persons entered 4 in this Statement does not correspond with the Statements No 1 and 2.-

Statement showing the nature and results of charges preferred against the Police.-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Cuddalore by precept returnable on/or before XV days from and after its receipt.-

/And following precept No 316/

Read Letter dated the 1st Ultimo from the Sessions Judge of Chingleput reporting that no Cases to be reported on as required by the Circular Letters dated 16th October 1844 and 31 January 1845 were pending last month before him.-

/Fine entry Vol No 687 of 1851./

Read Report dated 31st February 1851 from the Sessions Judge of Rajahmundry of the labor of Convicts under the Magistrate for the Months of January 1851.-

/Fine entry Vol No 341 of 1851./

Read Report dated the 1st Ultimo submitted by the Sessions Judge of Salem of Cases pending on the 31st February 1851 before him for a period in excess of 35 days calculated from the date of commitment.-

/Fine entry Vol No 343 of 1851./

Read Calendar of Cases No 7 of 1851 submitted by the Sessions Judge of Calicut under date the 26th [illegible] 1851.

/Fine entry Vol No 344 of 1851./

Read

7th April 1851.

Read Calendar of Cases No 45 of 1851 submitted by the Sessions Judge of Honore under date the 24th February 1851.

/Vide entries F 86 No 345 of 1851/

Read Calendar of Cases No 70 of 1851 submitted by the Sessions Judge of Bellary under date the 28th February 1851.

/Vide entries F 86 No 346 of 1851./

Pd 18/0.

F. C.

Tuesday 8th April 1851.

At a Court of the Foujdaree Adalut.

Present.

Sd/ A J Cooper Esquire ——— 1st Puisne Judge.
C.P.S. E P Thompson Esquire ——— 2d Puisne Judge.
W A Rockwood Esquire ——— 3d Puisne Judge.

Read Extract from the Minutes of Consultation of Government under date the 20th March 1851 transmitting Copy of a Letter from the Adjutant General of the Army, and the original Enclosures of the same, being Copies of a Correspondence between the Officer Commanding the 42d Regiment N.I. and the Sessions Judge of Masulipatam regarding the Sentence passed upon two private of that Corps by the Moffy Sudder Ameen attached to the Sessions Court in Case No 43 of 1850, and requesting the Court of Foujdaree Adalut to report upon the Case and specially to state what the fine originally collected from the Prisoners returned to them on the revised Sentence being passed.

/Vide entr. F 86 No 736 of 1850/

The

8th April 1857.

The Court of Sanglance Adalut
directs that a copy of this Extract be forwarded
to the Sessions Judge of Masulipatam with
instructions to submit the information specially
called for by the Government, and to explain
how it came to pass that the fine was levied from
the Prisoners prior, as would seem to have been the
case, to the sentence of the Moofty Sudder Ameen
being revised by him under Section II Regulation III
of 1833, and why the provision of that Sentence was
delayed for fourteen days.

Ordered that Extract from these
Proceedings be forwarded to the Sessions Judge
of Masulipatam by prompt returnable with two
days from and after its receipt.

/ And following precept Sa 318 /

Read the Criminal Reports
submitted by the Sessions Judge of Madura
for the year 1857.

/ Five entries Sa 690 of 1850 /

The following errors and discre-
pancies are observable in these returns.

Statements Nos 2. 1 Column 3 heading "Sex" which has
been left blank should be filled up.

2 The entries in Columns 18 and 19
of

8th April 1857.

of Cases and persons forwarded by the Police
to the Magistracy should also appear in
Columns 26 and 27 or 28 and 29.

3 The Appendices A and B will be
affected by the remark in para 2.

Appendix A to No. 4 The total number of Cases and Per-
sons disposed of under Act XXIV of 1843 as to be shewn
Statements Nos 2B 5. but in Columns 36 and 37 of the Statements and
56. but in Columns 36 and 37 of the Statements and
in the Appendix A the entries are 13 and 44.

The Case referred to in the fore-
going entry should be entered in Column 4 heading "Sex"
not to stand be entered in Column 4 heading "Sex"

Appendix A No. 6 The 3 persons imprisoned in default
of payment of fine should also be entered
in the proper Columns of the following
heading "Imprisoned."

Appendix B No. 7 In the Columns "Trials reported
the Cases disposed of and included in Reports
A submitted to the Sessions Court should be
entered.

Appendix C to No. 8 The aggregate of the entries in this
Forms should be 232 in accordance with the total
of Columns 22-24 and 26 of the Statements Nos 2B.

Appendix D to No. 9 This appendix will be affected
by the Remark in para 5.

Appendix B No. 10 In the Columns "Trials reported the
Statements Nos 3A Cases disposed of and included in the Reports
A submitted to the Sessions Court should be
entered.

9 The

9th April 1851

Statements B & C attached to Statement A.

11 The aggregate of the entries in this Column should be right the memo bring intended to show the number of persons not Cases.-

Statement showing the nature and the result of charges preferred against the Police.

12 The total number of persons entered in this Statement does not correspond with Statements A^os and 2.-

13 In correcting the above discrepancies the Sessions Judge will be pleased to bear in mind that other Columns of the Statements and the appendices will be affected thereby.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Madura by precept returnable within xx days from and after receipt.-

(Sent following precepts A^os 319/-, 320/-, 321/-, 322/-, 323/-, 324/-, 325/-, 326/-, 327/-, 328/-, 329/-, 330/-, 331/-, 332/-, 333/-, 334/-, 335/-, 336/-, 337/-, 338/-, 339/-, 340/-, 341/-, 342/-, 343/-, 344/-, 345/-, 346/-, 347/-, 348/-, 349/-, 350/-, 351/-, 352/-, 353/-, 354/-, 355/-, 356/-, 357/-, 358/-, 359/-, 360/-, 361/-, 362/-, 363/-, 364/-, 365/-, 366/-, 367/-, 368/-, 369/-, 370/-, 371/-, 372/-, 373/-, 374/-, 375/-, 376/-, 377/-, 378/-, 379/-, 380/-, 381/-, 382/-, 383/-, 384/-, 385/-, 386/-, 387/-, 388/-, 389/-, 390/-, 391/-, 392/-, 393/-, 394/-, 395/-, 396/-, 397/-, 398/-, 399/-, 400/-, 401/-, 402/-, 403/-, 404/-, 405/-, 406/-, 407/-, 408/-, 409/-, 410/-, 411/-, 412/-, 413/-, 414/-, 415/-, 416/-, 417/-, 418/-, 419/-, 420/-, 421/-, 422/-, 423/-, 424/-, 425/-, 426/-, 427/-, 428/-, 429/-, 430/-, 431/-, 432/-, 433/-, 434/-, 435/-, 436/-, 437/-, 438/-, 439/-, 440/-, 441/-, 442/-, 443/-, 444/-, 445/-, 446/-, 447/-, 448/-, 449/-, 450/-, 451/-, 452/-, 453/-, 454/-, 455/-, 456/-, 457/-, 458/-, 459/-, 460/-, 461/-, 462/-, 463/-, 464/-, 465/-, 466/-, 467/-, 468/-, 469/-, 470/-, 471/-, 472/-, 473/-, 474/-, 475/-, 476/-, 477/-, 478/-, 479/-, 480/-, 481/-, 482/-, 483/-, 484/-, 485/-, 486/-, 487/-, 488/-, 489/-, 490/-, 491/-, 492/-, 493/-, 494/-, 495/-, 496/-, 497/-, 498/-, 499/-, 500/-, 501/-, 502/-, 503/-, 504/-, 505/-, 506/-, 507/-, 508/-, 509/-, 510/-, 511/-, 512/-, 513/-, 514/-, 515/-, 516/-, 517/-, 518/-, 519/-, 520/-, 521/-, 522/-, 523/-, 524/-, 525/-, 526/-, 527/-, 528/-, 529/-, 530/-, 531/-, 532/-, 533/-, 534/-, 535/-, 536/-, 537/-, 538/-, 539/-, 540/-, 541/-, 542/-, 543/-, 544/-, 545/-, 546/-, 547/-, 548/-, 549/-, 550/-, 551/-, 552/-, 553/-, 554/-, 555/-, 556/-, 557/-, 558/-, 559/-, 560/-, 561/-, 562/-, 563/-, 564/-, 565/-, 566/-, 567/-, 568/-, 569/-, 570/-, 571/-, 572/-, 573/-, 574/-, 575/-, 576/-, 577/-, 578/-, 579/-, 580/-, 581/-, 582/-, 583/-, 584/-, 585/-, 586/-, 587/-, 588/-, 589/-, 590/-, 591/-, 592/-, 593/-, 594/-, 595/-, 596/-, 597/-, 598/-, 599/-, 600/-, 601/-, 602/-, 603/-, 604/-, 605/-, 606/-, 607/-, 608/-, 609/-, 610/-, 611/-, 612/-, 613/-, 614/-, 615/-, 616/-, 617/-, 618/-, 619/-, 620/-, 621/-, 622/-, 623/-, 624/-, 625/-, 626/-, 627/-, 628/-, 629/-, 630/-, 631/-, 632/-, 633/-, 634/-, 635/-, 636/-, 637/-, 638/-, 639/-, 640/-, 641/-, 642/-, 643/-, 644/-, 645/-, 646/-, 647/-, 648/-, 649/-, 650/-, 651/-, 652/-, 653/-, 654/-, 655/-, 656/-, 657/-, 658/-, 659/-, 660/-, 661/-, 662/-, 663/-, 664/-, 665/-, 666/-, 667/-, 668/-, 669/-, 670/-, 671/-, 672/-, 673/-, 674/-, 675/-, 676/-, 677/-, 678/-, 679/-, 680/-, 681/-, 682/-, 683/-, 684/-, 685/-, 686/-, 687/-, 688/-, 689/-, 690/-, 691/-, 692/-, 693/-, 694/-, 695/-, 696/-, 697/-, 698/-, 699/-, 700/-, 701/-, 702/-, 703/-, 704/-, 705/-, 706/-, 707/-, 708/-, 709/-, 710/-, 711/-, 712/-, 713/-, 714/-, 715/-, 716/-, 717/-, 718/-, 719/-, 720/-, 721/-, 722/-, 723/-, 724/-, 725/-, 726/-, 727/-, 728/-, 729/-, 730/-, 731/-, 732/-, 733/-, 734/-, 735/-, 736/-, 737/-, 738/-, 739/-, 740/-, 741/-, 742/-, 743/-, 744/-, 745/-, 746/-, 747/-, 748/-, 749/-, 750/-, 751/-, 752/-, 753/-, 754/-, 755/-, 756/-, 757/-, 758/-, 759/-, 760/-, 761/-, 762/-, 763/-, 764/-, 765/-, 766/-, 767/-, 768/-, 769/-, 770/-, 771/-, 772/-, 773/-, 774/-, 775/-, 776/-, 777/-, 778/-, 779/-, 780/-, 781/-, 782/-, 783/-, 784/-, 785/-, 786/-, 787/-, 788/-, 789/-, 790/-, 791/-, 792/-, 793/-, 794/-, 795/-, 796/-, 797/-, 798/-, 799/-, 800/-, 801/-, 802/-, 803/-, 804/-, 805/-, 806/-, 807/-, 808/-, 809/-, 810/-, 811/-, 812/-, 813/-, 814/-, 815/-, 816/-, 817/-, 818/-, 819/-, 820/-, 821/-, 822/-, 823/-, 824/-, 825/-, 826/-, 827/-, 828/-, 829/-, 830/-, 831/-, 832/-, 833/-, 834/-, 835/-, 836/-, 837/-, 838/-, 839/-, 840/-, 841/-, 842/-, 843/-, 844/-, 845/-, 846/-, 847/-, 848/-, 849/-, 850/-, 851/-, 852/-, 853/-, 854/-, 855/-, 856/-, 857/-, 858/-, 859/-, 860/-, 861/-, 862/-, 863/-, 864/-, 865/-, 866/-, 867/-, 868/-, 869/-, 870/-, 871/-, 872/-, 873/-, 874/-, 875/-, 876/-, 877/-, 878/-, 879/-, 880/-, 881/-, 882/-, 883/-, 884/-, 885/-, 886/-, 887/-, 888/-, 889/-, 890/-, 891/-, 892/-, 893/-, 894/-, 895/-, 896/-, 897/-, 898/-, 899/-, 900/-, 901/-, 902/-, 903/-, 904/-, 905/-, 906/-, 907/-, 908/-, 909/-, 910/-, 911/-, 912/-, 913/-, 914/-, 915/-, 916/-, 917/-, 918/-, 919/-, 920/-, 921/-, 922/-, 923/-, 924/-, 925/-, 926/-, 927/-, 928/-, 929/-, 930/-, 931/-, 932/-, 933/-, 934/-, 935/-, 936/-, 937/-, 938/-, 939/-, 940/-, 941/-, 942/-, 943/-, 944/-, 945/-, 946/-, 947/-, 948/-, 949/-, 950/-, 951/-, 952/-, 953/-, 954/-, 955/-, 956/-, 957/-, 958/-, 959/-, 960/-, 961/-, 962/-, 963/-, 964/-, 965/-, 966/-, 967/-, 968/-, 969/-, 970/-, 971/-, 972/-, 973/-, 974/-, 975/-, 976/-, 977/-, 978/-, 979/-, 980/-, 981/-, 982/-, 983/-, 984/-, 985/-, 986/-, 987/-, 988/-, 989/-, 990/-, 991/-, 992/-, 993/-, 994/-, 995/-, 996/-, 997/-, 998/-, 999/-, 1000/-, 1001/-, 1002/-, 1003/-, 1004/-, 1005/-, 1006/-, 1007/-, 1008/-, 1009/-, 1010/-, 1011/-, 1012/-, 1013/-, 1014/-, 1015/-, 1016/-, 1017/-, 1018/-, 1019/-, 1020/-, 1021/-, 1022/-, 1023/-, 1024/-, 1025/-, 1026/-, 1027/-, 1028/-, 1029/-, 1030/-, 1031/-, 1032/-, 1033/-, 1034/-, 1035/-, 1036/-, 1037/-, 1038/-, 1039/-, 1040/-, 1041/-, 1042/-, 1043/-, 1044/-, 1045/-, 1046/-, 1047/-, 1048/-, 1049/-, 1050/-, 1051/-, 1052/-, 1053/-, 1054/-, 1055/-, 1056/-, 1057/-, 1058/-, 1059/-, 1060/-, 1061/-, 1062/-, 1063/-, 1064/-, 1065/-, 1066/-, 1067/-, 1068/-, 1069/-, 1070/-, 1071/-, 1072/-, 1073/-, 1074/-, 1075/-, 1076/-, 1077/-, 1078/-, 1079/-, 1080/-, 1081/-, 1082/-, 1083/-, 1084/-, 1085/-, 1086/-, 1087/-, 1088/-, 1089/-, 1090/-, 1091/-, 1092/-, 1093/-, 1094/-, 1095/-, 1096/-, 1097/-, 1098/-, 1099/-, 1100/-, 1101/-, 1102/-, 1103/-, 1104/-, 1105/-, 1106/-, 1107/-, 1108/-, 1109/-, 1110/-, 1111/-, 1112/-, 1113/-, 1114/-, 1115/-, 1116/-, 1117/-, 1118/-, 1119/-, 1120/-, 1121/-, 1122/-, 1123/-, 1124/-, 1125/-, 1126/-, 1127/-, 1128/-, 1129/-, 1130/-, 1131/-, 1132/-, 1133/-, 1134/-, 1135/-, 1136/-, 1137/-, 1138/-, 1139/-, 1140/-, 1141/-, 1142/-, 1143/-, 1144/-, 1145/-, 1146/-, 1147/-, 1148/-, 1149/-, 1150/-, 1151/-, 1152/-, 1153/-, 1154/-, 1155/-, 1156/-, 1157/-, 1158/-, 1159/-, 1160/-, 1161/-, 1162/-, 1163/-, 1164/-, 1165/-, 1166/-, 1167/-, 1168/-, 1169/-, 1170/-, 1171/-, 1172/-, 1173/-, 1174/-, 1175/-, 1176/-, 1177/-, 1178/-, 1179/-, 1180/-, 1181/-, 1182/-, 1183/-, 1184/-, 1185/-, 1186/-, 1187/-, 1188/-, 1189/-, 1190/-, 1191/-, 1192/-, 1193/-, 1194/-, 1195/-, 1196/-, 1197/-, 1198/-, 1199/-, 1200/-, 1201/-, 1202/-, 1203/-, 1204/-, 1205/-, 1206/-, 1207/-, 1208/-, 1209/-, 1210/-, 1211/-, 1212/-, 1213/-, 1214/-, 1215/-, 1216/-, 1217/-, 1218/-, 1219/-, 1220/-, 1221/-, 1222/-, 1223/-, 1224/-, 1225/-, 1226/-, 1227/-, 1228/-, 1229/-, 1230/-, 1231/-, 1232/-, 1233/-, 1234/-, 1235/-, 1236/-, 1237/-, 1238/-, 1239/-, 1240/-, 1241/-, 1242/-, 1243/-, 1244/-, 1245/-, 1246/-, 1247/-, 1248/-, 1249/-, 1250/-, 1251/-, 1252/-, 1253/-, 1254/-, 1255/-, 1256/-, 1257/-, 1258/-, 1259/-, 1260/-, 1261/-, 1262/-, 1263/-, 1264/-, 1265/-, 1266/-, 1267/-, 1268/-, 1269/-, 1270/-, 1271/-, 1272/-, 1273/-, 1274/-, 1275/-, 1276/-, 1277/-, 1278/-, 1279/-, 1280/-, 1281/-, 1282/-, 1283/-, 1284/-, 1285/-, 1286/-, 1287/-, 1288/-, 1289/-, 1290/-, 1291/-, 1292/-, 1293/-, 1294/-, 1295/-, 1296/-, 1297/-, 1298/-, 1299/-, 1300/-, 1301/-, 1302/-, 1303/-, 1304/-, 1305/-, 1306/-, 1307/-, 1308/-, 1309/-, 1310/-, 1311/-, 1312/-, 1313/-, 1314/-, 1315/-, 1316/-, 1317/-, 1318/-, 1319/-, 1320/-, 1321/-, 1322/-, 1323/-, 1324/-, 1325/-, 1326/-, 1327/-, 1328/-, 1329/-, 1330/-, 1331/-, 1332/-, 1333/-, 1334/-, 1335/-, 1336/-, 1337/-, 1338/-, 1339/-, 1340/-, 1341/-, 1342/-, 1343/-, 1344/-, 1345/-, 1346/-, 1347/-, 1348/-, 1349/-, 1350/-, 1351/-, 1352/-, 1353/-, 1354/-, 1355/-, 1356/-, 1357/-, 1358/-, 1359/-, 1360/-, 1361/-, 1362/-, 1363/-, 1364/-, 1365/-, 1366/-, 1367/-, 1368/-, 1369/-, 1370/-, 1371/-, 1372/-, 1373/-, 1374/-, 1375/-, 1376/-, 1377/-, 1378/-, 1379/-, 1380/-, 1381/-, 1382/-, 1383/-, 1384/-, 1385/-, 1386/-, 1387/-, 1388/-, 1389/-, 1390/-, 1391/-, 1392/-, 1393/-, 1394/-, 1395/-, 1396/-, 1397/-, 1398/-, 1399/-, 1400/-, 1401/-, 1402/-, 1403/-, 1404/-, 1405/-, 1406/-, 1407/-, 1408/-, 1409/-, 1410/-, 1411/-, 1412/-, 1413/-, 1414/-, 1415/-, 1416/-, 1417/-, 1418/-, 1419/-, 1420/-, 1421/-, 1422/-, 1423/-, 1424/-, 1425/-, 1426/-, 1427/-, 1428/-, 1429/-, 1430/-, 1431/-, 1432/-, 1433/-, 1434/-, 1435/-, 1436/-, 1437/-, 1438/-, 1439/-, 1440/-, 1441/-, 1442/-, 1443/-, 1444/-, 1445/-, 1446/-, 1447/-, 1448/-, 1449/-, 1450/-, 1451/-, 1452/-, 1453/-, 1454/-, 1455/-, 1456/-, 1457/-, 1458/-, 1459/-, 1460/-, 1461/-, 1462/-, 1463/-, 1464/-, 1465/-, 1466/-, 1467/-, 1468/-, 1469/-, 1470/-, 1471/-, 1472/-, 1473/-, 1474/-, 1475/-, 1476/-, 1477/-, 1478/-, 1479/-, 1480/-, 1481/-, 1482/-, 1483/-, 1484/-, 1485/-, 1486/-, 1487/-, 1488/-, 1489/-, 1490/-, 1491/-, 1492/-, 1493/-, 1494/-, 1495/-, 1496/-, 1497/-, 1498/-, 1499/-, 1500/-, 1501/-, 1502/-, 1503/-, 1504/-, 1505/-, 1506/-, 1507/-, 1508/-, 1509/-, 1510/-, 1511/-, 1512/-, 1513/-, 1514/-, 1515/-, 1516/-, 1517/-, 1518/-, 1519/-, 1520/-, 1521/-, 1522/-, 1523/-, 1524/-, 1525/-, 1526/-, 1527/-, 1528/-, 1529/-, 1530/-, 1531/-, 1532/-, 1533/-, 1534/-, 1535/-, 1536/-, 1537/-, 1538/-, 1539/-, 1540/-, 1541/-, 1542/-, 1543/-, 1544/-, 1545/-, 1546/-, 1547/-, 1548/-, 1549/-, 1550/-, 1551/-, 1552/-, 1553/-, 1554/-, 1555/-, 1556/-, 1557/-, 1558/-, 1559/-, 1560/-, 1561/-, 1562/-, 1563/-, 1564/-, 1565/-, 1566/-, 1567/-, 1568/-, 1569/-, 1570/-, 1571/-, 1572/-, 1573/-, 1574/-, 1575/-, 1576/-, 1577/-, 1578/-, 1579/-, 1580/-, 1581/-, 1582/-, 1583/-, 1584/-, 1585/-, 1586/-, 1587/-, 1588/-, 1589/-, 1590/-, 1591/-, 1592/-, 1593/-, 1594/-, 1595/-, 1596/-, 1597/-, 1598/-, 1599/-, 1600/-, 1601/-, 1602/-, 1603/-, 1604/-, 1605/-, 1606/-, 1607/-, 1608/-, 1609/-, 1610/-, 1611/-, 1612/-, 1613/-, 1614/-, 1615/-, 1616/-, 1617/-, 1618/-, 1619/-, 1620/-, 1621/-, 1622/-, 1623/-, 1624/-, 1625/-, 1626/-, 1627/-, 1628/-, 1629/-, 1630/-, 1631/-, 1632/-, 1633/-, 1634/-, 1635/-, 1636/-, 1637/-, 1638/-, 1639/-, 1640/-, 1641/-, 1642/-, 1643/-, 1644/-, 1645/-, 1646/-, 1647/-, 1648/-, 1649/-, 1650/-, 1651/-, 1652/-, 1653/-, 1654/-, 1655/-, 1656/-, 1657/-, 1658/-, 1659/-, 1660/-, 1661/-, 1662/-, 1663/-, 1664/-, 1665/-, 1666/-, 1667/-, 1668/-, 1669/-, 1670/-, 1671/-, 1672/-, 1673/-, 1674/-, 1675/-, 1676/-, 1677/-, 1678/-, 1679/-, 1680/-, 1681/-, 1682/-, 1683/-, 1684/-, 1685/-, 1686/-, 1687/-, 1688/-, 1689/-, 1690/-, 1691/-, 1692/-, 1693/-, 1694/-, 1695/-, 1696/-, 1697/-, 1698/-, 1699/-, 1700/-, 1701/-, 1702/-, 1703/-, 1704/-, 1705/-, 1706/-, 1707/-, 1708/-, 1709/-, 1710/-, 1711/-, 1712/-, 1713/-, 1714/-, 1715/-, 1716/-, 1717/-, 1718/-, 1719/-, 1720/-, 1721/-, 1722/-, 1723/-, 1724/-, 1725/-, 1726/-, 1727/-, 1728/-, 1729/-, 1730/-, 1731/-, 1732/-, 1733/-, 1734/-, 1735/-, 1736/-, 1737/-, 1738/-, 1739/-, 1740/-, 1741/-, 1742/-, 1743/-, 1744/-, 1745/-, 1746/-, 1747/-, 1748/-, 1749/-, 1750/-, 1751/-, 1752/-, 1753/-, 1754/-, 1755/-, 1756/-, 1757/-, 1758/-, 1759/-, 1760/-, 1761/-, 1762/-, 1763/-, 1764/-, 1765/-, 1766/-, 1767/-, 1768/-, 1769/-, 1770/-, 1771/-, 1772/-, 1773/-, 1774/-, 1775/-, 1776/-, 1777/-, 1778/-, 1779/-, 1780/-, 1781/-, 1782/-, 1783/-, 1784/-, 1785/-, 1786/-, 1787/-, 1788/-, 1789/-, 1790/-, 1791/-, 1792/-, 1793/-, 1794/-, 1795/-, 1796/-, 1797/-, 1798/-, 1799/-, 1800/-, 1801/-, 1802/-, 1803/-, 1804/-, 1805/-, 1806/-, 1807/-, 1808/-, 1809/-, 1810/-, 1811/-, 1812/-, 1813/-, 1814/-, 1815/-, 1816/-, 1817/-, 1818/-, 1819/-, 1820/-, 1821/-, 1822/-, 1823/-, 1824/-, 1825/-, 1826/-, 1827/-, 1828/-, 1829/-, 1830/-, 1831/-, 1832/-, 1833/-, 1834/-, 1835/-, 1836/-, 1837/-, 1838/-, 1839/-, 1840/-, 1841/-, 1842/-, 1843/-, 1844/-, 1845/-, 1846/-, 1847/-, 1848/-, 1849/-, 1850/-, 1851/-, 1852/-, 1853/-, 1854/-, 1855/-, 1856/-, 1857/-, 1858/-, 1859/-, 1860/-, 1861/-, 1862/-, 1863/-, 1864/-, 1865/-, 1866/-, 1867/-, 1868/-, 1869/-, 1870/-, 1871/-, 1872/-, 1873/-, 1874/-, 1875/-, 1876/-, 1877/-, 1878/-, 1879/-, 1880/-, 1881/-, 1882/-, 1883/-, 1884/-, 1885/-, 1886/-, 1887/-, 1888/-, 1889/-, 1890/-, 1891/-, 1892/-, 1893/-, 1894/-, 1895/-, 1896/-, 1897/-, 1898/-, 1899/-, 1900/-, 1901/-, 1902/-, 1903/-, 1904/-, 1905/-, 1906/-, 1907/-, 1908/-, 1909/-, 1910/-, 1911/-, 1912/-, 1913/-, 1914/-, 1915/-, 1916/-, 1917/-, 1918/-, 1919/-, 1920/-, 1921/-, 1922/-, 1923/-, 1924/-, 1925/-, 1926/-, 1927/-, 1928/-, 1929/-, 1930/-, 1931/-, 1932/-, 1933/-, 1934/-, 1935/-, 1936/-, 1937/-, 1938/-, 1939/-, 1940/-, 1941/-, 1942/-, 1943/-, 1944/-, 1945/-, 1946/-, 1947/-, 1948/-, 1949/-, 1950/-, 1951/-, 1952/-, 1953/-, 1954/-, 1955/-, 1956/-, 1957/-, 1958/-, 1959/-, 1960/-, 1961/-, 1962/-, 1963/-, 1964/-, 1965/-, 1966/-, 1967/-, 1968/-, 1969/-, 1970/-, 1971/-, 1972/-, 1973/-, 1974/-, 1975/-, 1976/-, 1977/-, 1978/-, 1979/-, 1980/-, 1981/-, 1982/-, 1983/-, 1984/-, 1985/-, 1986/-, 1987/-, 1988/-, 1989/-, 1990/-, 1991/-, 1992/-, 1993/-, 1994/-, 1995/-, 1996/-, 1997/-, 1998/-, 1999/-, 2000/-, 2001/-, 2002/-, 2003/-, 2004/-, 2005/-, 2006/-, 2007/-, 2008/-, 2009/-, 2010/-, 2011/-, 2012/-, 2013/-, 2014/-, 2015/-, 2016/-, 2017/-, 2018/-, 2019/-, 2020/-, 2021/-, 2022/-, 2023/-, 2024/-, 2025/-, 2026/-, 2027/-, 2028/-, 2029/-, 2030/-, 2031/-, 2032/-, 2033/-, 2034/-, 2035/-, 2036/-, 2037/-, 2038/-, 2039/-, 2040/-, 2041/-, 2042/-, 2043/-, 2044/-, 2045/-, 2046/-, 2047/-, 2048/-, 2049/-, 2050/-, 2051/-, 2052/-, 2053/-, 2054/-, 2055/-, 2056/-, 2057/-, 2058/-, 2059/-, 2060/-, 2061/-, 2062/-, 2063/-, 2064/-, 2065/-, 2066/-, 2067/-, 2068/-, 2069/-, 2070/-, 2071/-, 2072/-, 2073/-, 2074/-, 2075/-, 2076/-, 2077/-, 2078/-, 2079/-, 2080/-, 2081/-, 2082/-, 2083/-, 2084/-, 2085/-, 2086/-, 2087/-, 2088/-, 2089/-, 2090/-, 2091/-, 2092/-, 2093/-, 2094/-, 2095/-, 2096/-, 2097/-, 2098/-, 2099/-, 2100/-, 2101/-, 2102/-, 2103/-, 2104/-, 2105/-, 2106/-, 2107/-, 2108/-, 2109/-, 2110/-, 2111/-, 2112/-, 2113/-, 2114/-, 2115/-, 2116/-, 2117/-, 2118/-, 2119/-, 2120/-, 2121/-, 2122/-, 2123/-, 2124/-, 2125/-, 2126/-, 2127/-, 2128/-, 2129/-, 2130/-, 2131/-, 2132/-, 2133/-, 2134/-, 2135/-, 2136/-, 2137/-, 2138/-, 2139/-, 2140/-, 2141/-, 2142/-, 2143/-, 2144/-, 2145/-, 2146/-, 2147/-, 2148/-, 2149/-, 2150/-, 2151/-, 2152/-, 2153/-, 2154/-, 2155/-, 2156/-, 2157/-, 2158/-, 2159/-, 2160/-, 2161/-, 2162/-, 2163/-, 2164/-, 2165/-, 2166/-, 2167/-, 2168/-, 2169/-, 2170/-, 2171/-, 2172/-, 2173/-, 2174/-, 2175/-, 2176/-, 2177/-, 2178/-, 2179/-, 2180/-, 2181/-, 2182/-, 2183/-, 2184/-, 2185/-, 2186/-, 2187/-, 2188/-, 2189/-, 2190/-, 2191/-, 2192/-, 2193/-, 2194/-, 2195/-, 2196/-, 2197/-, 2198/-, 2199/-, 2200/-, 2201/-, 2202/-, 2203/-, 2204/-, 2205/-, 2206/-, 2207/-, 2208/-, 2209/-, 2210/-, 2211/-, 2212/-, 2213/-, 2214/-, 2215/-, 2216/-, 2217/-, 2218/-, 2219/-, 2220/-, 2221/-, 2222/-, 2223/-, 2224/-, 2225/-, 2226/-, 2227/-, 2228/-, 2229/-, 2230/-, 2231/-, 2232/-, 2233/-, 2234/-, 2235/-, 2236/-, 2237/-, 2238/-, 2239/-, 2240/-, 2241/-, 2242/-, 2243/-, 2244/-, 2245/-, 2246/-, 2247/-, 2248/-, 2249/-, 2250/-, 2251/-, 2252/-, 2253/-, 2254/-, 2255/-, 2256/-, 2257/-, 2258/-, 2259/-, 2260/-, 2261/-, 2262/-, 2263/-, 2264/-, 2265/-, 2266/-, 2267/-, 2268/-, 2269/-, 2270/-, 2271/-, 2272/-, 2273/-, 2274/-, 2275/-, 2276/-, 2277/-, 2278/-, 2279/-, 2280/-, 2281/-, 2282/-, 2283/-, 2284/-, 2285/-, 2286/-, 2287/-, 2288/-, 2289/-, 2290/-, 2291/-, 2292/-, 2293/-, 2294/-, 2295/-, 2296/-, 2297/-, 2298/-, 2299/-, 2300/-, 2301/-, 2302/-, 2303/-, 2304/-, 2305/-, 2306/-, 2307/-, 2308/-, 2309/-, 2310/-, 2311/-, 2312/-, 2313/-, 2314/-, 2315/-, 2316/-, 2317/-, 2318/-, 2319/-, 2320/-, 2321/-, 2322/-, 2323/-, 2324/-, 2325/-, 2326/-, 2327/-, 2328/-, 2329/-, 2330/-, 2331/-, 2332/-, 2333/-, 2334/-, 2335/-, 2336/-, 2337/-, 2338/-, 2339/-, 2340/-, 2341/-, 2342/-, 2343/-, 2344/-, 2345/-, 2346/-, 2347/-, 2348/-, 2349/-, 2350/-, 2351/-, 2352/-, 2353/-, 2354/-, 2355/-, 2356/-, 2357/-, 2358/-, 2359/-, 2360/-, 2361/-, 2362/-, 2363/-, 2364/-, 2365/-, 2366/-, 2367/-, 2368/-, 2369/-, 2370/-, 2371/-, 2372/-, 2373/-, 2374/-, 2375/-, 2376/-, 2377/-, 2378/-, 2379/-, 2380/-, 2381/-, 2382/-, 2383/-, 2384/-, 2385/-, 2386/-, 2387/-, 2388/-, 2389/-, 2390/-, 2391/-, 2392/-, 2393/-, 2394/-, 2395/-, 2396/-, 2397/-, 2398/-, 2399/-, 2400/-, 2401/-, 2402/-, 2403/-, 2404/-, 2405/-, 2406/-, 2407/-, 2408/-, 2409/-, 2410/-, 2411/-, 2412/-, 2413/-, 2414/-, 2415/-, 2416/-, 2417/-, 2418/-, 2419/-, 2420/-, 2421/-, 2422/-, 2423/-, 2424/-, 2425/-, 2426/-, 2427/-, 2428/-, 2429/-, 2430/-, 2431/-, 2432/-, 2433/-, 2434/-, 2435/-, 2436/-, 2437/-, 2438/-, 2439/-, 2440/-, 2441/-, 2442/-, 2443/-, 2444/-, 2445/-, 2446/-, 2447/-, 2448/-, 2449/-, 2450/-, 2451/-, 2452/-, 2453/-, 2454/-, 2455/-, 2456/-, 2457/-, 2458/-, 2459/-, 2460/-, 2461/-, 2462/-, 2463/-, 2464/-, 2465/-, 2466/-, 2467/-, 2468/-, 2469/-, 2470/-, 2471/-, 2472/-, 2473/-, 2474/-, 2475/-, 2476/-, 2477/-, 2478/-, 2479/-, 2480/-, 2481/-, 2482/-, 2483/-, 2484/-, 2485/-, 2486/-, 2487/-, 2488/-, 2489/-, 2490/-, 2491/-, 2492/-, 2493/-, 2494/-, 2495/-, 2496/-, 2497/-, 2498/-, 2499/-, 2500/-, 2501/-, 2502/-, 2503/-, 2504/-, 2505/-, 2506/-, 2507/-, 2508/-, 2509/-, 2510/-, 2511/-, 2512/-, 2513/-, 2514/-, 2515/-, 2516/-, 2517/-, 2518/-, 2519/-, 2520/-, 2521/-, 2522/-, 2523/-, 2524/-, 2525/-, 2526/-, 2527/-, 2528/-, 2529/-, 2530/-, 2531/-, 2532/-, 2533/-, 2534/-, 2535/-, 2536/-, 2537/-, 2538/-, 2539/-, 2540/-, 2541/-, 2542/-, 2543/-, 2544/-, 2545/-, 2546/-, 2547/-, 2548/-, 2549/-, 2550/-, 2551/-, 2552/-, 2553/-, 2554/-, 2555/-, 2556/-, 2557/-, 2558/-, 2559/-, 2560/-, 2561/-, 2562/-, 2563/-, 2564/-, 2565/-, 2566/-, 2567/-, 2568/-, 2569/-, 2570/-, 2571/-, 2572/-, 2573/-, 2574/-, 2575/-, 2576/-, 2577/-, 2578/-, 2579/-, 2580/-, 2581/-, 2582/-, 2583/-, 2584/-, 2585/-, 2586/-, 2587/-, 2588/-, 2589/-, 2590/-, 2591/-, 2592/-, 2593/-, 2594/-, 2595/-, 2596/-, 2597/-, 2598/-, 2599/-, 2600/-, 2601/-, 2602/-, 2603/-, 2604/-, 2605/-, 2606/-, 2607/-, 2608/-, 2609/-, 2610/-, 2611/-, 2612/-, 2613/-, 2614/-, 2615/-, 2616/-, 2617/-, 2618/-, 2619/-, 2620/-, 2621/-, 2622/-, 2623/-, 2624/-, 2625/-, 2626/-, 2627/-, 2628/-, 2629/-, 2630/-, 2631/-, 2632/-, 2633/-, 2634/-, 2635/-, 2636/-, 2637/-, 2638/-, 2639/-, 2640/-, 2641/-, 2642/-, 2643/-, 2644/-, 2645/-, 2646/-, 2647/-, 2648/-, 2649/-, 2650/-, 2651/-, 2652/-, 2653/-, 2654/-, 2655/-, 2656/-, 2657/-, 2658/-, 2659/-, 2660/-, 2661/-, 2662/-, 2663/-, 2664/-, 2665/-, 2666/-, 2667/-, 2668/-, 2669/-, 2670/-, 2671/-, 2672/-, 2673/-, 2674/-, 2675/-, 2676/-, 2677/-, 2678/-, 2679/-, 2680/-, 2681/-, 2682/-, 2683/-, 2684/-, 2685/-, 2686/-, 2687/-, 2688/-, 2689/-, 2690/-, 2691/-, 2692/-, 2693/-, 2694/-, 2695/-, 2696/-, 2697/-, 2698/-, 2699/-, 2700/-, 2701/-, 2702/-, 2703/-, 2704/-, 2705/-, 2706/-, 2707/-, 2708/-, 2709/-, 2710/-, 2711/-, 2712/-, 2713/-, 2714/-, 2715/-, 2716/-, 2717/-, 2718/-, 2719/-, 2720/-, 2721/-, 2722/-, 2723/-, 2724/-, 2725/-, 2726/-, 2727/-, 2728/-, 2729/-, 2730/-, 2731/-, 2732/-, 2733/-, 2734/-, 2735/-, 2736/-, 2737/-, 2738/-, 2739/-, 2740/-, 2741/-, 2742/-, 2743/-, 2744/-, 2745/-, 2746/-, 2747/-, 2748/-, 2749/-, 2750/-, 2751/-, 2752/-, 2753/-, 2754/-, 2755/-, 2756/-, 2757/-, 2758/-, 2759/-, 2760/-, 2761/-, 2762/-, 2763/-, 2764/-, 2765/-, 2766/-, 2767/-, 2768/-, 2769/-, 2770/-, 2771/-, 2772/-, 2773/-, 2774/-, 2775/-, 2776/-, 2777/-, 2778/-, 2779/-, 2780/-, 2781/-, 2782/-, 2783/-, 2784/-, 2785/-, 2786/-, 2787/-, 2788/-, 2789/-, 2790/-, 2791/-, 2792/-, 2793/-, 2794/-, 2795/-, 2796/-, 2797/-, 2798/-, 2799/-, 2800/-, 2801/-, 2802/-, 2803/-, 2804/-, 2805/-, 2806/-, 2807/-, 2808/-, 2809/-, 2810/-, 2811/-, 2812/-, 2813/-, 2814/-, 2815/-, 2816/-, 2817/-, 2818/-, 2819/-, 2820/-, 2821/-, 2822/-, 2823/-, 2824/-, 2825/-, 2826/-, 2827/-, 2828/-, 2829/-, 2830/-, 2831/-, 2832/-, 2833/-, 2834/-, 2835/-, 2836/-, 2837/-, 2838/-, 2839/-, 2840/-, 2841/-, 2842/-, 2843/-, 2844/-, 2845/-, 2846/-, 2847/-, 2848/-, 2849/-, 2850/-, 2851/-, 2852/-, 2853/-, 2854/-, 2855/-, 2856/-, 2857/-, 2858/-, 2859/-, 2860/-, 2861/-, 2862/-, 2863/-, 2864/-, 2865/-, 2866/-, 2867/-, 2868/-, 2869/-, 2870/-, 2871/-, 2872/-, 2873/-, 2874/-, 2875/-, 2876/-, 2877/-, 2878/-, 2879/-, 2880/-, 2881/-, 2882/-, 2883/-, 2884/-, 2885/-, 2886/-, 2887/-, 2888/-, 2889/-, 2890/-, 2891/-, 2892/-, 2893/-, 2894/-, 2895/-, 2896/-, 2897/-, 2898/-, 2899/-, 2900/-, 2901/-, 2902/-, 2903/-, 2904/-, 2905/-, 2906/-, 2907/-, 2908/-, 2909/-, 2910/-, 2911/-, 2912/-, 2913/-, 2914/-, 2915/-, 2916/-, 2917/-, 2918/-, 2919/-, 2920/-, 2921/-, 2922/-, 2923/-, 2924/-, 2925/-, 2926/-, 2927/-, 2928/-, 2929/-, 2930/-, 2931/-, 2932/-, 2933/-, 2934/-, 2935/-, 2936/-, 2937/-, 2938/-, 2939/-, 2940/-, 2941/-, 2942/-, 2943/-, 2944/-, 2945/-, 2946/-, 2947/-, 2948/-, 2949/-, 2950/-, 2951/-, 2952/-, 2953/-, 2954/-, 2955/-, 2956/-, 2957/-, 2958/-, 2959/-, 2960/-, 2961/-, 2962/-, 2963/-, 2964/-, 2965/-, 2966/-, 2967/-, 2968/-, 2969/-, 2970/-, 2971/-, 2972/-, 2973/-, 2974/-, 2975/-, 2976/-, 2977/-, 2978/-, 2979/-, 2980/-, 2981/-, 2982/-, 2983/-, 2984/-, 2985/-, 2986/-, 2987/-, 2988/-, 2989/-, 2990/-, 2991/-, 2992/-, 2993/-, 2994/-, 2995/-, 2996/-, 2997/-, 2998/-, 2999/-, 3000/-, 3001/-, 3002/-, 3003/-, 3004/-, 3005/-, 3006/-, 3007/-, 3008/-, 3009/-, 3010/-, 3011/-, 3012/-, 3013/-, 3014/-, 3015/-, 3016/-, 3017/-, 3018/-, 3019/-, 3020/-, 3021/-, 3022/-, 3023/-, 3024/-, 3025/-, 3026/-, 3027/-, 3028/-, 3029/-, 3030/-, 3031/-, 3032/-, 3033/-, 3034/-, 3035/-, 3036/-, 3037/-, 3038/-, 3039/-, 3040/-, 3041/-, 3042/-, 3043/-, 3044/-, 3045/-, 3046/-, 3047/-, 3048/-, 3049/-, 3050/-, 3051/-, 3052/-, 3053/-, 3054/-, 3055/-, 3056/-, 3057/-, 3058/-, 3059/-

observes that a delay of four days occurred in the delivery of the Finding in this case after the trial was closed, a delay which considering the brevity of the proceedings could scarcely have been necessary.

Ordered, that Extracts from these Proceedings, be forwarded to the Sessions Judge of Mangalore for communication to the Moosly Soubdar Ameen.

(Sent in No. 321.

Read letter dated the 31st Ultimo from the Agent to the Governor of Fort St George at Kurnool, submitting for the final judgment of the Foujdaree Udalut the Records of Case No. 41 of 1850 of the Calendar.

(Here enter F. Dy. No. 807 of 1851)

Mr. G. S. Hooper
Mr. D. P. Thompson
and
Mr. W. P. Morehead.

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

1st Nagereddy

and

2nd Dotapa

is sufficient to convict them of the crime of receiving stolen property knowing it to have been

9th April 1851.

been obtained by robbery, do convict them thereof; and under the provisions of Clause 2nd Section IV Regulation VII of 1832, sentence them to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of (10) ten years.

(Sent in No. 322.

Read letter dated 5th Instant from the Sessions Judge of Nellore submitting for the final Judgment of the Foujdaree Udalut the Records of Case No. 7 of 1851, of the Calendar of the Sessions Court

(Here enter F. Dy. No. 808 of 1851.

Mr. D. 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 Pothapalli Sitaramudu

and

2nd — Do. — Gopalaiyagadu

is sufficient to convict them of the crime of Culpable Homicide, for which the penalty of Deyut is awardable under the Mahomedan Law as declared in futwas of their Law Officers do convict them thereof and under the provisions of

of Section XI. Regulation VIII. of 1802, and Section XXXIV. Act VII of 1843, sentence them to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of (1) One year.

The Court of Fouzdaree Udalut observe that the Prisoners in this case should have been called upon to plead to the additional evidence which was taken after their defence had been received.

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

(Sent in No. 323.)

Read letter dated 26th Ultimo from the Agent to the Governor of Fort St. George in Vizagapatam submitting for the final Judgment of the Fouzdaree Udalut the Records of Case No. 2 of the Calendar for 1851.

(Here Enter F. Uc. No. 312 of 1851.)

W. W. A. Morehead

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

F. Uc.
9th April 1851.

"Bosavala Venkannah"

is sufficient to convict him of the crime of culpable Homicide, for which the penalty of Deyut is awardable under the Mahomedan Law as declared in fatwas of their Law Officers do convict him thereof; and under the provisions of Clause second, Section XV. Regulation VIII of 1802, and Section XXXIV. Act VII of 1843, sentence him to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of (5) five years.

(Sent in No. 324.)

Read letter dated the 24th February 1851 from the Agent to the Governor of Fort St. George at Ganjam submitting a report of the trial of a Prisoner for Gang robbery in Case No. 9 of 1851 on his Criminal file.

(Here Enter F. Uc. No. 555 of 1851.)

Read also the same Officers return to this Court's precept dated the 6th Ultimo calling for translation of the Prisoner's confession

8th April 1851.

confessions before the Police Jem.

(Here enter F. No. Nº 696 of 1851.)

The Court of Fonjdaree Udalut concur with the Agent in convicting the Prisoner,

Bhodanjelals Lashano,

of the crime laide to his charge, and accordingly sentence him to (5) five years' imprisonment with hard labor in irons under Clause third, Section IV Regulation XV of 1803.

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

(Sent in Nº 325.)

Circular Order.

Nº 194.

Doubts having been entertained as to the competency of the Magistracy and the Subordinate and Sessions Judges to grant copies of the evidence taken in Criminal trials to parties desirous of appealing to the Superior Courts from the sentences passed upon them, the Court of Fonjdaree Udalut

9th April 1851.

Udalut deem it proper to declare that prisoners are entitled to copies of the whole or any part of the Proceedings held on their trials, and to direct that a Prisoner upon application either in person or through his authorized Agent be allowed to obtain for his own use and at his own expense copied on plain paper of all or any of the depositions documents and other papers connected with his trial and further that authenticated copies of the whole or of such parts of the record as he may require may also be granted to him upon his producing the requisite stamped papers for the same.

3. The Sessions Judges will observe that this rules applies to trials referrible to the Court of Fonjdaree Udalut, as well as to trials in cases which they are competent finally to dispose of.

(Sent following Circular Order Nº 326.)

Nº 810.

F. 26.

Thursday
10th. April 1851. } 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 letter under date the 5th. April 1851 from the Sessions Judge of Cuddalore forwarding the record of Case No. of 1851, for the final judgement of the Court of Foujdaree Udalut.

(Here enter. F. 26. No. 10 of 1851)

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 prisoner

"Paupummal"

is sufficient to convict her of the Crime of murder do convict her thereof and under the provisions of Clause 3d. Section VIII Regulation I of 1825 and Clause third Section VIII Regulation XV of 1803 sentence her to be imprisoned for life

and

8th April 1851.

and to be banished during the period of her sentence from the District in which her place of abode is situated and to be kept to labor suitable to her sex in the Zillah Jail of Trichinopoly.

Adverting to the Provision of Act XIV of 1844 the Court of Foujdaree Udalut observe that considering the state of mind in which the prisoner appears to have been when she committed the Offence of which she has been convicted, they have deemed a sentence of Imprisonment for life in banishment sufficient for the demands of Justice.

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

(Sent in No. 328)

Read again Calendar of Case No. 9 of 1850, on the file of the Sessions Court of Trichinopoly.

(Here enter F. C. No. 1276 of 1850.)

Read also Petition presented on the 24th March 1851 by V. Seth. Sama Esqr. Vakeel on behalf of Mattoocaroopen and Annamy of Zillah

10th April 1851.

Zillah Trichinopoly.

(Here enter S. M. P. No. 46 of 1851.)

Mr. P. Thompson & W. A. Crocker

The Petitioners state that the evidence for the defence of the Prisoners in the foregoing Case was not examined and they pray that orders may be issued either for the examination of the prisoners witnesses or for their unconditional release.

The Court of Foujdaree Udalut find on reference to the Calendar in this Case that it is distinctly stated in the Futwa that the prisoners witnesses were examined by the Sessions Court, and they accordingly resolve to dismiss this petition

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

Read Calendar of Case No. 5 of 1851 of the Sessions Court of Guntoor.

(Here enter F. C. No. 751 of 1851.)

Adverting to the large amount of the property stolen in this Case it appears to the Court of Foujdaree Udalut that the mitigated sentence proposed by the Sessions Judge

Judge would be inadequate to meet the demands of justice. The Court accordingly resolve to direct that the first prisoner be sentenced to seven years imprisonment with hard labor in irons.

2 The Sessions Judge will be pleased to issue his warrant in accordance with the foregoing resolutions.

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

(Sent following Precept No. 329.)

2d 18d.

F. No

Friday.
11th April 1851. } At a Court of the Fouzdaree Udalut.

Present.

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

Read Criminal Reports submitted by the Sessions Judge of Chicacole for the month of February 1851.

(Here enter F. No. No. 755 of 1851.)

Chicacole Convict Labor Report.

The Court of Fouzdaree Udalut desire to be informed of what the extra batta given to three prisoners at the recommendation of the Lillah Surgeon consisted.

Ordered, that 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. 333.)

Read letter dated 3d April 1851, from the Acting Sessions Judge of Trichinopoly.

(Here enter F. No. No. 700)

The Court of Fouzdaree Udalut observe that the case referred to in their Proceedings

Proceedings of the 20th. March 1851 were No. 1 of 1851.

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

(Sent in No. 334.)

Read letter under date the 19th. February last, from the Sessions Judge of Chicacole, transmitting the Calendars of Petty Cases disposed of by the Officers of the Magistracy of Ganjam and Vizagapatam during the 4th. Quarter of 1850.

(Here enter F. No. No. 512 of 1851.)

Calendar of persons punished by the Magistracy of Ganjam. Case No. 33 of 1850

The Court of Fouzdaree Udalut observe that with reference to the nature of the offence charged in this case it should not have been entered in the Calendar of petty cases, but should have been reported in the monthly Criminal Reports, with the remarks of the Sessions Judge appended to it in the usual form.

Calendar of persons committed to jail under Clause first, Section III. Regulation II of 1822 by the Magistracy of Ganjam. Case No. 36 of 1850.

2. The usual heading showing the designation of the offence charged has been omitted in the report of this case.

3. The Court of Fouzdaree U[dalut] observe that the requisition of security in these cases would seem to be illegal, it not being competent to the Magistracy to require security upon suspicion of a specific offence unless the offence charged be punishable under Section VII. Regulation X of 1816.

4. The absence of the usual heading leave the Court of Fouzdaree Udalut in doubt in regards to the nature of the offence with which the accused was charged.

Ordered, that Extract from these Proceedings, be sent to the Sessions Judge of Chicacole, for communication to the Magistrate of Ganjam.

(Sent in No. 335.)

Read again Calendars of Case No. 8 of 1851 on the file of the Sessions Court of Combaconum.

(Here enter F. No. No. 611 of 1851.)

Read also return under date the 3d. April 1851 from the Sessions Judge of Combaconum to the precept of the Fouzdaree Udalut dated the 24th. March 1851 directing the

11th. April 1851.

Calendars of persons released by the Magistracy of Ganjam Cases No. 35 and 37 of 1850.

11th April 1851.

the transmission of an English translation of the record of the foregoing case.-

(Here enter F. Uc. No. 781 of 1851)

1. The Court of Fonjdaree Udalaut are unable to concur with the Sessions Judge in considering the evidence sufficient for the conviction of the 1st Prisoner in this case, of the Highway Robbery laid to his charge.

2. The Court of Fonjdaree Udalaut consider the evidence to the identity of the prisoner to be clearly worthless and from the fact of his apprehension under the circumstances deposed to by the 8th Witness, when he was coming quietly along the road immediately after the commission of the robbery charged, the Court are not only unable to draw any inference of his guilt, but they consider it to be a circumstance indicative of his innocence of all Knowledge of what had occurred.-

3. The Court can attach no credit to the confession alleged to have been made by this prisoner, unsupported by other corroborative evidence upon which the Court can rely.-

The

F. Uc.

11th April 1851.

4. The Court of Fonjdaree Udalaut accordingly resolve to direct that the 1st Prisoner in this case,

"Anoo moo-gum"

be unconditionally released.-

Ordered, that Extract from these Proceedings, be forwarded to the Sessions Judge of Combaconum by precept returnable within III days, from and after its receipt.

(Sent following precept No. 336)

42 Rs.

F. Ulo.

Saturday
12th April 1851 } At a Court of the Foujdaree Udalut

Present

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

H.M. for E.P.T. E. P. Thompson Esqr. — 2nd Puisne Judge

W.L. for W.M. W. A. Morehead Esqr. — 3rd Puisne Judge

Read letter under date the 27th March 1851 from the Agent to the Governor of Fort St. George in Kurnool submitting a report of the trial in Cases Nos. 36 and 37 on the file of this Court.

(Here enter F. Ulo. Nos. 775 and 776 of 1851.)

1. In both these Cases the same four prisoners were charged with gang robbery the 1st 2nd and 3d as principals and the 4th as an accessary after the fact in having received a portion of the plundered property with a guilty knowledge of the manner in which it had been obtained.

2 The Agent has convicted the 1st prisoner in both the Cases as a principal in the Commission of the robberies charged

and

and the 2nd and 4th Prisoners as receivers and recommends that they be sentenced respectively to imprisonment with hard labor in irons the 1st for 14 years the 2nd for seven years, and the 4th for six months.

3 The 3rd Prisoner the Agent acquits, but recommends that he should be placed under a requisition of security.

4 The Court of Foujdaree Udalut concur with the Agent in the conviction of the 1st prisoner of the crime laid to his charge and approve of the sentence recommended to be passed upon him.

5 The Court consider the evidence insufficient either for the requisition of security from or for the conviction of any of the other prisoners charged in these Cases and accordingly direct that they be unconditionally released.

6. The Court observes that the charge of receiving should have been entered as a second Count in the indictment in these Cases; the Conviction as receivers of persons charged only with robbery not being

being strictly legal

Ordered that Extracts from these Proceedings be sent to the Agent to the Governor of Fort St. George at Kurnool by Precept returnable within three days from and after its receipt.

(Sent following Precept No. 340)

Read letter under date the 26th March 1851 from the Agent to the Governor of Fort St. George in Kurnool submitting in conformity with Clause fifth Rule I of the Agency Rules reports of the trial of certain prisoners charged with gang robbery in Cases Nos. 31 and 32 of 1850 on the file of this Court.

(Here enter Ft. Vo. Nos. 730 & 731 of 1851)

In the former of these Cases five prisoners were charged with gang robbery by open violence and two prisoners with having been accessaries after the fact in secreting certain of the articles obtained by the robbery knowing them to have been so obtained.

2 In the latter Case five of the above mentioned prisoners were charged with having been concerned in the Commission

of

of another gang robbery committed in the same village and on the same night as the first

3 The 6th Prisoner was also charged in this Case as an accessary after the fact in having Concealed a portion of the plundered property, with a guilty knowledge of the manner in which it had been obtained

4 The Agent has committed all the prisoners apparently as receivers of property obtained by gang robbery, knowing it to have been so obtained and recommends that they be sentenced under the provisions of Clause Second Section IV Regulation VII of 1822 to imprisonment with hard labor in irons the 1st 2d 3d & 4th for the period of 14 years, the 5th for ten years, the 6th for seven, and the 7th for three years and that the 1st 2d 3d & 4th Prisoners should be adjudged in addition to receive 150 lashes with a Cat o'nine tails.

5 On an attentive Consideration of the abstract of the evidence in these Cases the Court of Foujdaree Udalut are unable to concur with the Agent in Considering it sufficient

sufficient to the conviction of any of the prisoners charged

6 The evidence for the Prosecution appears to the Court of Foujdaree Udalut to have been got up for the purpose of diverting the attention of the Police authorities from the real perpetrators of the robberies charged in the indictments by fixing the Crime upon the prisoners charged.

The Court cannot credit the

7 Statments of the 1st and 2d witnesses in regard to the manner in which they obtained the information furnished by them to the Police and they see strong grounds of suspicion against these witnesses of having themselves been concerned in the robberies, and of having secreted the various articles of stolen property which have been discovered and which it is observed are all of trifling value, in the places in which they were found.

8 The Court of Foujdaree Udalut accordingly resolve to direct that all the prisoners in these Cases be unconditionally released.

9 The Court of Foujdaree Udalut obse

observe that the Agent should have corrected the indictments in these cases by inserting an additional Count in each case charging all the prisoners with "receiving" and that in para. 20 of his letter he should have stated the specific offence which he considered to be established against the prisoners charged.

10 The Village Curnum referred to in the 1st witness' deposition should have been examined as also the witnesses named by the 1st Prisoner, whom it is clearly the duty of the Agent to examine with reference to the rule laid down in the Circular Order noted in the margin

C.C. 21st May 1829 B
C.C. N: 61.

11 The Court of Foujdaree Udalut resolve to direct that a list of the names of the persons referred to in para 20 of the Agents letter as having been named by the prisoners in Certain Cases before him as concerned in the Commission of gang robberies be forwarded to the Acting Magistrate of Cuddapah who will be pleased to ascertain the characters borne by the individuals in question and to report the

the same for the information of this Court informing the said persons that this enquiry has been made under the special orders of the Court of Foujdaree Udalut.

Ordered that Extract from these Proceedings be sent to the Agent to the Governor of Fort St. George at Kurnool by Precept returnable within III days from and after its receipt.

Ordered also that Extract from these Proceedings Para 11 be sent to Acting Magistrate of Cuddapah by Precept returnable within XX days from and after its receipt.

(Sent following Precepts. Nos. 340 to 342)

Ed. 18.V.

12th A

C.C. 21

C.C. 2

Monday, 14th April, 1851.- At a Court of the Foujdaree Udalut

Present

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

P.S. E.P. Thompson, Esquire - 2d Puisne Judge -

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

Read Miscellaneous Petition presented on the 10th February 1851 by Venkatachariar and others of Tillah Tinnevelly.-

Vide Entry F. M.P. No. 31 of 1851.-

Mr E.P. Thompson. and Mr W.A. Morehead. 1. The Court of Foujdaree Udalut can pass no orders upon this Petition; the Petitioners having omitted to present with it any copies of the orders from which they appeal.-

2. This Petition is accordingly dismissed.-

Ordered, that Extract from these Proceedings be furnished to the Petitioners on their application.-

Read

Read Calendar of the Session
Case No. 8 of 1851 on the Madura file.
(Here Enter F. No. 769 of 1850.)

The Court of Foujdaree
Udalut approve of the mitigation of the
punishment recommended by the Session
Judge in this case and accordingly authorize
him to sentence the 1st and 2d Prisoners to
(7) Seven years', and the 3d, 4th, 5th, 6th, 7th, 8th,
and 9th Prisoners to (4) four years' imprison-
=ment with hard labor in irons under
Section III Regulation I of 1825.

Ordered, that an Extract
from these Proceedings be sent to the
Session Judge of Madura for his in-
formation.—

(Sent in No. 345.)

Read letter dated the 27th
Ultimo from the Agent to the Governor of
Fort Saint George at Vizagapatam sub-
=mitting for the final orders of this Court,
a report of Criminal Case No. 3 of 1851
on his file.—

(Have Enter F. No. 774 of 1851.)

Three

14th April, 1851.

Three Prisoners in this Case
have been charged with housebreaking and
robbery and of fourth with receiving part
of the stolen property.—

The Court of Foujdaree

2.

Udalut concur in the conviction of the
2d, 3d and 4th prisoners, and as proposed
by the Agent resolve to sentence the 2d
and 3d Prisoners Jarajapoo Ramdoo and
Rangaroo Caumoodoo to (2) Two years'
imprisonment with hard labor in irons
under Section XXI Regulation VII of 1802,
and the 4th Prisoner Yarlageuddah Cauna-
=yah to (18) Eighteen months' imprison-
=ment with labour suited to his years
under Clause Second, Section IV, Regula-
=tion VII of 1822.—

3.

Before however disposing of
the case as respects the 1st Prisoner, the
Court resolve to call upon the Agent to
state the amount of money delivered up
by him, also to submit a copy of the
evidence proving such delivery; and
further to state the offence or offences
of

12th

of which he has been previously convicted.

Ordered, that Extract from these Proceedings be sent to the Agent at Vizagapatam by precept returnable in V days from and after its receipt.—

/Sent following Precept No. 346./—

Read Criminal Reports submitted by the Session Judge of Cuddapah for the month of February 1851.—

/Here Enter F.R. No. 640 of 1851./

Report B. Case No. 45.

1.

The Court of Foujdaree Udalut resolve to direct that the Session Judge will review the proceedings held in this case, and pass such orders thereon as he may think proper, reporting the same for the information of the Foujdaree Udalut.—

Case No. 57.

2.

The nature of the authority which the prisoners in this case were charged with having abused should have been specified in the Statement of charge.—

Ordered, that Extract from these Proceedings be forwarded to the

the Session Judge of Cuddapah by precept returnable within X days from and after its receipt.—

/Sent following Precept No. 347./—

Read Letter dated the 31st March 1851 from the Acting Sessions Judge of Guntoor, transmitting Calendar of Case No. 5 of 1851 on the Sessions Courts file and reporting his reasons for not having filled up therein the usual column, exhibiting the grounds of committal.—

/Here Enter F.R. No. 749 of 1851./

1.

Under the circumstances stated in the foregoing communication, the Court of Foujdaree Udalut concur with the Acting Sessions Judge in considering the insertion of the usual abstract Statement of the grounds of committal to be uncalled for and the Court accordingly authorize that officer to dispense with such Statements in his future Calendars.—

2.

The Acting Sessions Judge will

will, however, be pleased to bear in mind that he is expected to give in his Report of each case such a statement of the evidence, as may enable the Court to judge fully of its merits.—

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

/ Sent in Nº 348. /—

Read Calendar of Case Nº 9 of 1851 of the Sessions Court of Salem.

/ Here enter F.R. Nº 752 of 1851 /—

1. Adverting to the fact that the Housebreaking committed in this case, was unaccompanied by actual Theft, the Court of Foujdaree Udalut observe that the Prisoners were transfered from the penalties of Hud, and the second question put by the Sessions Judge to the Law Officer was, consequently, irregular.—

2. The Court of Foujdaree Udalut resolve, therefore, to return the Calendar to the Sessions Judge, who will be

be pleased to amend the error into which he has fallen, and pass a fresh sentence upon the Prisoner under the provisions of Clause Seventh Section III Regulation XV of 1803.—

3. In returning this Calendar to the Sessions Judge for amendment, the Court would at the same time draw the attention of that Officer to the objectionable style of the writing in which this and similar Returns from the Sessions Court are usually transcribed which not only render such documents less legible, but must also require no small amount of labor on the part of the transcriber, whose time and attention, the Court consider, might be much more profitably employed.—

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Salem for his information and guidance by precept returnable in 5 days from and after its receipt.—

/ Sent following Precept Nº 349 /—

Read

1. 11th April, 1851.

Read the Criminal Reports submitted by the Agent at Ganjam for the year 1850.

/Here Enter F.No. 591 of 1851/

1. The Court of Fouzdaree Udalut have observed the following errors and discrepancies in these returns.

Statement No 2. 2. The one case and person under heading 19 cannot properly appear both in columns 2 and 3 and in Columns 8 and 9 the former having reference to crimes perpetrated during the year, the latter to those reported in former years.

3. The aggregate of column 4 and 10 plus the cases included in Column 28, which were taken up directly by the officers of the Agency in their Magisterial capacity should correspond with Column 2.

4. The 3 cases and 3 persons alluded to in the foot note appended to column 16 and 17 should appear in columns 6. 7. 12. 13. 25 and 26 of statement No. 3 B.

The

3/

F.No.
11th April, 1851.

5. The entries in Columns 16 and 17 do not correspond with Columns 6 and 7 of Statement No. 3 B.

6. It would seem that Columns 10. 11. 12. 13. 16 and 17 have been filled up erroneously under headings 28. 33. 37. 46. 57. the cases and persons noted below having been Excluded.

Heading. Case. Person.

28 —— 1 —— 2 —— vide Statement No. 3 B.

33 —— 3 —— 9 —— vide —— Do. —— and Statement No. 4.

37 —— 1 —— 2 —— vide —— Do. —— Do. ——

46 —— 1 —— 1 —— vide —— Do.

57 —— 1 —— 1 —— vide Statement No. 4.

7. It is to be observed that the said cases appear in statements 3 and 4 respectively in the columns of "primarily cognizable by the Courts". From their nature however they must have been forwarded to the Courts of the Agent and his Assistant by the Police or the Subordinate Officers of the Agency.

8. The alterations requisite in these columns will affect all the

appendices

appendices to the statement.-

Appendix D to Statement No. 2- 9. In this Memo: the one person in Column 32 head 43 of the statement is included among those disposed of under Act VIII of 1843, instead of being entered in one of the Columns "In cases forwarded to the Courts or Magistracy" head "Assistant Agent Mr. Fraser".-

10. The 7 Persons entered in Column 23 of the statement as pending at the end of the year should be excluded from the head "Heads of Police".-

D. F. to do- 11. The entry under the head "Deduct charged with more than one offence" should be 4, if the Columns "of which charged with" 4 be correct- For the latter shows that 1 person was charged with 2 offences and 1 with 4 offences and that consequently from the total number of persons entered in Column 17, 4 only should be deducted- Viz. 1 for the person twice entered therein, and 3 for the one entered four times.-

Appendix C to Statement No. 2- 12. The "Petty Calendars of the

the Subordinate Officers of the Agency and "Monthly statements of the Police", reviewed by the Agent during the year should be entered in the appropriate Column of this appendix.-

13. The total No. of cases and Persons disposed of under Act VIII of 1843 is stated to be 2 and 17, but in Columns 36 and 37 of the statement, and in the appendix A, they are entered as being 13 and 40-

Statement No. 3 B. 14. Of the cases entered in Columns 10 and 11 of this statement that appearing under Head 19 is alone "primarily cognizable by a Court"- The other cases must have been forwarded by the Police or Subordinate Officers of the Agency-

15. The Entries in Columns 25 and 26 do not correspond with Columns 4 and 5 in Statement No. 4.-

Appendix A to Statement No. 3 B- 16. The aggregate of the entries in the first five Columns should be 27, while the total of Column 24 of

the

14th April 1851.

the Statement No. 3B.—

17. The 3 persons imprisoned in default of payment of fine should be included in the following heading "Imprisoned".—

Appendix B to Statement No. 3B. 18. The total number of persons entered in Columns 22 and 24 of the Statement No. 3B and the cases in which they are implicated should be entered in Columns "Trials Reported".—

Appendix D to 8vo 19. The remarks in para: 11 will also apply to this appendix.—

Statement No. 4. 20. The Cases entered in Column 17 Heads 37 and 57 should also appear in Columns 22 or 23 as the case may be.—

21. The Statement shewing the number of cases forwarded to the Agency Courts by each Head of Police, required under Circular Order No. 175, should be forwarded.—

Ordered, that Extract from these Proceedings be sent to the Agent to the Governor of Fort St. George, at Ganjam by Precept returnable within

No. 116.

14th April, 1851.

within XV days from and after it's receipt.—

Sent following Precept No. 350 /—

Read Miscellaneous Petition presented on the 3rd April 1851 by A. M. Ritchie Esquire Vakeel on behalf of Purvatummal and Meenatchey ummal of Zillah Madura, praying that the sentence about to be passed upon their husbands, the 1st and 2d Prisoners in Case No. 11 of 1850 on the file of the Session Court of Madura may be suspended subject to the approval and confirmation of the Court of Foujdaree Udalut.—

/Here enter F. M. P. No. 52 of 1851/—

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

On careful consideration of the circumstances set forth in the foregoing Petition the Court of Foujdaree Udalut see fit to accede to the Petitioners' request; and they accordingly direct that, if the said Prisoners be convicted of the crime charged, the execution of their sentence be suspended until

until the final orders of the Court be passed on perusal of the Calendar of the case in question.—

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

/Sent in No. 361./—

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

2d 18d.

F: C:

Wednesday 16th April 1851.

At a Court of the Foujdaree Adalut.

Present.

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

Read letter under date the 22nd March 1851 from the Sessions Judge of Nellore forwarding the Calendars of Petty Cases disposed of by the Magistracy during the 1st Quarter of 1850.

(Here enter F: C: No 689 of 1851).

Calendar of Persons punished Case No 29.

1. The Court of Foujdaree Adalut observe that the nature of the fraud charged against the prisoner in this case should have been specified and that the provisions of Clause Second Section XXXIX Regulation IX of 1816 have been incorrectly quoted in the authority for the payment to the Prosecutor of a portion of the fine imposed.

2. The Court direct that the Acting Session Judge will review the proceedings held in this case and pass such orders thereon as he may think proper reporting the same for the information of the Foujdaree Adalut.—

Ordered that Extract from these Proceedings be sent to the Acting Session Judge

of

of Nellore by precept within X days from and after its receipt.-

(Sent following Precept No. 353.)

Read again letter under date the 4th March 1851 from the Sessions Judge of Salem forwarding for the final judgment of the Foujdaree Adalut the record of Case No. 3 of 1851 on the file of the Sessions Court.-

(Here enter F: C: No. 580 of 1851.)

Read also letter under date the 24th March 1851 from the Sessions Judge of Salem.

(Here enter F: C: No. 725 of 1851).

The Court of Foujdaree Adalut.- observe that in all cases in which the examination of further evidence for the prosecution, after the defence has been taken may be deemed necessary, the prisoner should be called upon to plead to the additional evidence adduced.-

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

(Sent in No. 354.)

Read Calendar of Case No. 17 of 1851 of the Sessions Court of Cuddapah.-

(Here enter F: C: No. 759 of 1851).

The Court of Foujdaree Adalut approve of

of the recommendation made by the Sessions Judge in this Case, that the Sentence recorded against the four first Prisoners on their conviction of "Gang Robbery" - be mitigated to 7 Years imprisonment with hard labor in irons, and the Sessions Judge is authorised to issue his Warrants accordingly.

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

(Sent in No. 355.)

Read again Calendar of Case No. 14 of 1850 of the Sessions Court of Trichinopoly.-

(Here enter F: C: No. 1555 of 1850).

Read also Letter dated the 4th April 1851 from the Acting Sessions Judge of Trichinopoly, suggesting the mitigation of the lashes awarded by the late acting Sessions Judge of Trichinopoly to the Prisoner in the above case.

(Here enter F: C: No. 793 of 1851).

The Court of Foujdaree Adalut approve of the recommendation contained in the foregoing Letter of the Acting Sessions Judge, and under the circumstances therein represented, they authorise that Officer to remit the corporal punishment which the Prisoner in the above case has been adjudged to suffer.-

Ordered

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

(Sent in No. 356.)

Read Calendar of Case No. 11 of 1851 of the Session Court of Coimbatore.—

(Here enter F. C. No. 802 of 1851).

The Court of Foujdaree Adalut approve of the recommendation made by the Session Judge in the foregoing Case, that the sentence recorded against the six first Prisoners on their conviction of "Highway Robbery" be mitigated to 8 years imprisonment with hard labor in irons, and the Session Judge is authorised to issue his warrant accordingly.—

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

(Sent in No. 357.)

Read Letter dated the 3rd April 1851 from the Acting Joint Magistrate of Cuddapah forwarding a Statement of Prisoners in the Jail at Cumbum for the year 1850.—

(Here enter F. C. No. 806 of 1851).

The Court of Foujdaree Adalut observe

observe that the system of dieting the Prisoners confined in the Cumbum Jail during the past year has been very irregular, and they direct that the attention of the Joint Magistrate be drawn to the Foujdaree Adalut circular Instructions issued by the Court under date the 5th April 1850, as well as to the subsequent instructions of the Court dated the 8th February last copy of which is annexed.—

Ordered that Extract from these Proceedings be forwarded to the Acting Joint Magistrate of Cuddapah for his information and guidance.—

(Sent in No. 358.)

Read Supplemental Return from the Session Judge of Salem to the Precept of the Court of Foujdaree Adalut under date 21st December 1850 — submitting Copy of a return from the Magistrate explaining the cause of delay in the final decision of the cases disposed of by the Magistracy during the 3rd and 4th Quarters of 1849.—

(Here enter F. C. No. 777 of 1851.)

It would seem that the Prisoner, in Case No. 13 pending before the Head Assistant Magistrate was released some time before the date entered in the Calendar and the Court of Foujdaree Adalut — direct that the Magistrate be requested to report the

actual

actual date of the Prisoner's release and to explain why the charge was not at once disposed of.-

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

(Sent following Precept No. 359.)

Read Criminal Report B dated the 18th Ultimo submitted by the Sessions Judge of Moosra for the month of February 1851.-

(Here enter F: G: No. 697 of 1851)

Read report dated the 20th Ultimo, submitted by the Sessions Judge of Chittoor of the Labor of Convicts of the Jails at Vellore under the charge of the Head Assistant Magistrate of North Arcot for the month of February 1851.-

(Here enter F: G: No. 699 of 1851).

Read return dated the 20th Ultimo, submitted by the Sessions Judge of Chittoor exhibiting the Number of Convicts under the charge of the Head Assistant Magistrate at Vellore to whom the Maximum and other rates of diet were issued for the month of February 1851.-

(Here enter F: G: No. 700 of 1851).

Read Criminal Reports Vos. dated the 15th Ultimo submitted by the Agent to the Governor of

of Fort St. George at Kurnool for the month of January (supplemental) and February 1851.-

(Here enter F: G: No. 701 of 1851).

Read report dated the 1st Ultimo, submitted by the Magistrate of Salem of the labor of Convicts of the Jails at Moonchawady under charge of the Magistrate of Salem for the month of February 1851.-

(Here enter F: G: No. 702 of 1851)

Read Calendars of Cases Nos. 23, 24 and 25 of 1851 submitted by the Sessions Judge of Bellary under date the 24th Ultimo.-

(Here enter F: G: Nos. 705, 706 and 707 of 1851)

Read Calendar of Case No. 6 of 1851. submitted by the Sessions Judge of Chittoor under date the 28th February 1851.-

(Here enter F: G: No. 708 of 1851).

Read return dated the 26th Ultimo, from the Sessions Judge of Nellore to the precept of the Fouj dares Adalut under date the 11th Instant desiring to be informed what circumstances were considered to bring Criminal Case No. 4 of 1851 within the provisions of Clause fourth, Section III Regulation VI of 1822.-

(Here enter F: G: No. 709 of 1851).

Read Accounts submitted by the Sessions

Sessions Judge of Combaconum of the Jails in charge of the Magistracy for the Month of February 1851.

(Here enter F: G: N° 712 of 1851).

Read report B dated the 6th Ultimo, submitted by the Agent to the Governor of Fort St. George in Ganjam for the month of February 1851.

(Here enter F: G: N° 713 of 1851).

Read Criminal Reports dated the 26th Ultimo submitted by the Acting Sessions Judge of Guntoor for the Month of March 1851.

(Here enter F: G: N° 714 of 1851).—

Ex 18 D.

F: G:

Thursday 17th April, 1851.

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 N° 8 of 1850 on the file of the Sessions Court of Salem.—

(Here enter F: G: N° 966 of 1850).

Read again also Miscellaneous Petition presented on the 6th January 1851 by Ramen of Zillah Salem.—

(Here enter F: M: P: N° 3 of 1851).

Read also return under date the 18th March 1851 from the Sessions Judge of Salem to the precept of the Court of Foujdaree Adalut calling for further information with reference to the foregoing case.—

(Here enter F: G: N° 664 of 1851).

Mr G. S. Hooper
" E. P. Thompson
and
W. A. Morehead.

From the explanation submitted with the foregoing return the Court of Foujdaree Adalut are satisfied of the propriety of the conviction of the 1st and 2nd prisoners in the case referred to, and they accordingly resolve to dismiss the Petitioner's application.—

Ordered

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

Read Miscellaneous Petition presented on the 10th February 1851 by Ponnappa Naiken of zillah Chingleput.—

(Here enter F. M. P. No. 30 of 1851).

Mr. G. S. Hooper
Mr. E. P. Thompson
and
Mr. W. A. Morehead

1.

The Petitioner, who complains of sundry acts of injustice, and oppression sustained by him at the hands of one Cunneya Pillay the Village Mounsiff of Audempankum, seeks to obtain an Order from the Court of Foujdaree Udalut requiring the Collector of the District to investigate the charges preferred by him against that individual, also an Order permitting him to institute a suit against the said Mounsiff on account of defamation of character.—

2.

The Court of Foujdaree Udalut observe that the Petitioner should in the first instance address his complaint to the Magistrate of the District, who will doubtless pass such orders thereon as the case may seem to merit.—

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

Read Miscellaneous Petition presented on

on the 6th March 1851 by S. Veroomalachary Vakeel on behalf Narayana Padayachi of zillah Trichinopoly.—

(Here enter F. M. P. No. 37 of 1851).

Mr. G. S. Hooper
Mr. E. P. Thompson
and
Mr. W. A. Morehead

The prisoners in the case to which the Petitioner refers having been acquitted by a Court of competent jurisdiction of the offence laid to their charge, the Court of Foujdaree Udalut have no authority to order their re-trial on the charge in question; and the Court are therefore constrained to reject the Petitioner's application.—

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

Read Miscellaneous Petitions presented on the 6th March 1851 by Ruppi Shetti and Soundara Mudale of zillah Coimbatore.—

(Here enter F. M. P. No. 38 and 39 of 1851).

Mr. G. S. Hooper
Mr. E. P. Thompson
and
Mr. W. A. Morehead

The Court of Foujdaree Udalut see no reason to question the justice of the sentences passed upon the prisoners in Case No. 38 of 1850 on the file of the Sessions Court of Coimbatore, and they accordingly resolve to dismiss the Petitioners applications.—

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

Read

17th April 1851.

Read Miscellaneous Petition presented on the 6th March 1851 by Tutala Guntyala Shetti and another of Zillah Nellore.-

(Here enter F: Gl: P: No. 40 of 1851).

Mr. G: S: Hooper
Mr. E: P: Thompson
and
Mr. W. A: Morehead.

The Petitioners are referred to the former orders passed by the Court of Foujdaree Udalut in the matter to which this Petition relates.-

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

Read Miscellaneous Petition presented on the 10th March 1851 by Angappa Tevan alias Abir Khan of Zillah Tinnevelly.-

(Here enter F: Gl: P: No. 41 of 1851).

Do.

The Petitioner is referred to the former orders passed by the Court of Foujdaree Udalut in the matter to which this Petition relates.-

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

Read Miscellaneous Petition presented on the 10th March 1851 by S. Sreenewasa Chary Grooktyar Vakeel on behalf of G: Jonakeeram Puntolou of Zillah Guntoor.-

(Here enter F. M. P. No. 42 of 1851).

Do. 1

This is an application for the interference

interference of the Court of Foujdaree Udalut to set aside an order of the late Sessions Judge of Guntoor confirming one passed by the Assistant Magistrate dismissing the charge preferred by the Petitioner against his son, and referring him to the Civil Court for redress.-

2. The Court of Foujdaree Udalut decline to interfere on the Petitioners behalf, whose complaint is entirely of a Civil nature and can be only remedied by a resort to the Civil Courts.-

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

Read the Criminal Reports submitted by the Session Judge of Chingleput for the year 1850.

(Here enter F: Gl: No. 784 of 1851).

1. The Court of Foujdaree Udalut have observed the following errors and discrepancies in these returns.-

Appendix F: to Statement No. 1. 2. The 242 persons entered in the Statement No. 1 as disposed of by the Villages Police should be excluded from the Police Columns of this Appendix.-

Statement No. 2. 3. The entries in Columns 18 and 19 "Cases and persons forwarded by the Police to the Magistracy" should again appear in Columns 26 and

and 27 or 28 and 29.-

4 The Appendices A. D and F will be affected by the remark in para 3.-

Appendix F to Statement No. 2. 5. The entries under Columns 16-34-17 and 35" heads "Total cases entered in" and "Total persons entered in" do not correspond with statement No. 2.-

Appendix to Statement No 3A 6. The 10 persons "imprisoned" in default of payment of fine should also be entered in the minor Columns "under 3-6-12 Vm months" of the following heading "Imprisoned".-

Statement No. 3B. 7. The entries in Column 10 and 11 under heading 60 require explanation.-

Appendix A to Do. 8. The 11 persons imprisoned in default of payment of fine should also be entered in the minor Columns "under 3-6-12 Vm months" of the following heading "Imprisoned".-

Appendix B to Do. 9. The number of cases and persons committed to the Session Court should be excluded from the head "Trials reported".-

Appendix D to Do. 10. This Appendix does not correspond with Appendix F to statement No. 2 there being a difference of 2 "separate Committals for the same offence" and 2 persons "charged with the perpetration of more than one offence".-

11. The entry under the head "Deduct- charged with more than one offence" should be 10, if the Column

Column "of which charged with" Vm be correct. For the latter shews that 8 persons were charged with 2 offences and 1 with 3 offences, and that consequently from the total number of persons entered in Column 7, 10 should be deducted, Viz. 8 for the persons twice entered therein and 2 for the one thrice entered.-

Appendix A to Statement No 4 12. The 1 person "imprisoned in default of payment of fine" should also be entered in the minor Columns "under 1-2-3 Vm years" of the following heading "Imprisoned".-

Statement shewing the nature and the result of charges preferred against the Police.- 13. In this statement 5 persons are entered as Punished and 4 as acquitted by the Magistracy; but the statement No. 1 shews that 4 were punished and 5 acquitted.-

14 The 6 persons appearing in Column 3. heading 2 of Statement No. 3B should be entered in this statement.-

15. The Session Judge will be pleased to report the manner in which the Sudder Ameen has exercised the Criminal Jurisdiction vested in him as required under Circular Proceedings of this Court dated 18th February 1845.-

Ordered that Extract from these proceedings be sent to the Session Judge of Chingleput by precept returnable within VII days from and after its receipt.-

(Sent following Precept No. 361.)

Read

17th April 1851.

Read Miscellaneous Petition forwarded by the late Acting Sessions Judge of Trichinopoly from Cauder prisoner in Case No. 24 of 1846 on the file of the Sessions Court of Cuddalore now in confinement in the Jail at Trichinopoly.—

(Here enter F. M. P. No. 43 of 1851).

Mr. G. S. Hooper
Mr. E. P. Thompson
and
Mr. W. A. Morehead.

1 The Court of Foujdaree Udalut see no reason to question the propriety of the sentence passed upon the Petitioner who, it is observed, confessed before the Court the crime of which he has been convicted.—

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

Ordered that Doctract from these Proceedings be sent to the Acting Sessions Judge of Trichinopoly for communication to Petitioner.—

(Sent in No. 362.)

Read return dated 4th April 1851 from the Sessions Judge of Rajahmundry to the precept of the Foujdaree Udalut under date the 18th Ultimo, returning for amendment the Criminal Returns for the year 1850.—

(Here enter F. M. No. 818 of 1851).

1. The 1 Case referred to in para 1 of the Return of the Subordinate Judge as having been dispatched by the Police in the latter part of December 1849 and received by the Subordinate Court.

Court in January 1850 should have been borne on the Statement No. 2. as pending on the 1st January before the Police, according to the instructions contained in the Circular Letter of the Foujdaree Udalut dated 28th October 1850.— The necessary amendments have been made in the Statements in the Register's office and the Sessions Judge will be pleased to cause the Office Copies of the same to be rectified.—

Appendix A
Statement No. 3. B.

2. The entries under Heading "Fined" minor heads "Fines levied" "Imprisoned in default of payment," should correspond with the aggregate of the Columns "Fined" "Imprisoned and fined" Viz. 29; whereas it is 25 and the total of the entries under Heading "imprisoned minor heads" under "3" "6" "12" & upwards months" should agree with the total of the Columns "imprisoned" "Do. and fined" "Do. and Flogged" "Do. in default of payment of fine" Viz. 50; whereas it is 46.—

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

(Sent following Precept No. 363.)

Ed. Bld.

Saturday
19th April 1851 } At a Court of the Tonjdaree Adalut

Present

G. S. Hooper Esqr — 1st Puisne Judge

W. H. for S. I. J. E. P. Thompson Esqr — 2d Puisne Judge

W. I. for W. A. H. Morehead Esqr — 3d Puisne Judge

Read letter dated 5th Instant from the Sessions Judge of Salem, submitting for the final judgment of the Tonjdaree Adalut the record of Case No 5 of 1851 of the Calendar of the Sessions Court.

(Here enter No 811 of 1851)

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

Vencatachellum Pallay"

is not convicted on presumptive proofs or on the evidence of credible witnesses or on his own confession of the crime charged do acquit him thereof and direct that he be set at liberty.

The

1. The Prisoner in this Case was Charged with having, on the 16th January 1851, taken to his house a female Child named Maryamma aged six years, and having given her intoxicating drugs in a plantain fruit, murdered her by twisting her neck, robbed the body of jewels valued at Rupees 39-8- and thrown the Corpse into a well.

2. It appears that the deceased was missed on the evening of the day specified in the indictment, and that suspicion having been attracted to the 1st witness Ramayyer, who is stated to have been employed as a servant about the Prosecutor's house, she was questioned by the Prosecutor regarding the Child, and denied at first that she knew any thing about it, but in the course of the night, after having been pressed by the Prosecutor confessed that she had taken the Child on the previous afternoon to the prisoner's house, where it was murdered by the prisoner and was afterwards, in her presence, thrown by

19th April 1851.

by him into a well in the neighbourhood of the village.

3 She stated that she had been requested by the prisoner to bring the Child to him, in order that he might rob it of its jewels, and that he had promised her a present of 5 Rupees for doing so, that on the previous afternoon, having taken the Child into the bazar with her to see some dancing, she met the prisoner near a flat stone in the bazar, and at his request followed him with the Child to a neighbouring field, and then to the prisoner's house into which he took the Child, leaving her under a pandal at the entrance, and after remaining some time within came out carrying a bundle tied up in a Cumbly, and took her with him to the well already referred to, where he took out of the Cumbly the dead body of the Child threw it into the well and placed a stone upon it, and then returned with her to the village, told her that he would go back to the well on the following day

for

for some jewels, which had been left by him on the body; and, having strictly injoined her not to divulge to any one what had occurred, left her at her house, and proceeded to his own.

4 The purport of this witness' confession appears to have been reported to the village authorities at an early hour in the morning; and the well pointed out by her having been examined, the dead body of the missing child was found in it with a heavy stone placed upon it.

5 The Prisoner was apprehended on the same morning, whilst at work in his field. In a shed belonging to him a Crumby was found, which was identified by the witness as that in which he had carried the dead body from his house to the well, and, on his house being searched, a gold Coppoe, or ear ring, was found in it in a Chatty, and was claimed by the Prosecutor as having belonged to the deceased.

Jewels

19th April 1851.

6 Jewels to the value of Rupees 32 were found on the Corpse; others to the value of Rupees 36, which were alleged to have been worn by the deceased being missing and with the exception of the "Coppoe" referred to, which is stated by the Prosecutor to have been one of the Jewels worn by her, none of them have since been found.

7 After the apprehension of the Prisoner a person belonging to the village came forward, and stated that on the previous evening while passing near the well in question, on his return from his work, his attention was attracted by hearing the sound of a splash, and seeing a woman standing on the bank he called out to know what was the matter, and was answered by the prisoner who was in the well (and whom although he did not see him he recognized by his voice) to the effect that he, Vencatachellum Pillay, mentioning his name, was washing himself in the well and had by accident kicked a large stone

stone into it.

8 The fact of a person having passed near the well just at the time the prisoner threw the body of the child into it, having asked what was the matter and having been answered by the prisoner in the manner above described, had, it is alleged, been mentioned by the 1st witness in her confession on the previous night.

9 Additional evidence which had been considered by the Sessions Judge to connect the prisoner with the fate of the deceased was adduced by three other inhabitants of the village, who stated that they had seen the prisoner in company with the 1st witness and the deceased on the previous day; two of them adding that they had seen them proceed together to the house of the accused.

10 The Prisoner Ramayee having been committed for trial, and the latter having been subsequently admitted as an approver with the sanction of the Court of Foujdaree Adalut the Sessions Judge, in concurrence with

with the Mahomedan Law Officer has convicted him of the murder laid to his charge, and recommends that he should be sentenced to suffer death.

11 On an attentive consideration of the entire record of this case the Court of Foujdaree Adalut have been unable to concur with the Sessions Judge in deeming the evidence to be sufficient to establish the prisoner's guilt.

12 The 1st Witness' statements in regard to the prisoner's conduct in the matter appear to the Court in the highest degree improbable.

13 It is alleged that the prisoner in broad day light, through the public street, conducted the deceased and the 1st witness to his house, about which several of his relatives were employed at their various avocations, and bedding the witness to remain close by took the deceased inside, murdered her, stripped her of some of her jewels, and although nothing occurred

occurred to hurry him or interrupt him in
in his proceedings, left others on the Corpse,
exceeding in value those which he appropriated
to himself; brought it out in a Cumbly,
and without any further attempt at Con-
cealment carried it through the village to
a well taking the 1st witness with him
to witness in what manner he disposed of
it, without adopting any other precautions
for his own safety than an injunction
to the witness, a girl who is described by
the Sessions Judge to be only 10 years of age,
not to divulge to any one what had occurred;
and having Concealed, with the exception
of one article of trifling value, all the
jewels which were taken by him so effectually
that, after the most careful search, they
have not been found, placed that one
article in a Chatty in his house, where he
must have known that it could not
fail to be discovered, whenever a search
was made.

14. The Court of Foujdaree Udalut
cannot credit such a Statement, when
not

not supported by evidence, the most cogent
and irresistible; and they consider the proof
adduced of the several circumstances upon
which the Sessions Judge has considered
the 1st witness' testimony to be corroborated,
to be defective; and on some points
Contradictory.

15. The Court of Foujdaree Udalut
do not consider it to be clearly established
by the evidence for the prosecution that the
Child had more ornaments on her person
on the day she met with her death, than
were found on the Corpse when it was discovered.

16. The Court cannot reconcile
the fact of valuable jewels having been
left on the body of the deceased, with the
motive which is alleged to have impelled
the prisoner to the commission of the murder;
and, in the absence of more Conclusive Evidence
to the identity of the "Coppo" found
in the prisoner's house, they see no
sufficient ground for discrediting the
prisoner's Statement that it was his
own property, which, with reference to
its

its value, is by no means improbable, while, if the 1st witness' statement be true, its discovery in the place in which it was found, is altogether irreconcilable with the effectual precautions which must have been taken by him, for the concealment of the remainder of the jewels, alleged to have been abstracted from the body of the deceased.

17 Adverting to the conclusions deduced from the discovery of the "Coopsie" in question, the Court of Foujdaree Udalut deem it proper to observe a most improper omission on the part of the Sessions Judge in neglecting to notice the denial before the Police of the witness, who was named by the Prosecutor as the maker of the ornament in question.

18 This witness was not examined by the Sessions Judge, although as it appears that he denied before the Police the fact which he was called upon to establish, and one which if proved must have had an important effect upon the prisoner. It was clearly most important, in justice to the accused, that his evidence should have been taken.

See page 23 Enclosure No 3.

19 The same remark is applicable in regard to the persons said to have been about the prisoner's house when the child was taken into it and the murder committed.

20 It appears that these persons were examined by the Police, but denied all knowledge of the facts alleged, and their examination before the Sessions Court, altho' considering their connection with the accused, their evidence should have been received with caution, was clearly most desirable to test the truth of the 1st witness' testimony.

21 The evidence of the 3d 4th & 5th witnesses the Court consider insufficient to prove the fact of the prisoner having been seen on the day in question in the Company of the 1st witness and the deceased. It appears from the 3d witness' deposition that, when seen by him in the bazar, on the day in question, the prisoner was at some distance from, and holding no Communication with either the 1st witness or the deceased; and considering the publicity of

of the place in which they were seen, the fact of their having been on the day in question in the same street at a distance from each other is clearly insufficient to justify any conclusion to the prejudice of the accused

22 The evidence of the 4th and 5th witnesses, who state that they saw the prisoner the 1st witness and the deceased proceed from a particular stone in the bazar to the entrance of the prisoner's house contradicts the 1st witness' statement from which it would appear that they went in the first instance to a field in a different direction.

23 It is probable that this discrepancy might have been reconciled by a more careful examination of the witnesses in question, but on this point many obvious questions have been omitted, and the Court are left entirely to conjecture in regard to the fact to which the said witnesses have deposed.

24 On another important point, viz., the real age of the 1st witness the information is

is far from satisfactory - By the Police she is represented to be 16 years of age, while by the Sessions Judge her age is fixed at ten; and for this difference upon a point of much importance in the Consideration of the Case no reason whatever has been assigned.

25 The only remaining circumstance which has been adduced in corroboration of the 1st witness' evidence, viz. the alleged recognition of his voice by the 2nd witness near the well in which the body was found, on the morning the murder must have been committed, must be admitted to afford a strong link in the chain of presumptive evidence against the accused, but in itself appears to the Court insufficient to corroborate the truth of the 1st witness' statement, when the other improbabilities by which it is characterized are taken into consideration.

26 The Court under these circumstances have felt it their duty to acquit the prisoner

prisoner, and to direct his unconditional
release.

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

(Sent in No. 366.)

L. S.

Certificate of Pardon
to
"Ramayee"

1 Whereas under date the 24th February
last the Court of Foujdaree Udalut were
pleased to authorize the Session Judge of
Salem to tender an offer of pardon to
"Ramayee" on condition of her making a full
disclosure of every circumstance within her
knowledge relating to the murder committed
on the 16th January 1851 on the person of a female
child grand daughter of the Prosecutor
in the village of Veerapanpatty in the
Talook of Namaul in the Zillah of Salem.

And

2 And whereas the Court of
Foujdaree Udalut are of opinion that
the conditions of the said grant of pardon
have been sufficiently fulfilled.

3 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 "Ramayee" in so far as regards
the act herein referred to.

4 And the Court do hereby
confirm the said pardon accordingly.

5 Given under our hands and
the seal of the Court this 19th day of
April 1851.

(Signed) A. J. Arbuthnot
Head Asst. to the Regr.

Read letter dated 11th Instant
from the Session Judge of Salem submit-
ting for the final Judgment of the
Foujdaree Udalut the record of Case No. 12 of 1851.

of

of the Calendar of the Sessions Court.

(Here enter No 87 of 1851)

The Court of Sanjdarees Udalut on a deliberate consideration of all the circumstances of the case in evidence before them being of opinion that the proofs against the prisoner

"Vikkudala Totada"

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.

Sentence No 367

Read return dated 11th April 1851 by the Sessions Judge of Cuddalore to the Precept of the Sanjdaree Udalut of the 7th Idem returning certain Criminal returns for amendment.

(Here enter Ft. 26. No 952 A 1851)

1 Under the circumstances stated in paragraphs 1 and 3 of this return, the Statement No 2 and the return shewing the nature and

result.

result of the charges made against the Police will require no amendment.

2 It is necessary however that the total number of Cases entered in appendix G. to Statement No 2 should agree with the entry in Column 36 of the Statement and this appendix must consequently be returned for correction. The errors pointed out by the Sessions Judge in the Appendices B to Statements 3 A, and 3 B were observed, and at once corrected in the Registers office.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Cuddalore by Precept returnable within 15 days from and after its receipt.

(Sent following Precept No 368)

Read return dated 1st Ultimo from the Acting Sessions Judge of Cuddapah to the Precept of the Sanjdaree Udalut under date the 27th February 1851 directing a mitigation of sentence passed against the Prisoners in Case No 13 of the Calendar for 1851.

(Here enter Ft. 26. No 350 of 1851)

Read

Rad. Calendar of Cases Nos
of 1851 submitted by the Acting Sessions Judge
of Cuddapah under date the 29th January 1851.

(Here enter R. Co. No. 305 of 1851)

Rad. Extract submitted
by the Sessions Judge of Bellary under date
the 29th January 1851. of the Proceedings held
in reviewing the petty Calendars &c. for the
fourth quarter of 1850.

(Here enter R. Co. No. 306 of 1851) to

F. 16.

Monday 21st April 1851.

At a Court of the Foujdaree Adalut.

Present

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

Read Calendar of Case No 7 of 1851 of the Sessions Court of Tinnevelly—

(Here enter F. 16. No 826 of 1851).

Adverting to the fact that the previous convictions of the 6th 11th and 13th Prisoners in this Case could not enhance the penalty — prescribed for Gang Robbery, of which crime they were charged, the Court of Foujdaree Adalut observe that the insertion of the 2nd Count in the charge 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 370)

Read Calendar of Case No X of 1851 submitted by the Session Judge of Madura, under date the 25th Ultimo.—

(Here enter F. 16. No 715 of 1851.)

Read

21st April 1851.

Read Calendars of Cases Nos 6. 7 and 8 of 1851 submitted by the Sessions Judge of Coimbatore under date the 27th February 1851.-

(Here enter F. R. Nos 719, 720 and 721 of 1851).

Read Calendar of Case No. 10 of 1851 submitted by the Sessions Judge of Nellore under date the 28th Ultimo.-

(Here enter F. R. No. 722 of 1851).

Read Calendar of Case No. 8 of 1851 submitted by the Sessions Judge of Salem under date the 20th Ultimo.-

(Here enter F. R. No. 724 of 1851).

Read report B dated the 26th Ultimo, submitted by the Sessions Judge of Mangalore of Persons apprehended in the Zillah of Canara and delivered to the Magistracy of Canara in the Month of February 1851.-

(Here enter F. R. No. 732 of 1851).

Read Calendar of Case No. 26 of 1851 submitted by the Sessions Judge of Bellary under date the 29th Ultimo.-

(Here enter F. R. No. 733 of 1851).-

E. H. W.

F. U.

Tuesday 22nd April 1851. 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 — forwarded by the Session Judge of Masulipatam from Mc. Chellumma of that Zillah.

(Here enter F. A. Jn. P. No. 44 of 1851).

The Court of Foujdaree Adalut are satisfied from a perusal of the Calendar of the cases referred to by the Petitioner, of the guilt of the prisoner upon whose behalf this Petition has been presented, of the offence of which he has been convicted, and they accordingly resolve to dismiss the Petitioner's application.

Mr. G. S. Hooper
Mr. E. P. Thompson
and
Mr. W. A. Morehead.

Ordered that Extract from these Proceedings be sent to the Session Judge of Masulipatam for communication to Petitioner.

(Sent in No. 371.)

Read Miscellaneous Petition — presented on the 24th March 1851 by Ramarow of Mysore.

(Here enter F. A. Jn. P. No. 48 of 1851)

The

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

The Court of Foujdaree Udalut are precluded from taking the above Petition under their consideration as they observe that the sentence from which the Petitioner appeals was passed by a tribunal over which they have no legal jurisdiction.—

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

Read the Criminal Reports submitted by the Sessions Judge of Nellore for the year 1850.—

(Here enter No. 849 of 1851).

1. The Court of Foujdaree Udalut have observed the following errors and discrepancies in these returns.—

Appendix B to Statement No. 1.

The entries under Heading "Total" of the Appendix should correspond with the total of Column 16 and 27 of the Statement No. 1. and the aggregate of the Headings "Levied" and "confined in default of payment" should agree with the Total Column the foot note should show whether the sums paid to complainants are to be deducted from Column 16 or Column 27.—

Appendix D to Statement No. 2.

The aggregate of the Entries in the total of this Appendix under the head "Magistrate" Vcn. Dist. 11. appears to be incorrect. the total of Columns

Columns 32. 35. and 37 in the statement No. 2 being 22.—

4. The same remark applies to the total under the head "Heads of Police" Vcn. Dist. 427. the total of Columns 14. 17 and 19 in the statement No. 2 being 657.—

Appendix to Statement No. 3A.

5 The 11 persons imprisoned in default of payment of fine should also be included under head "Imprisoned" Minor Columns "under 3-6-12 Vcn. months."—

Statement No. 3 B.

6. It is observed that the 1 Case and 2 persons entered under Heading 1 Column 16 and 17.— statement No. 2 does not appear in Column 6 and 7. statement No. 3B and explanation upon the subject is required.—

7. The foot Note refers to 18 Cases.— separately committed - which are entered in the.— appendix D however at 8, and explanation of this discrepancy is required.—

Appendix A to Do.

8. The aggregate of the entries in the first five Columns should be 74, Vide the total of Column 24 of the statement No. 3B.

9. The total of the entries under.— heading "Imprisoned" Minor Columns "under 3-6. 12. Vcn. Months" should correspond with the total number of persons in Columns "Imprisoned" "Do. and fined" "Do. and flogged".—

The

Appendix B to Statement No. 3B. 10. The totals aggregate of Columns 22 and 24 of the statement No. 3B. and the cases in which they are implicated should be entered in Column "Trials Reported" of this appendix.—

Appendix C to Statement No. 4. 11. The entry under the head "Deduct charged with more than one offence" should be 23. if the Column "of which charged with" be correct: For the latter shews that 5 persons were charged with 2 offences and 6 with 4 offences and that consequently from the total number of persons entered in Column 5, 23 should be deducted, viz. 5 for the 5 persons twice entered therein and 18 for the 6 entered four times.—

Statement shewing the Nature and the result of charges preferred against the Police.— 12. This statement requires correction. the number of persons entered in it not corresponding with statement No. 1.—

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

(Sent following precept No. 372).

Read Calendar of Case No. 17 of 1851. submitted by the Sessions Judge of Cuddapah under date the 29th Ultimo.—

(Here enter F. C. No. 757 of 1851).

Read letter dated the 31st March 1851. from the Sessions Judge of Masulipatam stating that the

the annual Criminal Statements for 1850 will be sent as soon as those due from Magistracy are received.—

(Here enter F. C. No. 770 of 1851).

Read letter dated the 31st Ultimo from the Sessions Judge of Masulipatam forwarding copies of the remarks of the Sessions Court of Masulipatam upon the Monthly statements of District Police officers for 4th Quarter of 1850.—

(Here enter F. C. No. 772 of 1851).

Read report dated the 1st Instant submitted by the Sessions Judge of Masulipatam of Cases pending on the 28th February, and committed for trial during the Month of March 1851.—

(Here enter F. C. No. 773 of 1851).

Read report dated the 1st Instant submitted by the Sessions Judge of Bellary of a case pending on the 31st March 1851, before the Sessions Court for a longer period than 25 days.—

(Here enter F. C. No. 778 of 1851).

Read report dated the 1st Instant submitted by the Sessions Judge of Bellary of Cases pending on the 28th February 1851, before the

the Sessions Court for a longer period than 25 days.-

(Here enter F: C: No. 779 of 1851).

Read Calendar of Case No. 15 of 1851 submitted by the Sessions Judge of Bellary under date the 3rd Instant.-

(Here enter F: C: No. 782 of 1851).

Read letter dated the 1st Instant from the Sessions Judge of Calicut stating that there is no case during the past month to be entered in the Report required by the Foujdaree Adalut Circular order of the 16th October 1844.-

(Here enter F: C: No. 783 of 1851).

Read Calendar of Case No. 4 of 1851 submitted by the Acting Sessions Judge of Guntoor under date the 4th April 1851.-

(Here enter F: C: No. 786 of 1851).

Read Calendar of Case No. 10 of 1851 submitted by the Sessions Judge of Rajahmundry under date the 29th Ultimo.-

(Here enter F: C: No. 787 of 1851).

Read report dated the 1st Instant, submitted by the Session Judge of Tellicherry of Cases pending on 31st March 1851 and committed for trial during the month of February 1851.

Before

22nd April 1851.

before the Sessions Court.-

(Here enter F: C: No. 789 of 1851).

Read return dated the 3rd Instant, from the Acting Sessions Judge of Trichinopoly to the precept of the Foujdaree Adalut under date the 28th Ultimo observing that 472 Prisoners — received the maximum allowance of Grain, and directing with reference to their orders of the 8th February that explanation be called for on the subject.-

(Here enter F: C: No. 790 of 1851).-

4d
1Rd.

22nd

F.H.

Wednesday 23rd April 1851 } At a Court of the Foujdaree Udalut

Present

C.J. C. J. Hooper Esquire 1st Puisne Judge

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

W.M. for W.H. W. A. Morehead Esquire 3d Puisne Judge

Read letter under date the 11th April 1851 from the Session Judge of Bonoo submitting an English Translation of the record of Case No 39 of 1850 on the file of the Session Court for the final judgment of the Foujdaree Udalut.

(Here Enter F.H. No 896 of 1851)

The Court of Foujdaree

Mr C. J. Hooper

Mr E. P. Thompson Udalut, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the prisoner "Gousal"

committed the act charged against him being then of unsound mind, under the provisions of Act IV of 1849 direct that he be kept in safe custody in the Jail at Bonoo until the pleasure of Government regarding him be made known.

The

1. The Prisoner in this case charged with the crime of arson has been acquitted by the Law Officer on the ground that he was of unsound mind when he committed the acts charged against him, but the Sessions Judge, having dissented from this futwa, has referred the trial for the final judgment of the Foujdaree Adalut with a recommendation that the prisoner should be sentenced to imprisonment with hard labor in irons for the term of four years.

2. The Court of Foujdaree Adalut concur with the Mahomedan Law Officer in considering that the acts charged against the prisoner were committed by him in a state of insanity, and they have accordingly recorded a Special verdict to that effect, and have reported the case for the orders of Government under the provisions of Act IX of 1849.

3. The Court of Foujdaree Adalut observe that the prisoner was on a former occasion confined in the Jail hospital under treatment as insane, and that all the witnesses in this case, excepting

excepting the 7th, unhesitatingly declare that he is mad, and that on the night the houses were fired he was "perfectly mad."

4. The Sessions Judge ought not to have dispensed with the evidence of the 3d and 4th witnesses, for they distinctly deposed to the prisoner's insanity, on which point the decision of the case entirely depended.

5. The unusual brevity of the examination of the 7th 8th and 9th witnesses before the Sessions Court the Court of Foujdaree Adalut consider to be objectionable, and they observe that it rendered the evidence of those witnesses almost useless. The examination of these three witnesses was confined to five questions and that of the 7th, the Jillah Surgeon, who had the accused under Medical treatment for more than nine weeks, to one.

6. In conclusion the Court observe that detailed evidence should have been taken with reference to the prisoner's

prisoners previous confinement in the Jail Hospital-

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

/ Sent in No. 345. /

Read Calendar of Case No 31 of 1851 of the Session Court of Bellary-

/ Here Enter F.R. No 843 of 1851 /

1. The Court of Fouzdaree Adalut approve of the recommendation made by the Session Judge in this Case that the sentence recorded against the Prisoner on his conviction of "Housebreaking with Theft" be mitigated to four years' imprisonment with hard labor in irons, and the Session Judge is authorized to issue his warrant accordingly.

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

/ Sent in No 346 /

Read

Read again Criminal Reports submitted by the Session Judge of Bellary for the month of January 1851.

/ Here Enter F.R. No 461 of 1851 /

Read also return under date the 20th March 1851 from the Session Judge of Bellary to the precept of the Court of Fouzdaree Adalut dated the 14th March 1851 directing the transmission to the Fouzdaree Adalut of a copy of the Orders passed by the Session Judge upon case No 3 of 1851 on the Magistrate's Criminal file-

/ Here Enter F.R. No 679 of 1851 /

The Court of Fouzdaree Adalut observe that the citation of Act II of 1839 as the authority for the realization of the fine imposed upon the prisoner in this case under the provisions of Act XVI of 1850 is incorrect Act II of 1839 being applicable to the cases of fines imposed under enactments which do not specify in what

what manner they are to be realized, whereas in Act XV of 1830 the Course to be adopted to enforce the realization of fines imposed for the Offences to which it refers is expressly prescribed, and the Court of Foujdaree Udalut are of opinion that in such cases where the course authorized by the latter enactment may be found insufficient it is not competent to the Courts to commute the fine imposed to imprisonment under Act II of 1839.

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Bellary for communication to the Magistrate.

/ Sent in No. 371. /

Read the Calendar of Sessions Case No 3 of 1851 on the Tellicherry file.

/ Here enter S.H. No 825 of 1851 /

The Court of Foujdaree Udalut approve of the mitigation of punishment recommended in this case, and accordingly permit a sentence of (4) four years imprisonment with hard labor in irons being passed upon the prisoner Valiavittil Alambilath Coonyetan under

under Section IV Regulation I of 1825.

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

/ Sent in No. 378. /

Read again Letter, dated the 21st March 1851, from the Sessions Judge of Combaconum submitting an Extract from the Proceedings of the Sessions Court, reviewing the sentence passed by the Moofty of Sudr Ameen in Case No. 15 of 1851. and recommending the Removal of that Officer to some other District, where the duties are of a less onerous nature.

/ Here Enter S.H. No. 455 of 1851. /

Read also Letter dated 8th April 1851 from the same Officer, submitting the further report regarding the Mohammedan Sudr Ameen, required by the Court of Foujdaree Udalut in their Proceedings under date the 3d April 1851.

/ Here enter S.H. No 830 of 1851 /

The Court of Foujdaree Udalut learn with regret from the foregoing Report that the unsatisfactory results brought

brought under their consideration in the Sessions Judge's communication of the 21st March last, are, in the opinion of that Officer, to be attributed to the fact "that the Moofty "Sudr Ameen does not bestow that degree "of care and attention on his duties that "he ought."

2. The Court of Foujdaree Adalut have viewed the facts now brought to their notice, regarding the lax manner, in which the Mohammedan Sudr Ameen conducts his duties, with grave displeasure, and the Court have been only withheld from directing the removal of that Officer at once from his situation by a consideration of the lengthened period of his services, and in the expectation that the leniency now shown to him will act as an incentive to the more energetic discharge of his duties for the future.

3. The Court direct that the Sessions Judge, in communicating to the Mooftty Sudr Ameen the above expression of their opinion, will distinctly intimate to him, that his retention in his appointment will entirely depend upon his future

future conduct, and that unless a more favorable report thereof be submitted by the Sessions Judge within the next three months, the Court will deem it their duty to remove him at once from a situation, the duties of which he is incompetent, or unwilling, to perform.

Ordered, that an Extract from these Proceedings be forwarded to the Sessions Judge of Combaconum for his information and for communication to the Mooftty Sudr Ameen.

/ Sentence No 379. /

Read Calendar of Case No 8 of 1851 of the Sessions Court of Tinnevelly

/ Sessions Enclosures F.L. No 850 of 1851 /

Adverting to the fact that the alleged previous conviction of the Prisoner in this case could not even if established against him, have had the effect of enhancing the specific punishment awardable for the crime of Arson laid to his charge, the Court of Foujdaree Adalut observe that the insertion of such former conviction as a second Count was uncalled for.

Ordered

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

/ Sentence No. 380. /

Read Calendar of Case No. 86 of 1850 submitted by the Acting Sessions Judge of Cuddapah under date the 6th January 1851.

/ Here Enter Fl. No. 57 of 1851 /

Read Letter dated 18th January 1851 from the Sessions Judge of Guntoor applying for the Grounds of the opinion of the Foujdaree Adalut expressed in their Proceedings of the 30th November last as to the inapplicability of the Act XIII of 1850 to the Indictment in Case No. 18 of 1850 of the Sessions Court's file.

No. 113 / Here Enter Fl No. 183 of 1851 / in

F. C.

Thursday,
24th April 1857. 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 letter dated the 17th Instant, from the Agent to the Governor in Vizagapatam submitting for the final Judgment of the Foujdaree Udalut the Record of case No. 4 of 1857 on the Calendar.

(Here Enter F. R. No 937 of 1857)

Messrs G. S. Hooper
E. P. Thompson
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

"Corrah Punnadoo."

is sufficient to convict him of the crime of Murder, do convict him thereof and sentence him to be transported to such place or places beyond Sea as the Governor in Council shall appoint, there to be imprisoned and kept to hard labor in irons on the public roads or other public works

for

for and during the period of his natural life.—

1. The Court of Tinjoare doubt consider the intrigue which is shewn to have been carried on by the deceased with the prisoner's wife to be a circumstance of palliation which justifies the remission in this case of the extreme penalty of the law, and they have accordingly sentenced the prisoner to transportation for life.—

2. The Court of Tinjoare doubt observe that as the deceased lived for the day after he had received the wound which caused his death, the Police officer should have taken a deposition from him, and that the prisoner's wife who was examined by the Police should have been examined by the Agent, his evidence being requisite to prove the intimacy alleged by the Prisoners to have existed between her and the deceased.—

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

(Sent in No. 382.)

Read Calendar of case No 11 of 1857 of the Sessions Court of Madura.—

(Here Enter F & No 878 of 1857.)

The

24th April 1857.

1. The Court of Tinjoare doubt find on reference to the above Calendar, that it is stated by the Jury, and assented to by the Sessions Judge, that many reasons exist for believing the Prisoners in the said case to be guilty. No reasons have however been assigned for this opinion either by the Sessions Judge or by the assessors, and the Court, therefore, resolve, before passing their final orders on the case, to direct that an English translation of the entire record be submitted for their consideration.—

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

(Sent following Precept No 383)

Read return dated 3d April 1857 from the Sessions Judge of Coimbatore to the Precept of the Tinjoare Court under date the 29th March 1857, directing the submission of the Report A of case No 245 of 1850 on the file of the Criminal Court.—

(Here Enter F & No 800 of 1857.)

Read

24th April 1857.

Read report dated 3d April 1857 submitted by the Session Judge of Coimbatore of cases pending on the 28th February and committed for trial during the month of March 1857 before him.-

(Here Enter F.R No 801 of 1857)

Read Calendar of case No 12 of 1857 submitted by the Session Judge of Coimbatore under date the 27th February 1857.-

(Here Enter F.R No 803 of 1857)

Read Calendar of case 13 of 1857 submitted by the Session Judge of Coimbatore under date the 27th February 1857.-

(Here Enter F.R No 804 of 1857)

Read Calendar of case No 18 of 1857 submitted by the Session Judge of Coimbatore under date the 19th March 1857.-

(Here Enter F.R No 805 of 1857)

Read return dated 5th April 1857. from the Session Judge of Cuddapah to the Precept of the Foujdaree Adawlut under date the 27th March 1857 directing the unconditional release of the 2d Prisoner in case No 14 of the Calendar for 1857.-

(Here Enter F.R No 808 of 1857)

Read

F.R.

24th April 1857.

Read letter dated 5th April 1857 from the Session Judge of Coimbatore submitting copy of an Extract from the Proceedings of his Court under date the 29th March 1857 held on review of the 8th Calendars of cases disposed of by the Magistracy and Head of Police during the 4th Quarter 1850, together with the 2a Original Calendars.-

(Here Enter F.R No 816 of 1857)

Read report dated 1st April 1857 submitted by the Session Judge of Nellore of Cases pending for the month of March last.-

(Here Enter F.R No 817 of 1857)

Read Calendar of case No. 29 of 1857 submitted by the Session Judge of Bellary under date the 5th April 1857.-

(Here Enter F.R No 820 of 1857)

Read Calendar of case No 20 of 1857 submitted by the Session Judge of Calicut under date the 4th April 1857.-

(Here Enter F.R No 821 of 1857)

Read

24th April 1857.

Read letter dated 1st April 1857 from the Sessions Judge of Honore reporting that no cases were pending before him for more than 25 days during the month of March 1857.-

(Here Enter F.R. No 822 of 1857)

Read return dated 5th April 1857 from the Agent to the Governor of Fort St George at Vizagapatam to the Receipt of the Tonjaore Board under date the 14th March 1857 requiring certain explanation in the Criminal cases in the report for January 1857.-

(Here Enter F.R. No 827 of 1857.- S

Ex 18[illegible].

F. 26.

Friday
25th April 1951 } At a Court of the Fujdaree Udalut
Present

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

Read letter dated 8th Instant from the Sessions Judge of Chicacole, submitting for the final Judgment of the Fujdaree Udalut the record of Case No 2 of 1951 of the Calendar of the Sessions Court.

(Here enter F. 26. No 95 of 1951)

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

The Court of Fujdaree 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

"Nolloo Totayah"

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

being hanged at the usual time and place of execution.

Sentence No. 385

Read letter dated 7th Instant, from the Sessions Judge of Rajahmundry submitting for the final judgment of the Foujdaree Adalut the record of Case No. 6 of 1851 of the Calendar of the Sessions Court

(Here enter No. 857 of 1851.)

Mr. G. L. Harper
Mr. C. P. Thompson
Mr. R. A. Maclean

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

1st Alloory Sirtaramrauze
2d Muntana Soobbarauze
and
4th Ramee Soobadoo

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

1st Alloory Sirtaramrauze

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

works for and during the period of his natural life and the prisoners,

2d Muntana Soobbarauze
and
4th Ramee Soobadoo

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.

The Court of Foujdaree Adalut concur with the Sessions Judge in considering the gross provocation under the impulse of which the crime proved against the 1st prisoner appears to have been committed, to be a palliating circumstance which justifies the remission of the extreme penalty of the law; and they have accordingly sentenced him to transportation for life being of opinion that a more lenient sentence would be insufficient to meet the demands of justice.

2 The Court of Foujdaree Adalut have on former occasions censured Mr.

Mr. Anstruther for casting unfair imputations upon the conduct of the Police, unwarranted by the record or by the circumstances of the case; and the Court of Foujdaree Udalut observe that in this case there is nothing to justify the imputations which the Sessions Judge has seen fit to make upon the conduct of the village Police officers and to which he himself admits that "all the evidence is opposed."

23 The Court of Foujdaree Udalut direct that the Sessions Judge will cause greater care to be taken in the arrangment of the records of referred trials so that the proceedings of the Police Criminal Court and Sessions Court may follow consecutively the depositions of the several witnesses, being arranged in the order of their number and those of the prisoners in the same manner.

4 In this case the record has been so indiscriminately arranged that much unnecessary labor has been caused to the Court of Foujdaree Udalut in its perusal;

for

for instance, in the proceedings of the Criminal Court immediately after the Prosecutor's Statement the deposition of the 11th witness is placed after that of the 5th witness come the 4th prisoner's statments and then the 7th 8th and 9th witnesses depositions and then that of the 6th witness.

5 In the Police Proceedings a similar irregularity occurs.

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

Sent in No. 386.

Read Calendar of Cases No. 15 of 1851 submitted by the Sessions Judge of Combaconum under date the 5th April 1851.

(Here enter F. Dc. No. 831 of 1851)

Read Calendar of Cases No. 707 of 1851 submitted by the Sessions Judge of Mangalore under date the 4th April 1851.

(Here enter F. Dc. No. 832 of 1851)

Read

Read Calendar of Cases No. 1 of 1851 Submitted by the Sessions Judge of Trincomalee under date the 19th February 1851.

(Here enter F. No. No. 840 of 1851.)

Read Calendar of Cases No. 2 of 1851 Submitted by the Sessions Judge of Trincomalee under date the 22nd February 1851.

(Here enter F. No. No. 841 of 1851)

Read Extract from the Proceedings of the Sessions Court of Trincomalee under date the 5th April 1851 noticing the irregularity of Police Officers.

(Here enter F. No. No. 842 of 1851.)

Read Reports dated 31st March 1851 Submitted by the Sessions Judge of Chilaw, of cases pending on the 31st December 1850 and Committed for trial during the Months of January 1851 before the Sessions Court.

(Here enter F. No. No. 846 of 1851)

Read Criminal Reports dated 31st March 1851 Submitted by the Sessions Judge of Trincomalee for the Months of March 1851.

(Here enter F. No. No. 849 of 1851)

Read Calendars of Cases No. 10 11 and 12 of 1851 Submitted by the Sessions Judge of Salem under dated the 3rd and 4th April 1851.

(Here enter F. No. No. 853, 854 and 855 of 1851)

Read letter dated 8th April 1851 from the Sessions Judge of Hornad, forwarding reports from the Sudder Ameen of Levy regarding the escape of Prisoners Sera and Rodrapa.

(Here enter F. No. No. 865 of 1851)

Read Return dated 8th April 1851 from the Sessions Judge of Salem to the Precept of the Fouzdaree Udalut under date the 14th March 1851 calling for detailed information from the Magistrate of Salem regarding the Case No. 25 of the Calendar of persons committed for the 4th Quarter of 1850.

(Here enter F. No. No. [illegible] of 1851.)

[illegible] 1851

F. 26.

Saturday 26th April 1851 } At a Court of the Fouzdaree Udalut

Present,

G. S. Hooper Esqr — 1st Puisne Judge.

E. P. Thompson Esqr — 2d Puisne Judge

W. A. Morehead Esqr — 3d Puisne Judge

Rad. Criminal Reports

submitted by the Agent to the Governor of Fort St. George in Vizagapatam for the Month of February 1851.

(Here enter F. 26. No. 663 of 1851)

Cases Nos. 10 & 12.

The Court of Fouzdaree Udalut observe that it should have been stated in the reports of these cases whether or not the 1st Prisoner in Case No. 10 and the Prisoner in Case No. 12 were respectively convicted of the crime therein laid to their charge

Ordered that Extract from these Proceedings be sent to the Agent to the Governor of Vizagapatam for his information and future guidance.

(Sent in No. 390.)

Recd

Read letter dated the 1st Instant from the Agent to the Governor of Fort St. George at Ganjam, submitting a summary of the Proceedings held in Criminal trial No. 12 of 1851 on the file of his Court.

(Here enter T. C. No. 893 of 1851.)

1 The Prisoners in this case were charged with house-breaking and theft, and the Agent convicting the 1st Prisoner Paulinky Patro alias Baulagir Patro, recommends his being sentenced to (4) four years imprisonment with hard labour in irons under Clause 7th Section II Regulation XX of 1803.

2 The Court of Sudder Adalut approve and confirm the above sentence.

3 With regard to the 2nd prisoner Trilli Cotauriador who has been directed by the Agent to furnish security as being liable to suspicion merely, the Judges observe that no further instructions are requisite, it being within the

the competency of the Agent himself to follow the course indicated.

Ordered that Extract from these Proceedings be sent to the Agent at Ganjam for his information.

(Sent in No. 391.)

Read the Criminal Reports submitted by the Agent at Vizagapatam for the year 1850.

(Here enter No. 939 of 1851.)

The following errors and discrepancies are observable in these returns.

1 The entries in Column 5 under Statement No. 2 heads 17 and 50 should be excluded.

2 The 1 Case and 4 persons in Columns 36 and 37 under head 60 should also be entered in Columns 28-29-30 and 31.

3 This appendix will be affected by the remark in para 3.

Appendix A to No. 4 The "Petty Calendars" of the Subordinate Officers of the Agency in their Magisterial Capacity and "the monthly Statements of the Police" reviewed by the

App. G. to No. 5 Agent

Agent during the year should be entered in the appropriate Columns of this appendix.

Statement No 3B — 6 — The aggregate of Columns 6 and 7 should correspond with Columns 16 and 17 of Statement No 2.

Appendix A to Dr. — 7 — The 3 persons imprisoned and flogged should be entered under head "flogg" Minor Columns under 50-100-150 lashes."

8 — The 3 persons "imprisond. and flogg" and the 2 persons "imprisond in default of payment of fine" should be entered under head "imprisond" Minor Columns" under 3-6-12 & upr. Months."

Appendix B to Dr. — 9 — The Total No of persons entered in Columns 22 and 24 of the Statement No 3 B and the Cases in which they are implicated should be entered in Columns "Trials reported."

Appendix B to Stat No 3A. — 10 — The No of persons entered in this appendix should be 25.

Statement shewing the No of Cases forwarded to the Acting Sub Judge of Salem. — 11 — The Columns 3 of this Statement will be affected by the remark in para 6.

Statement shewing the nature and the result of charges preferred against the Police. — 12 — The entries in Columns 16 and 17 of this Statement do not appear in the Statement No 3 B, under head "abuse of authority by Police officers," and explanation is requested.

Ordered that Extracts from these Proceedings be sent to the Agent to the Governor of Fort St George at Vizagapatam by Precept returnable within XV days from and after its receipt.

(Sent following Precept No 392)

Read Statement under date the 1st April 1851 from the Acting Subordinate Judge of Salem, shewing the amount realized by the labour of the Prisoners in the 1st Quarter of 1851.

(Here enter F. No. 3700 of 1851.)

Read Criminal Reports dated 1st April 1851 submitted by the Sessions Judge of Chittoor for the Month of March 1851.

(Here enter F. No. 3880 of 1851)

Read Criminal Reports dated 31st March 1851, submitted by the Acting Subordinate Judge of Salem, for the Month of March 1851.

(Here enter F. No. 3882 of 1851.)

Read

Read Return dated 14th Instant from the Sessions Judge of Guntoor, to the Precept of the Foujdaree Udalut under date the 10th April 1851, directing that the 1st Prisoner in Case No 5 of 1851 be sentenced to 7 years imprisonment with hard labor in irons.

(Here enter F. Uc. No 894 of 1851)

Read Supplemental Return dated 11th Instant, from the Agent to the Governor of Vizagapatam, to the Precept of the Foujdaree Udalut dated 14th March 1851, calling for explanation of Certain Cases in January's monthly report, which is accordingly furnished.

(Here enter F. Uc. No 895 of 1851.)

Read Criminal Report A dated 12th April 1851, submitted by the Sessions Judge of Tellicherry for the Month of March 1851.

(Here enter F. Uc. No 896 of 1851.)

Read Criminal Report B, dated 15th April 1851, submitted by the Acting Sessions Judge of Guntoor for the Month of March 1851.

(Here enter F. Uc. No 897 of 1851.)

Read

Read Criminal Reports dated 11th April 1851 submitted by the Sessions Judge of Honore, for the Month of March 1851.

(Here enter F. Uc. No 898 of 1851.)

Read Return dated 15th Instant from the Sessions Judge of Combaconum, to the Precept of the Foujdaree Udalut under date the 11th April 1851 directing the unconditional release of the 1st Prisoner in Case No 9 of the Sessions Court for 1851.

(Here enter F. Uc. No 899 of 1851)

Read Criminal Report B, dated 15th April 1851 submitted by the Sessions Judge of Bellary for March 1851.

(Here enter F. Uc. No 900 of 1851.)

Ex 1865.

J.B.

Monday 28th April 1851. At a Court of the Inquisitors Holden

Present.

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

Read again Calendar of Case &c
11 of 1851 of the Inferior Court of Mocura.
(Minute J.B. No 378 of 1851)

The Court of Inquisitors Holden
having inadvertently omitted in their Proceedings
of the 24th Instant to direct the suspension of the
Sentence recorded against the 3d Prisoner in the
above Case, now deem it proper to find an order
to that effect and they accordingly direct that
the Sentence recorded against the 3d Prisoner as
well as that recorded against the 1st and 2d Prisoner
be suspended until further orders, the said
Prisoners being in the mean time detained in
custody without Labor and be kept down.

Ordered that Extract from the
Proceedings be forwarded to the Inferior Judges of
Mocura for his information.

(Instruction No 395)

Pra

Read Miscellaneous Petition pre-
sented on the 31st March 1851 by Vedavalliyar Pillay
of Zillah Combaconum.

/Hereunto F.M.D. No 60 of 1851./

Wm G Hooper
Wm E P Thompson

The Petitioner is referred to the
order passed by the Court of Foujdaree Adaulut
under date the 17th March last, in the matter to
which this Petition relates.

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

Read Miscellaneous Petition pre-
sented on the 24th March 1851, by L. Lutchmee Davy
of Zillah Rajahmundry.

Wm G Hooper
Wm E P Thompson

/Hereunto F.M.D. No 47 of 1851./
This is an application for the
cancellation of the Sentence recorded against the
Petitioner's two 2nd and 3rd Prisoners in Case No 31 32
33. 25 and 26 of 1851, on the file of the Sessions Court
of Rajahmundry.

2

The Court of Foujdaree Adaulut
resolve to dismiss this application being satisfied
from a consideration of the evidence recorded in
the Calendar of the Case in question of the
Propriety of the said Prisoners conviction.

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

Read Letter dated the 8th April

1851 from the Agent to the Governor of Fort St George
at Rumnad submitting for the final Judgement
of the Foujdaree Adaulut the record of Case No 13 of
1851 on the file of his Court

/Hereunto F.M.D. No 17 of 1851./

Wm E P Thompson
Wm H A Rowlandson

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

/Sentence No 396/

Read again Miscellaneous Petition
presented on the 10th February 1851 by V Sattu Sam Iyen
Patteaur on behalf of Linganna Naiken of Zillah
Chittoor.

/Hereunto F.M.D. No 28 of 1851./

Read also Return under date the
8th March 1851 and Supplemental Return under
date the 14th April 1851 to the precept of the
Foujdaree Adaulut dated the 24th February 1851
directing the Submission of an English trans-
lation of the Record of Case No 38 of 1851 on the
file

28th April 1857.

file of the Sessions Court.

(Three entries Nos. 597 873 of 1851.)

Wm. G. Cooper.

Wm. H. Morhead.

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

Terrasawmy alias Veeraga Naicker is
sufficient to convict him of the crime of wounding
with intent to Kill, for which according to
the Mohomedan Law as declared in futwahs of
their Law Officers discretionary punishment
is awardable, do convict him thereof: and in
conformity with the provisions of Clause third
Section VII Regulation XI of 1803, and Section XXIV
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 (4) four years, from the date of the
warrant originally issued in the case by the
Sessions Judge.

1.

The prisoner in this case was charged
with having maliciously cut and severely wounded
the Dessanaiken with intent to murder him.

2

The Prisoner having been convicted
by the Sessions Court of the crime of
wounding and sentenced to four years im-
prisonment with hard labor in irons the

foregoing

28th April 1851

foregoing Petition was presented to the Court of
Foujdaree Adalut having for its object the reversal
of the Sentence and orders were accordingly issued
for the transmission of an English Translation of
the records of the case for the consideration of the
Foujdaree Adalut.

3

On perusal of the records of the Case
the Court of Foujdaree Adalut are satisfied of the
sufficiency of the evidence for the conviction of the
prisoner of the crime charged, but they observe on
reference to the Futwah that the Law officer in
the first instance acquitted the Prisoner partly
on the ground of discrepancies in the evidence
as well as on that of personal exceptions to the
witnesses and that therefore the trial should
have been referred for the final judgment of
the Foujdaree Adalut under the provisions of
Section XXIII Regulation VII of 1803. the Law officers
objections to the sufficiency of the evidence consi-
dered absolutely and irrespectively of the
personal exceptions likewise advanced by him
not being legally removable by a second question

The Court of Foujdaree Adalut

4

accordingly resolve to quash the Sentence passed
by the Sessions Judge and trating the Case as a
referred trial to pass Sentence therein according
to Law.

Ordered that Extract from
the

28th April 1851.

these Proceedings be forwarded to the Sessions Judge of Chittoor for his information.

/Sanction Rs 397.

Ordered also that Extract from these Proceedings be furnished to the Petitioner Taken on his Application.

Rs 1850.

FB

Tuesday
29th April 1851.

At a Court of the Tinpidarra Udalut.

Present

GJH
CPT

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

Read again Calendar of Case
No 5 of 1851, of the Sessions Court of Coimbatore.
/Vide enter FB No 685 of 1851./

Read also Return dated the 15th
April made by the Sessions Judge, to this
Precept of the Tinpidarra Udalut annexed dated
the 28th March 1851, directing the submission of
an English Translation of certain portions of
the Record of the above Case.
/Vide enter FB No 916 of 1851./

1 Six the above case relative Prisoners
were charged with Gang Robbery by open violence,
and three with receiving and concealing a portion
of the stolen property, knowing it to be such.

2 The Session Judge in concurrence
with the opinion of the Mohomedan Law officer
convicted two 1st 2d 3d 4th 5th and 6th Prisoners of the
crime charged and acquitted the remaining
Prisoners who were immediately released.

Ver

3 The Court of Foujdaree Adalut, on perusal of the evidence set forth in the Calendar saving reason to question the propriety of the conviction of the 2d 4th 5th and 6th Prisoners, called for certain portions of the Record, and a careful consideration of the same has led the Court to the conclusion that the evidence is not sufficient to establish the guilt of the 4th 5th and 6th Prisoners, and they accordingly direct their immediate and unconditional release.

4 The Court, being moreover of opinion that the evidence is sufficient to warrant the conviction of the 2d Prisoner, they resolve, in accordance with the recommendation of the Sessions Judge, to direct that he as well as the 3d and 7th Prisoners, be generally sentenced to seven years imprisonment with hard labor in irons.

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

(Sentence following precept No 402.)

Read Criminal Reports of the Sessions Court of Rajahmundry for the month of March 1857.

(Here enter No 867 of 1857.)

No alteration having been made in the sentence recorded by the Sudder Court in

Report B
Case No 38.

in this Case, the Court of Foujdaree Adalut observe, the submission of Report A thereof, was unnecessary.

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

(Sentence No 403.)

Read the monthly Criminal Reports of the Sessions Court of Chingleput for the months of March 1857.

(Here enter No 870 of 1857.)

Convict Labor Reports.

The Court of Foujdaree Adalut observe in this Report that the Number of Convicts drawing Cumbah Labor rice at the Maximum rate of 60 Rupees per diem during the month was 149, as 7 and not 60 Rupees might is the maximum rate, the Court of Foujdaree Adalut require an explanation of the discrepancy, and if it was the full maximum rate which was granted to the above extent, the Sessions Judge will be pleased to explain the cause thereof.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chingleput by Precept returnable within 30 days from and after its receipt.

(Sentence following precept No 404.)

Read Convict Labor Return of the Said offenders under the charge of the Sessions Judge for the Months of March 1851.-

(Hereunto Vide No 289 of 1851)

The Court of Sessions Ordered observe that the daily average Number of Prisoners who received the maximum allowance of rice at the recommendation of the Civil Surgeon, is stated to be 8.- The Court presume that the Prisoners are generally sick in Hospital; but if such was not the case, the Court observe that the grant to them of the maximum allowance of rice was objectionable, as the practice of feeding a portion of the Prisoners more highly than the others, must obviously tend to excite a feeling of discontent among the Majority and to expose the Surgeon to the liability of blame imposed upon.-

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

(Vide No 405)

Read Calendar of Case No 71 of 1851 of the Sessions Court of Jaffnapatam.-

(Hereunto Vide No 381 of 1851.)

The Court of Sessions Colombo are of opinion that Sentence of 7 years imprisonment with hard labor in irons, and 150 lashes will be adequate punishment for the offence of which the Prisoner in this Case has been convicted.-

If the Sessions Judge be enabled to concur in the foregoing opinion he will be pleased to submit his recommendation for the mitigation of the Prisoners sentence accordingly.

If he dissents therefrom he will be pleased to submit an English Translation of the entire Record for the consideration of the Court of Sessions Colombo.-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Jaffnapatam by Parcels returnable within three months from date of these Parcels.-

(And following Parcels No 406)

Read Calendar of Case No 6 of 1851 submitted by the Sessions Judge Kellar under date the 31st March 1851.-

(Hereunto Vide No 736 of 1851.)

Read Calendar of Case No 44 of 1851 submitted by the Sessions Judge of Kellar under date the 31st March 1851.-

(Hereunto Vide No 737 of 1851.)

Read Letter dated the 26th March 1851 from the Sessions Judge of Caltura transmitting the

the warrant be issued for the execution of the
Sentence of death passed on the Prisoner in Case
No 8 of 1851 on the Calendar of the Sessions Court
with the endorsement of the Acting Subordinate
Judge and copy of this Report under Circular
order dated 3d May 1830.-

/Herewith FR & Ex 738 of 1851/

Read Letter dated 1st Instant from
the Sessions Judge of Chingleput reporting that
no Cases to be reported on as required by the Circular
Letters dated 16th October 1844 and 21st January 1845
were pending last Month before the Sessions Court

/Herewith FR Ex 740 of 1851/

Read Report dated 28th March 1851
submitted by the Sessions Judge of Calicut of
Cases Ex 34 of 1851 disposed of by the Subordinate
Courts Mostly in February last with Courts
proceedings thereon.-

/Herewith FR Ex 743 of 1851/

Read Report dated 1st Instant
submitted by the Sessions Judge of Cuddalore
of a Case pending on the 31st March 1851 commit-
ted for trial during the month of February 1851
before the Sessions Court.-

/Herewith FR No 746 of 1851/

Read Letter dated 27th March 1851
from the Sessions Judge of Mangalore forwarding
copies of the Returns from the Magistrate and the
accompaniments

accompaniments containing the explanation
demanded in Cases Nos 47. 48. 53. and 65 on Petty
Calendars submitted by the Magistrate for the
3d Quarter of 1850.-

/Herewith FR 748 of 1851/

Read Calendar of Case No 9 of
1851 submitted by the Sessions Judge of Mangalore
under date the 28th March 1851.-

/Herewith FR Ex 753 of 1851/

Read Calendar of Case Ex 14 of 1851
submitted by the Sessions Judge of Combaconum
under date the 1st April 1851.-

/Herewith FR Ex 758 of 1851/

Read Calendar of Case No 9 of 1851
submitted by the Sessions Judge of Cuddalore
under date the 1st April 1851.-

/Herewith FR Ex 760 of 1851/

Read Report dated the 1st Instant
submitted by the Sessions Judge of Cuddalore of Cases tried
during the 28th February and committed for trial during
the Month of March 1851 which has remained on the file
of the Sessions Court for more than 25 days.-

/Herewith FR Ex 761 of 1851/

Read Report dated the 1st Instant
submitted by the Sessions Judge of Tanjore of
Cases pending on the 28th February and committed
for trial during the months of March 1851 before him.-

/Herewith FR Ex 762 of 1851/

Read

29th April 1851.

Proch Report dated the 1st Instant submitted by the Sessions Judge of Salem of cases pending on the 31st March 1851 before him for a previous recess of 25 days calculated from the date of Commitment.

(Entered in F.R. No 765 of 1851)

Ex. R.D.

F. 116

Wednesday 30th April 1851 } At a Court of the Foujdaree Udalut

Present

W.R. G. S. Cooper Esqr — 1st Puisne Judge.
W.R. for 2nd J. E. P. Thompson Esqr — 2nd Puisne Judge.
W.R. for 3rd Judge W. A. Morehead Esqr — 3rd Puisne Judge.

"Circular" 1

The Court of Foujdaree Udalut resolve to direct that whenever the period intervening between the apprehension of a Prisoner and his having the Calendar exceeds that specified in Clause 2nd for the Section XXVII Regulation XI of 1816, or in Circular Order Foujdaree Udalut 8th February 1830 a note be invariably entered at the foot of the Case in the Monthly Criminal Report B by the Subordinate Criminal Court to the following effect

"Delay of days satisfactorily accounted for or

"Delay of —— days not satisfactorily accounted for and reported to the Sessions Judge."

Pr

2. In cases in which the explanation afforded by the Magistrate or Police as set forth in the report A, the considered sufficient by the Subordinate Criminal Court, may not have satisfied the Sessions Judge that the delay in forwarding a prisoner to the Court was unavoidable a note to that effect should be entered by the Sessions Judge, immediately below the note appended to the case by the Subordinate Criminal Court, in the Report B prior to its being forwarded on to the Court of Foujdaree Udalut and the Sessions Judge will further specify in the said report the measures he may have adopted in each case of delay reported by the Subordinate Criminal Court or deemed by him not to have been satisfactorily accounted for.

Ordered that Extract from these Proceedings be sent to the Sessions Judges for their information and guidance.

(Sent in No. 11)

Read.

30th April 1851

Read Miscellaneous petition presented on the 30th March 1851 by Angapa Tivar alias Abucan of Tillah Tinnevelly.

(Here enter F. No. P. No. 145 of 1851)

M. E. P. Thompson
on
N. Alavebead

The Petitioner is referred to the former orders passed by the Court of Foujdaree Udalut in the matter to which this petition relates.

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

Read Criminal Reports submitted by the Sessions Judge of Chicacole for the Month of March 1851.

(Here enter F. No. No. 938 of 1851)

Jail Report. 1. The Court of Foujdaree Udalut desires to be informed of what the extra batta consisted which was given to some of the prisoners in the Jail shewing the period embraced in these reports.

2. The Sessions Judge will be pleased to state the kind of the grain given and the quantity allowed.

Ordered that Extract from

from these Proceedings be sent to the Sessions Judge of Chicacole by precept returnable within X days from and after it's receipt.-

(Sent following Precept No. 413.)

Read Criminal Reports submitted by the Acting Sessions Judge of Nellore for the Month of March 1851.

(Here enter F. No. No. 999 of 1851.)

Case No. 27 1 The Court of Foujdaree Adalut desire to be informed of the exact nature of the offence proved against the prisoner in this case, the offence stated in the charge being murder, and therefore clearly beyond the jurisdiction of the Sessions Court.

Case No. 35. 2 The wording of the charge in this case should have been amended by the Sessions Judge.

Case No. 30. 3 The Court of Foujdaree Adalut observe that the offence proved against the prisoner in this case Viz. uttering counterfeit Coin knowing it to be counterfeit, being beyond the jurisdiction of the Criminal Court the prisoner should have

have been Committed for trial to the Court of Session under the provisions of Clause first Section VI Regulation II of 1802.

Case No. 43 4 With reference to the number of offences of which the prisoner in this Case has been convicted, the sentence awarded appears to the Court of Foujdaree Adalut extremely lenient.-

5. The Court of Foujdaree Adalut direct that the allowance of Batta to the prisoners in Jail be immediately reduced in Conformity with their Circular instructions of the 8th February last.-

Ordered that Extract from these Proceedings be sent to the Acting Session Judge of Nellore by precept returnable within V days from and after it's receipt.

(Sent following Precept No. 413)

Read the Criminal reports submitted by the Agent at Kurnool for the year 1850.

(Here enter F. No. No. 959 of 1851)

The following errors and discrepancies are observable in these returns.

The

30th April 1851.

Statement No. 2. 2 The entries in Columns 5 under heads 26. 50 and 52 should be excluded.

Appendix D to do. 3 The aggregate of the entries in the total Column of this appendix under the head "Heads of Police &c." Viz. 145 appears to be incorrect the total of Columns 14-17 and 19 in the Statement No. 2 being 272.

Appendix C to do. 4 The Petty Calendars of the Subordinate Officers of the Agency in their Magisterial Capacity and Monthly Statements of the Police reviewed by the Agents during the year should be entered in the appropriate Columns of this appendix.

Appendix B to Stat. No. 3B 5 The total No. of persons entered in Columns 22 and 24 of the Statement No. 3B and the Cases in which they are implicated should be entered in Columns "Trials reported."

Appendix C to do. 6 The 25 persons in Column 26 of the Statement No. 3B should also be entered in this appendix.

Appendix to Stat. No. 3 A 7 The 1 person imprisoned in default of payment of fine should be entered under head "Imprisoned" "Minor Columns under "3 to 12 &c. Months."

Ordered

30th April 1851.

Ordered that Extract from these Proceedings be sent to the Agent at Kurnool for his information by Precept returnable within XV days from and after its receipt.

(Sent following Precept No. 414) S

Jr. 1852.

J: C:

Thursday 1st May 1851. 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 Extract from the Proceedings of the Session Court of Bellary under date the 10th February 1851, containing a review of the state of crime and punishment for the year 1850.—

(Here enter J: C: No. 428 of 1851).

The Court of Foujdaree Adalut direct with reference to the remarks contained in Para: 2 of this review that the Magistrate be called upon to report the causes to which the inefficiency of the Village Police during 1850 is to be attributed.—

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

(Sent in No. 417).

Read again letter under date the 26th March 1851 from the Agent to the Governor of Fort St. George in Kurnool submitting in conformity with Clause fifth Rule I of the Agency Rules

reports

reports of the trial of certain prisoners charged with Gang Robbery in cases Nos. 31 and 32 of 1850 on the file of his Court.-

(Here enter F. C. Nos. 730 and 731 of 1851).

Read also return under date the 19th April 1851 from the Agent to the Governor of Fort St. George in Kurnool to the precept of the Foujdaree Adalut under date the 12th April 1851 directing the unconditional release of the prisoners in the foregoing cases.-

(Here enter F. C. No. 946 of 1851).

The Court of Foujdaree Adalut observe that the Agent should restore to the Prosecutors the property proved to belong to them. That much of the property discovered did belong to the Prosecutors the Court of Foujdaree Adalut do not doubt.-

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

(Sent in No. 418.)

Read Criminal Reports submitted by the Acting Sessions Judge of Kimedy for the month of March 1851.-

(Here enter F. C. No. 911 of 1851).

Case No. 31. 1. The Court of Foujdaree Adalut.- consider

consider the sentences passed upon the prisoners in this case to be unnecessarily severe, and they accordingly resolve to direct that the period of Imprisonment adjudged to the 1st prisoner be reduced to two months and that adjudged to the 2nd prisoner to six months.-

Case No. 34. 2. The Court of Foujdaree Adalut observe that the addition of the 2nd count entered in the indictment in this case was unnecessary as the former convictions of the prisoners referred to of the offences therein specified would not enhance the amount of punishment adjudicable for the crime charged against them in this case, Viz. Robbery by open violence, for which a specific punishment is prescribed.-

Case No. 36. 3. The insertion of a 2nd Count in this case was also unnecessary: the fact of a prisoner having been placed under a requisition of Security on a former occasion not being sufficient to justify the enhancement of the punishment adjudicable for an offence subsequently committed.-

4 The Court observe that the quantity of grain supplied to the convicts should be stated in the Jail Report.-

Ordered that Extract from these Proceedings

Proceedings be sent to the Acting Sessions Judge of Tinnevelly by precept returnable within V days from and after its receipt.-

(Sent following Precept No. 419)

Read letter dated the 17th April 1851. from the Agent to the Governor of Fort St. George at Kurnool submitting a summary of the proceedings held in criminal trial No. 45 of 1850 on the file of his Court.-

(Here enter F: G: No. 948 of 1851)

1. Ten prisoners in this case were -, charged with "Robbery by open violence" and the Agent convicting the 1st, 2nd 3rd and 9th, recommends that they be severally sentenced to (7) Seven years imprisonment with hard labor in irons under Clause 4th Section IV, Regulation XV of 1803. The remaining nine prisoners he has acquitted, but intimates that they are detained in custody pending the result of certain enquiries which will establish the expediency or otherwise, of placing them under a requisition of Security.-

2. The Court of Foujdaree Adalut - concurs in the conviction of the Prisoners.

1st Yerrcala Venkata
2nd Bulja Packeera.
3rd Cottala Tippadoo, and
9th Boya Gungadoo.

and sentence them to the punishment proposed.-

Ordered

F: G:
1st May 1851.

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

(Sent in No. 420).

Read Criminal Report B dated the 14th Ultimo submitted by the Sessions Judge of Cuddalore for the month of March 1851.-

(Here enter F: G: No. 900 of 1851)

Read Calendars of Cases Nos. 30 and 32 of 1851, submitted by the Sessions Judge of Bellary under date the 15th Ultimo -

(Here enter F: G: Nos. 901 and 902 of 1851)

Read statement dated the 1st Ultimo, submitted by the Acting Sessions Judge of Trichinopoly of amount realized by the labor of Prisoners during the 1st Quarter of 1851.-

(Here enter F: G: No. 907 of 1851).

Read Criminal Report B, dated the 15th Ultimo - submitted by the Sessions Judge of Masulipatam for the Month of March 1851.-

(Here enter F: G: No. 908 of 1851).

Read Calendar of Case No. 9 of 1851, submitted by the Sessions Judge of Cuddalore under date the 17th Ultimo.-

(Here enter F: G: No. 909 of 1851)

Read

1st May 1851.

Read Criminal Report Vm dated the 15th Ultimo submitted by the Acting Sessions Judge of Trichinopoly for the Month of March 1851.—

(Here enter F. C. No. 912 of 1851).

Ex 18 Dr.

F. C.

Friday 2nd May 1851.

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 17th Ultimo from the Session Judge of Rajahmundry, submitting for the final judgment of the Foujdaree Adalut the Record of Case No. 8 of 1851 of the Calendar of the Sessions Court.-

(Here enter F. C. No. 100 of 1851).

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,

"Seela Tirpee".

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

(Sent in No. 421).

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

Read letter dated the 14th Ultimo from

from the Sessions Judge of Mangalore transmitting original Petty Calendars of Cases disposed of by the Magistracy during the 4th Quarter of 1850 as also Copy of the Proceedings of the Sessions Court on review of the same.-

(Here enter F: G: No. 913 of 1851).

Read report dated the 15th Ultimo, submitted by the Agent to the Governor of Fort St. George in Vizagapatam of Persons apprehended in the Separate Tracts of Vizagapatam and delivered to the Agency in the month of March 1851.-

(Here enter F: G: No. 918 of 1851).

Read report B dated the 14th Ultimo submitted by the Sessions Judge of Mangalore of Persons apprehended in the Zillah of Mangalore and delivered to the Subordinate Judge and tried in the Month of March 1851.-

(Here enter F: G: No. 920 of 1851)

Read Calendars of Cases No. 21 and 22 of 1851 submitted by the Sessions Judge of Cuddapah under date the 18th Ultimo.-

(Here enter F: G: Nos. 922 and 923 of 1851)

Read Calendar of Case No. XV of 1851 submitted by the Sessions Judge of Calicut under date the 16th Ultimo.-

(Here enter F: G: No. 924 of 1851)

Read

2nd May 1851.

Read Calendar of Case No. 10 of 1851 submitted by the Sessions Judge of Coimbatore under date the 27th February 1851.-

(Here enter F: G: No. 925 of 1851).

Fr 180.

Tuesday.
6th May, 1851.

F.R.

At a Court of the Sonjaree Adalut

Present.

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

C.P.S.
WM

Read letter dated the 17th Ultimo from the Session Judge of Mangalore submitting for the final Judgment of the Sonjaree Adalut the Record of case No 4 of 1851 on the Calendar.

(Here Enter F.R. No 1041 of 1851.)

Mr C.P. Thompson.

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

1st Monoo.
(and)
2d Annaya

is sufficient to convict them of the crime of House breaking and Theft, for which according to the Mohomedan Law as declared in Fatwas of their Law Officers the penalty

of

of Hed is awardable, do convict them of
thereof; and under the provisions of Section
XXI Regulation VII of 1802, Clause Second Section
VI Regulation I of 1825 and Section XXXIV
Act VII of 1843, Sentenced them to be impri-
=soned and kept to hard labor in irons on
the public roads or other public works for
and during the period of (2) Two years.-

(Sent following letter No. 126)

Read again letter dated the 27th
March 1857 from the Agent to the Governor
of Fort St. George at Vizagapatam, Subs
=mitting for the final orders of the Court of
Foujdaree Adalut a Report of Criminal case
No 3 of 1857 on his file.-

(Here Enter F R No 774 of 1857)

Read also return dated the 23d
April made by the Agent to the Governor
of Fort St. George at Vizagapatam, to the
Precept of Foujdaree Adalut dated 14th April 1857.
calling for certain information relative to
the 1st Prisoner in the above case.-

(Here Enter F R No 986 of 1857)

Upon a careful consideration
of the evidence submitted with the
foregoing

foregoing Return, the Court of Foujdaree Adalut
being of opinion that the 1st Prisoner has been
justly convicted of the crime charged &
resolve, in conformity with the recommendation
of the Agent, to direct that he be Sentenced
to (7) Seven years imprisonment with hard
labor in irons.-

Ordered that Extract from
these Proceedings be forwarded to the Agent
to the Governor of Fort St. George at Vizaga-
=patam for his information and guidance.-

(Sent in No. 127)

Read Calendar of case No 13 of 1857
of the Session Court of Salem.-

(Here Enter F R No 961 of 1857)

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
on his conviction of "Embezzlement" be reduced
to three years imprisonment with hard
labor in irons - and the Session Judge is autho-
=rized to issue his warrant accordingly -

Ordered that Extract from
these

these Proceedings be forwarded to the Session Judge of Salem for his information and guidance.—

(Sent in No 428)

Read return dated 22d April 1851 from the Session Judge of Cuddalore to the Precept of the Foujdaree Issalut under date the 19th April 1851, returning the details to the Statement No 2 for correction.—

(Here Enter F.R. No 942 of 1851)

Read return dated the 19th Ultimo from the Session Judge of Calicut, to the Precept of the Foujdaree Issalut under date the 7th April 1851, directing the unconditional release of the Prisoner in case No 88 of 1850 on his file.—

(Here Enter F.R. No 945 of 1851.)

Read Criminal Report dated 19th Ultimo, submitted by the Agent to the Governor of Fort St George at Kurnool for the month of February (Supplemental) and March 1851.—

(Here Enter F.R. No 949 of 1851.)

Read Calendar of Case No 10 of

F.R.

6th May 1851.

1857 submitted by the Session Judge of Honore under date the 17th Ultimo.—

(Here Enter F.R. No 951 of 1851)

Read Calendar of Case No 21 of 1857, submitted by the Session Judge of Calicut under date the 19th Ultimo.—

(Here Enter F.R. No 953 of 1851)

Read return dated 19th Ultimo from the Session Judge of Chicacole, to the Precepts of the Foujdaree Issalut under date the 11th April 1851, desiring to be informed of what the Sezta batta given to 3 Prisoners in his Jail at the recommendation of the Zillah Surgeon consisted.—

(Here Enter F.R. No 955 of 1851)

Read letter dated 22d Ultimo from the Session Judge of Coimbatore, forwarding Duplicate copies of the Lists of Convicts sent to the Magistrate of Coimbatore.—

(Here Enter F.R. No 956 of 1851)

Read Calendar of Case No 107 of 1851 submitted by the Session Judge of Cuddalore under date the 23d Ultimo.—

(Here Enter F.R. No 957 of 1851)

Read

Read Calendar of Case No 11 of
1851 submitted by the Session Judge of
Cuddalore under date the 24th Ultimo.
(Here Enter F.h No 95 8 of 1851)
Read Calendar of Case No 12 of
1851 submitted by the Session Judge of
Masulipatam under date the 16th Ultimo.
(Here Enter F.h No 960 of 1851)

Ls 1st W.

F. U.

Wednesday. At a Court of the Foujdaree Adalut.
7th May 1851. Present.
G.S. C. S. Hooper Esqre ___ 1st Puisne Judge
C.P.S. E. P. Thompson Esqre ___ 2nd Puisne Judge
W. A. Morehead Esqre ___ 3rd Puisne Judge

Read Letter dated the 1st May 1850.
from the Acting Sessions Judge of Trichinopoly,
forwarding the Record of Case No 3 of 1851, on the
file of the Session Court for the final judgment
of the Foujdaree Adalut.
(Here enter F. U. No 1040 of 1851).

1. Before passing their final orders
on the above case, the Court of Foujdaree Adalut
deem it proper to call upon the Acting Session
Judge to obtain from the witnesses, who were
present at the delivery of the Stolen property by
the 2nd Prisoner a more detailed account of the
manner in which it was given up by that
individual, the only information on this point
now before the Court being that contained in the
Police depositions, in which it is stated that the
property was produced from his house: this
statement is, however denied by the Prisoner both
before the Principal Sudr Ameen and Session Court.

The

2. The Acting Session Judge will also be pleased to ascertain, and report for the information of the Court, whether or not the first Prisoner was present when the property is stated to have been taken from the roof of his house, and also whether its position was such as to render it possible for any person passing by to have placed it where it was found.-

3. The Court further requires to be informed whether the general appearance of the Prisoners was such as to lead the Acting Session Judge to suppose that they were as young as they are stated to be in their depositions Vide 16-17. and 20 Years of age.-

4. And, finally the Court direct that translations of the undermentioned documents be prepared and submitted for their consideration.-

1st. The first Report made by the Village Moonsiff of the occurrence of the Murder.-

2nd. The List of stolen property taken from the deceased as given in by the Prosecutor.-

3rd. The List and value of the property found.-

Ordered that Extract from these Proceedings be forwarded to the Acting Session Judge of Trichinopoly by Precept returnable within

7th May 1851.

within V days from and after its receipt.-
(Sent following Precept No 429).

4/7/51.

F.C.C.

Thursday, 8th. May, 1851.

At a Court of the Foujdaree Udalut.

Present.

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

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

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

Read Calendar of Case No. 19 of 1851 on the file of the Sessions Court of Calicut.

Vide Enter F.C.C. No. 875 of 1851.

The Court of Foujdaree Udalut authorize the proposed reduction of the sentence in this Case to (4) four years' imprisonment with hard labor in irons in the case of the 1st. prisoner.

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

Sent in No. 431.

Read Calendar of Case No. 7 of 1851 on the file of the Sessions Court

8th May, 1851.-

Court of Guntoor.-

Here Enter F.R.C. No. 877 of 1851/-

The Court of Foujdaree Udalut sanction the reduction of the sentence passed in this case to (3) Three years' imprisonment with hard labor in irons as recommended by the Session Judge

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

/Sent in No. 432./-

Read Calendar of Session Case No. 22 of 1851 on the Calicut file.-

/Here Enter F.R.C. No. 910 of 1851/-

The Court of Foujdaree Udalut sanction the proposed mitigation of the sentence in this case to (5) five years' imprisonment with hard labor in irons and authorize the Session Judge to amend his warrant accordingly.-

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

/Sent in No. 433./-

8th May, 1851.-

Read Calendar of Case No. 9 of 1851 on the file of the Sessions Court of Honore.-

/Here Enter F.R.C. No. 950 of 1851/-

Out of the thirteen prisoners tried in this case, the Sessions Judge convicts the 3d, 4th, 5th, 6th, 7th, and 8th and recommends certain mitigations in the sentences to which they are amendable.-

The Court of Foujdaree Udalut are of opinion that a further reduction of punishment may be safely made and accordingly direct that the 3rd Prisoner to be imprisoned with hard labor in irons for (7) seven years, and the 4th, 5th, 6th, 7th, and 8th Prisoners for (5) five years.-

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

/Sent in No. 434./-

Read the Criminal Reports submitted by the Sessions Judge of Combaconum

8th May, 1851.-

Combaconum for the year 1850.-

(Hon'ble Enter Mr. No. 992 of 1851.)

1. The following errors and discrepancies are observed in these Returns.

Appendix E to Statement No. 1.- 2. The entries in this appendix under headings "Magistrate" "Joint Magistrate" "Yeas" should correspond with the aggregate of Columns 24-25-and 30 of the Statement- The difference is 59 as shewn in the margin.-

Column 24 — 248
Column 25 — 12
Column 30 — 234
Total — 494
Total of appendix — 553
Difference — 59

3. The Entries also under headings "Heads of Police" "Ameens Cutwals &c." should correspond with the aggregate of the Columns 11-12-14 and 15 of the Statement. The cases referred to the Magistracy, which it is presumed appear in Columns 28 to 31, should be excluded- and Explanation is requested as to the remark in the note marked thus ⊗ in the Statement No. 1 viz. "the number of persons before Cutwals and Sub Police being Exhibited in the Memo."- If the cases before these Officers have not been included in the Statement it will require

2/

Hon'ble

8th May, 1851.-

require amendment.-

Appendix D to Statement No. 2.- 4. The aggregate of the Entries in the total Column of this Appendix under the head "Magistrate" Yeas should be 101 in accordance with the total of Columns 32-35 and 37 of Statement.-

5. The aggregate of the entries in the total Columns of this appendix under the head "Heads of Police" Yeas should be 632, in accordance with the total of Columns 14-17 and 19 of Statement No. 2.-

Appendix B to Statement No. 3A- 6. The Cases and Persons in Columns "Trials Reported" should be 97 and 151.-

Appendix C to do. 7. The aggregate of the Entries in this Memo: should be 151 in accordance with the total of Columns 11 and 13 of Statement No. 3A.-

Appendix B to Statement No. 3B- 8. The total No. of persons entered in Columns 22 and 24 of the Statement No. 3B and the Cases in which they are implicated should be entered in Columns "Trials Reported."-

Appendix C to do. 9. The aggregate of the Entries in

8th May 1851.-

in this Memo: should be 262 in accordance with the total of Columns 22-24 and 26 of Statement No. 3B.-

Appendix A to Statement No. 4.

10. The 1 person Imprisoned in default of payment of fine should be entered under head "Imprisoned" Minor Columns "under 1-2-3 & 4 years".-

11. The Sessions Judge will be pleased to report the manner in which the Sudder Ameens have exercised the Criminal jurisdiction vested in them as required under Circular Proceedings of this Court dated 18th February 1845.-

12. The Statement showing the number of Cases forwarded to the Criminal Court by each Head of Police required under Circular Order No. 175 should also be forwarded.-

Statement showing the nature and the result of charges preferred against the Police.

13. The 7 persons alluded to in the foot note should be excluded from Columns 3 and 16, as it is presumed that they appear in Column 10.-

Ordered, that a Extract from these Proceedings be forwarded to the

8th May 1851.-

the Sessions Judge of Combaconum by precept returnable within X days from and after its receipt.-

(Sent following Precept No. 435.)-

Read return dated 29th April 1851, from the Sessions Judge of Madura to the Precept of the Fouzdaree Adalut under date the 8th ultimo returning for amendment the Criminal Statements for the year 1850.-

(Here Enter F.P. No. 1024 of 1851.)-

Statement No. 2.- 1. The Cases and persons received from the District Police Officers by the Magistracy would seem to have been erroneously entered twice over in Columns 2 and 3 under the headings 5. 8 11. 18. 28 and 33 and the Statement will require amendment in this particular.-

Appendix B to Statement No. 3 A.- 2. The manner in which the 34 persons appearing under head "Trials Reported." were disposed of should be entered in the following 3 Columns.-

Appendix A to Statement No. 3B.- 3. The aggregate of persons under heading "Fined", Minor heads "Fines"

th May, 1851.-

"Fines levied", and "Imprisoned in default of payment" does not correspond with the aggregate of Columns "Fined" and "Imprisoned and fined".-

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

/Sent following Precept No. 436./-

Read Calendars of Cases Nos. 9 and 14 of 1851 submitted by the Sessions Judge of Coimbatore under date the 27th. February 1851.—

/Here Enter F.No. Nos. 962 and 963 of 1851/-

Read Calendars of Cases Nos. 11 and 12 of 1851 submitted by the Sessions Judge of Canara under date the 19th. April 1851.—

/Here Enter F.No. Nos. 964 and 965 of 1851/-

Read Calendar of Case No. 13 of 1851 submitted by the Sessions Judge of Madura under date the 23rd. April 1851.—

/Here Enter F.No. No. 966 of 1851/-

31-

F.No.

8th. May, 1851.-

Read Calendar of Case No. 11 of 1851 submitted by the Subordinate Judge in charge of the Sessions Court of Mangalore under date the 22d. ultimo.-

/Here Enter F.No. No. 967 of 1851/-

Read Calendars of Cases Nos. 14 and 15 of 1851 submitted by the Sessions Judge of Salem under date the 17th. April 1851.—

/Here Enter F.No. Nos. 968 and 969 of 1851/-

Read letter dated the 23d. ultimo from the Sessions Judge of Coimbatore referring to the remarks contained in an Extract from the Proceedings of the Sessions Court under date the 29th. March 1851, and submitting copies of a Return made by the Magistrate to a Precept issued to him, and of a communication addressed to that officer by the Joint Magistrate.—

/Here Enter F.No. No. 972 of 1851/-

Read Statement dated the 22d. ultimo submitted by the Subordinate Judge in charge of the Sessions Court of Mangalore

8th May, 1851.-

Mangalore of Prisoners Labour for the 1st Quarter of 1851.—

//Here Enter F.No. 973 of 1851//-

Read Calendar of Case No. 14 of 1851 submitted by the Sessions Judge of Madura under date the 21st April 1851.—

//Here Enter F.No. 975 of 1851//-

Read Calendar of Case No. 13 of 1851 submitted by the Sessions Judge of Rajahmundry under date the 23rd April 1851.—

//Here Enter F.No. 978 of 1851//-

Read Calendars of Cases No. 4 and 5 of 1851 submitted by the Acting Sessions Judge of Trichinopoly under date the 23rd April 1851.—

//Here Enter F.No. 979 and 980 of 1851//-

Read Statement dated the 1st ultimo submitted by the Acting Subordinate Judge of Combaconum shewing the amount realized by the labor of Prisoners in the 1st Quarter of 1851.—

//Here Enter F.No. 981 of 1851//-

Read.

8th May, 1851.-

Read letter dated the 23rd ultimo from the Sessions Judge of Rajahmundry submitting copy of the Persian Futwa in Case No. 8 of 1851 on the Sessions Calendar which was inadvertently omitted to be sent with the Record of the above Case.—

//Here Enter F.No. 984 of 1851//-

Read return dated the 26th ultimo from the Sessions Judge of Cuddapah to the precept of the Tonjadaree Adalut under date the 14th Idem, directing him to review the proceedings held in Case No. 45 of 1851 on the file of the Subordinate Criminal Court and to pass orders thereon reporting the same for their information.

//Here Enter F.No. 987 of 1851//-

Read Calendar of Case No. 13 of 1851 submitted by the Sessions Judge of Honore under date the 21st April 1851.—

//Here Enter F.No. 994 of 1851//-

Read

th May, 1851.

Read Calendar of Cases
No. 9 of 1851 submitted by the Sessions
Judge of Guntoor under date the 26th
April 1851.—
Have Enter F.C. No. 995 of 1851.—

Ex Rd.

F.C.

Friday,
9th May, 1851.— At a Court of the Foujdaree Udalut.

Present.

Hon'ble G. L. Cooper, Esquire 1st Puisne Judge.
Hon'ble C. D. Thompson, Esquire 2d Puisne Judge.
W. A. Morehead, Esquire 3d Puisne Judge.

Read again Calendar of Cases
No. 4 of 1851 on the Coimbatore file.—
Have Enter F.C. No. 619 of 1851.—
Read also return dated 16th
ultimo from the Sessions Judge of Coimbatore
recommending a mitigation of sentence
in the above case as suggested by the
Foujdaree Udalut in their proceedings of
the 26th ultimo.—
Have Enter F.C. No. 906 of 1851.—

The Court authorize the
reduction of the punishment awarded
to Six months' imprisonment with hard
labor in irons, and direct a fresh war-
rant to be issued accordingly.—

Ordered,

9th May, 1851.

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

/Sent in No. 439/-

Read Calendar of Sessions Case No. 17 of 1851 on the Combaconum file.

/Here Enter F.R. No. 993 of 1851/-

The Court of Foujdaree Udalut sanction the mitigated sentence of (2) Two years' imprisonment with hard labor in irons recommended to be passed upon the prisoner in this Case.-

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

/Sent in No. 440/-

Read Calendar of Case No. 15 of 1851 on the file of the Sessions Court of Coimbatore.-

/Here Enter F.R. No. 997 of 1851/-

The Court of Foujdaree Udalut sanction the reduced Sentence of (6) Six years' imprisonment with hard

9th May, 1851.

hard labor in irons recommended for the 1st, 2d, and 3rd Prisoners in this Case.-

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

/Sent in No. 441/-

Read Calendar of Case No. 19 of 1851 on the file of the Sessions Court of Coimbatore.-

/Here Enter F.R. No. 998 of 1851/-

The Court of Foujdaree Udalut sanction the reduced sentence of (5) five years' imprisonment with hard labor in irons with fifty lashes and a fine of (10) Ten Rupees, which is proposed to be passed upon the 1st prisoner in this Case.-

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

/Sent in No. 442/-

Read Calendar of Case No.

9th May, 1851.-

No. 13 of 1851 on the file of the Sessions Court of Mangalore.-

/Here Enter F.C. No. 1000 of 1851/-

The Court of Foujdaree Udalut authorize the sentence of (4) four years' imprisonment with hard labor in irons, to be carried into effect in the Coimbatore Jail, which the Sessions Judge recommends in this case.-

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

/Sent in No. 443/-

Read Criminal Reports submitted by the Sessions Judge of Cuddapah for the month of March 1851.-

/Here Enter F.C. No. 919 of 1851/-

Case No. 92.- The Court of Foujdaree Udalut observe that this case should have been disposed of under the provisions of Regulation III of 1822; the offence charged against the prisoners being Cattle stealing, and not cattle maiming or

F.C.

9th May, 1851.-

or killing, to which offence only the provisions of Section VIII Regulation XIII of 1832 can be applied.-

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Cuddapah for the information and future guidance of the Acting Subordinate Judge.-

/Sent in No. 444/-

Read letter from the Sessions Judge of Salem dated 24th April 1851 forwarding an application from the Acting Subordinate Judge for authority to destroy certain old clothes and Cumblies which have been forwarded as the property of Strangers deceased by the Heads of Police.-

/Here Enter F.C. No. 991 of 1851/-

The Court of Foujdaree Udalut authorize the destruction of the Clothes &c. referred to by the Subordinate Judge, and are of opinion that the Heads of Police should be instructed to abstain from forwarding to the Court

"Pagoda

9th May, 1851.-

"rags more or less filthy and dirty," and ordered to burn them on the spot.-

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

/Sent in No. 445/-

Read Letter from the Sub-ordinate Judge of Mangalore dated 22d April 1851 reporting the Escape of the Prisoners noted marginally on the night of the 8th Instant.-

Appanna Shetty and Sheik Hoosain

/Here Enter F.No. 996 of 1851/-

The Court of Foujdaree Udalut observe that, as the convicts in question had both formerly effected their escape from the Jail at Mangalore, they ought to have been placed in different wards and to have been, as directed by Circular Order of the Foujdaree Udalut No. 134, specially secured.-

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

9th May, 1851.-

his information and for communication to the Subordinate Judge.-

/Sent in No. 446/-

Read Letter dated the 2nd Instant from the Session Judge of Coimbatoor, referring for the final Judgment of the Foujdaree Udalut, the Record of Case No. 11 of 1851 of the Calendar of the Session Court.-

/Here Enter F.No. 1047 of 1851/-

Mr. G. S. Hooper.

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

"1st Vadooga Annachellum, alias, Venkedachellum"

is sufficient to convict him of the crime of Gang Robbery attended with wounding and personal injury 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

9th May, 1851.

irons on the public roads or other public works for and during the period of (14) fourteen years.—

But being of opinion that the Prisoners,

2d Veerappa Chetty

and

3rd Cattan

are not convicted on presumptive proof, or on the evidence of credible witnesses, or on their own confessions, of the above crime, do acquit them thereof and direct that they be unconditionally released.—

/Sent in No. 447./—

Read Letter dated the 17th Ultimo from the Sessions Judge of Mangalore, referring for the final Judgment of the Foujdaree Udalut, the Record of Case No. 6 of 1851 of the Calendar of the Sessions Court.—

/Here Enter F.R. No. 1060 of 1851/—

Mr. G. S. Hopper and Mr. W. A. Morahead

The Court of Foujdaree Udalut on a deliberate consideration of all the circumstances of the Case in evidence

3/

F.R.

9th May, 1851.

evidence before them being of opinion that the proof against the Prisoner,

"Koojoomba, alias, Abdoola"

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 in No. 1060./—

4/78

F. 26.

Saturday 10th May 1851 } At a Court of the Foujdaree Adalut

Present

G. S. Hooper Esqr. 1st Puisne Judge

C. P. Thompson Esqr. 2nd Puisne Judge

W. A. Morehead Esqr. 3rd Puisne Judge

Read letter under date the 14th April 1851 from the Sessions Judge of Calicut submitting the Criminal Reports for March 1851.

/ Here enter F. 26. No. 921 of 1851 /

1 The Court of Foujdaree Adalut observe that with reference to the Circular Order of the 13th August 1839 it is competent to the Criminal Court to correct any errors in charges sent up by the Police.

Case No. 336 of 1850 2 The sentence passed in this case not having been disturbed the transmission of the report A was unnecessary; the insertion of a note in the report B to the effect that the sentence appeared extremely lenient, being Sufficien

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

/ Sent in No. 453. /

Read

10th May 1851.

Read Calendar of Case No. 13 of 1851 of the Session Court of Nellore

(Here enter F.M. No. 976 of 1851)

The Court of Foujdaree Udalut being of opinion that a further mitigation in the Prisoner's sentence than that proposed by the Sessions Judge may in this Case, with propriety be allowed, resolve to direct that the period of his imprisonment be reduced to three (3) years - and the Sessions Judge will be pleased to issue a fresh Warrant accordingly -

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

(Sent following precept 454.)

Read the Criminal Reports submitted by the Sessions Judge of Masulipatam for the year 1850

(Here enter F.M. No. 1016 of 1851)

1 The following errors and discrepancies are observed in these Returns -

Appendix B to Statement No. 1

2 The entries under the heading "Total" of this appendix should correspond with the total of

10th May 1851.

of Columns 16 and 27 of the Statement No. 1, and the aggregate of the headings "Levied" and "confined in default of payment" should agree with the total Column -

Statement No. 2 3 The Court of Foujdaree Udalut remark that the principal of entering every Committal as one Case has not been observed in filling up all the Columns of this Statement as prescribed in their Circular Letter of 28th October 1850 - and direct that the Statement be returned for amendment in this particular -

4 The appendices A B - and D will be affected by the remarks in para 3.

Appendix F to Stat. No. 2. 5 The entries under the head "Persons charged with more than one offence" should be 54, if the Column "of which charged with" be correct - For the latter shews that 24 persons were charged with 2 offences 6 with 3 offences, and 6 with 4 offences and that consequently from the total number of persons entered in the "total" Column 54 should be deducted, Viz. 24 for the number twice entered therein, 12 for the number thrice entered, and 18 for the number entered 4 times -

Appendix G to Do. 6 It is necessary that the heading "Monthly Statements" of the Police which had been left blanks should be filled up by the Sessions Judge

The

Appendix A to Stat. 3A — 7 — The 21 persons Imprisoned in default of payment of fine should be entered under head "Imprisoned" minor columns "under 3 - 6 - 12 & 12 months".

Appendix A to Stat. No. 3B — 8 — The 19 persons Imprisoned in default of payment of fine should be entered under head "Imprisoned" minor Columns "under 3 - 6 - 12 & 12 months".

Appendix B to Stat. No. 3B — 9 — The Total No. of persons entered in Columns 22 and 24 of the Statement No. 3B and the Cases in which they are implicated should be entered in Columns "Trials Reported".

Appendix A to Stat. No. 4 — 10 — The entries under the head "Imprisoned" should apparently be 26 in accordance with the total of Column 15 of the Statement No. 4.

Appendix B to Do. — 11 — The aggregate of the entries in this appendix should apparently be 112.

Appendix C. to Do. — 12 — The 10 persons entered in Column 7 head "Total persons entered in" do not appear in Column 7 of the Statement No. 4.

Statement Showing the No. of Cases Invoked to the Criminal Court by each Head of Police — 13 — The aggregate of Cases and Persons Sent to the Criminal Court by the Heads of Police should be 227 and 440 in accordance with the total of Columns 16 and 17 of the Statement No. 2.

Statement Showing the nature and the results of charges preferred against the Police — 14 — The total number of persons in Columns 3 - 10 - and 16 should apparently be 38 - 18 and 11 in

in accordance with the Statements No. 1 - 2 and 3.

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

/ Sent following precept 453. /

Read letter dated the 20th Ultimo from the Acting Sessions Judge of Nellore Reporting the execution of "Nikkudala Totadi" Prisoner in No. 12 on the Calendar of his Court for 1851.

/ Here enter F.C. No. 1002 of 1851 /

Read Letter dated the 28th Ultimo from the Sessions Judge of Cuddapah Forwarding the Original Petty Calendars of all Cases disposed of by the Magistrate and his Assistant during the 1st Quarter of 1851 together with Copy of an Extract from the proceedings of his Court dated 28th April 1851.

/ Here enter F.C. No. 1005 of 1851 /

Read Calendar of Case No. 164 1851 Submitted by the Acting Sessions Judge of Nellore under date the 29th Ultimo.

/ Here enter F.C. No. 1006 of 1851 /

Read Calendar of Case No. 9 of 1851 Submitted by the Acting Sessions Judge of Tinnevelly under date the 25th Ultimo.

/ Here enter F.C. No. 1008 of 1851 /

10th May 1851.

Read Calendar of Case No. 14 of 1851 submitted by the Sessions Judge of Tanjore under date the 24th Ultimo

/Here enter F.C. No. 1012 of 1851/

Read Return dated the 26th Ultimo from the Sessions Judge of Calicut to the precept of the Tuticorin Adalut under date the 1st Ultimo conveying the Court's observation on Cases Nos. 84 and 87 of 1850 on the file of his Court.

/Here enter F.C. No. 1014 of 1851/

Read Return dated the 30th Ultimo from the Sessions Judge of Chingleput to the precept of the Tuticorin Adalut under date the 29th Ultimo requiring the Sessions Judge to furnish an Explanation as to the drawing by certain Convicts entered in Convict Labor report for March 1851 of Sundah Rankies at the maximum rate of 60 Rupees per diem.

/Here enter F.C. No. 1017 of 1851/

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 last month before his Court.

/Here enter F.C. No. 1020 of 1851/

10th May 1851.

Read Letter dated the 1st Instant from the Sessions Judge of Cuddalore Reporting that no Case was pending trial before his Court for a period exceeding 25 days.

/Here enter F.C. No. 1021 of 1851/

Read Calendar of Case No. 16 of 1851 submitted by the Sessions Judge of Salem under date the 24th Ultimo.

/Here enter F.C. No. 1025 of 1851/

Read Calendar of Case No. 35 of 1851 submitted by the Sessions Judge of Bellary under date the 29th Ultimo.

/Here enter F.C. No. 1027 of 1851/

Read Calendar of Case No. 27 of 1851 submitted by the Sessions Judge of Bellary under date the 29th Ultimo.

/Here enter F.C. No. 1028 of 1851/

Do. Do.

F. C.

Monday 12th. May 1851.

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. 24 of 1851 of the Sessions Court of Calicut.—

(Here enter F. C. No. 1038 of 1851).

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 on his conviction of Gang Robbery be reduced to 7 Years, and the Sessions Judge is 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 in No. 468).

Read Calendar of Case No. 12 of 1851 submitted by the Sessions Judge of Cuddalore under date the 19th. Ultimo.—

(Here enter F. C. No. 926 of 1851).

Read letter dated the 15th. Ultimo from

from the Agent to the Governor of Fort St. George at Ganjam submitting Criminal Reports Nos. 1 and 2. of the Agents Court for last month, together with the Report B from the Principal Assistant Agent and the Report B from the Assistant Agent Mr. Fraser will be submitted hereafter.-

(Here enter F. G. No. 927 of 1851).

Read Statement dated the 17th Ultimo submitted by the Sessions Judge of Masulipatam of amount realized by the labor of the Prisoners in the 1st Quarter of 1851.-

(Here enter F. G. No. 929 of 1851).

Read Calendars of Cases Nos. 14 and 15 of 1851. submitted by the Acting Sessions Judge of Bellary under date the 19th Ultimo.-

(Here enter F. G. Nos. 932 and 933 of 1851).-

Ex. 1851.

Fr. 116.

Tuesday 13th May 1851 } At a Court of the Toujdaree Udalut

Present

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

W.P. for E.P.T. E. P. Thompson Esqre — 2nd Puisne Judge

W. A. Morehead Esqre — 3rd Puisne Judge

Read letter dated 30th Ultimo from the Sessions Judge of Chicacole, submitting for the final Judgment of the Toujdaree Udalut the Record of Case No 4 of 1851 of the Calendar of the Sessions Court.

(Hereunto No 1088 of 1851)

The Court of Toujdaree 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

"Dummoola Coormadoo"

is sufficient to convict him of the Crime of murder, do convict him thereof, and sentence him to be transported to such place, or places, beyond sea as the Governor in Council shall appoint, there to be imprisoned

and

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 observe that the evidence to the state of the body of the deceased, given by the persons who inspected it on the day succeeding the murder, and especially by those who signed the inquest paper, is shown by the certificate of the medical officer who inspected it three days afterwards to be far from satisfactory.

2. This Certificate sets forth that a large quantity of bloody serum was issuing from the nostrils, and that the tongue projected, marks of violence which the Court infer will not have arisen after death, and must therefore have been present when the body was first examined, but of which no mention whatever is made in the inquest paper.

3 Under these circumstances the Court of Foujdaree Udalut are led to conclude that the examination of the body by the persons who signed the inquest-paper must have been most careless and imperfect, and they direct that it be brought to the notice of the Magistrate with a view to the prevention of similar negligence in future on the part of the village authorities.

4 The Court also observe that the Police should have procured evidence to show when the prisoner returned to his house, on, or after the night of the murder, and that the distance of his village from that of the deceased, and mode in which his apprehension was effected, should have been recorded.

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

(Sentence No. 460.)

Read letter dated 17th Ultimo from the Sessions Judge of Mangalore submitting for the final Judgment of the Foujdaree Udalut the record of Case No. 114 of 1851 of the Calendar of the Session Court

Court.

(Here enter F. Dc. No. 1090 of 1851.)

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 "Rama" 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 in No. 461)

Read again Calendar of Case No. 6 of 1851 on the file of the Session Court of Combaconum.

(Here enter F. Dc. No. 637 of 1851)

Read also return under date the 29th April 1851 from the Session Judge of Combaconum to the precept of the Foujdaree Udalut dated the 26th March 1851 directing the submission of an English Translation of the record of the foregoing case for the final

final judgement of the Foujdaree Udalut

(Here enter F. Dc. No. 1011 of 1851)

On consideration of the record of this case, the Court of Foujdaree Udalut see no reason to question the sentences passed upon the prisoners, which are accordingly confirmed.

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

(Sent in No. 462)

Read Calendar of Case No. 16 of 1851 of the Sessions Court of Tanore.

(Here enter F. Dc. No. 1022 of 1851)

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 on his conviction of robbery by open violence be reduced to 8 years, and the Sessions Judge is authorized to issue his warrant accordingly.

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

(Sent in No. 463)

Read the following letter dated the 28th April 1851 from the Sessions Judge of Cuttack

(Received Fd. No. 1042 of 1851)

1 The Sessions Judge submits for the consideration of the Court of Foujdaree Udalut Report A of Case No. 35 of 1851 in which the 3d prisoner, having been placed under a requisition of security by the Acting Subordinate Judge, was unconditionally set at liberty under the orders of the Sessions Judge.

2 The Acting Subordinate Judge objecting to the cancellation of his requisition for security by the Sessions Judge upon a mere question of evidence, and deeming the interference of that officer, in the absence of any appeal from the sentence, to have been illegally exercised requested that the matter may be referred for the consideration and final orders of the Foujdaree Udalut.

3 The Court of Foujdaree Udalut observe that the Proceedings of the Sessions Judge in the Case referred to were in every respect correct and legal, it being clearly within the competency of that officer to exact

any requisitions for security made by his Subordinate Officers, whenever he may see reason to do so; and the Court consider the reference on this subject made by the Acting Subordinate Judge to have been improper and uncalled for.

4 Section XXXVII Act VII of 1843 renders applicable to the present Sessions Judges the authority vested in the late Circuit Courts under Section XXIV Regulation X of 1816, and Clauses third and fourth Section IV Regulation II of 1822, and thus specially confers upon them the power to revise or annul the Proceedings of the Subordinate Courts, whether on petition, or otherwise; and this power is neither abrogated nor in any way affected by the provisions of Section VIII Regulation VII of 1837, which are also made applicable to Sessions Judges by the same enactment.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Cuttack for his information and for communication to the Acting Subordinate Judge.

(Sent in No. 464)

Read Calendar of Cases No. 197 of 1851 of the Session Court of Combaconnum.

(Here enter F. Rs. No. 1055 of 1851)

Adverting to the fact that the Prisoner in this case has been before convicted of the Crime of "house breaking and theft," the Court of Foujdaree Udalut do not consider that any thing short of the full penalty of seven years' imprisonment would be adequate punishment for the offence of which he has now been convicted - The Court are therefore constrained to decline complying with the Sessions Judge's recommendation for a mitigation of that Sentence.

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

(Sent in No. 1166)

Read return dated 8th Instant from the Sessions Judge of Chingleput to the precept of the Foujdaree Udalut under date the 17th Ultimo returning for amendment the Criminal Returns for 1850

(Here enter No. 1096 of 1851)

13th. May 1851.

There is a discrepancy in the Statement which requires amendment, Columns 2 and 3 give 397 Cases and 177 persons, with which the aggregate of Columns 4 and 5 - 10 and 11 - 28 and 29 corresponds - but it is to be observed that 12 Cases and 30 persons of those appearing in Columns 28 and 29 have been twice entered, Viz., once in Columns 10 and 11, and again in Columns 28 and 29; and that consequently the aggregates of the said Columns 4 and 5 - 10 and 11 - 28 and 29 should exceed by 12 Cases and 30 persons the entries in Columns 2 and 3.

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

(Sent following Precept No. 1166)

No further return having been received from the Acting Magistrate of Guntoor to the Precept of the Foujdaree Udalut under date the 4th November 1850 directing him to cause the property of the Vaysereddy estate to be valued and delivered over to Subbamma Venkata Krishnama on his producing security for its present value

for

for a period of three months from the above date.

Ordered that the Acting Magistrate of Guntoor be directed to make a return to the Precept above mentioned without delay.

(Sent in No. 484)

Read Calendar of Cases Nos. 16 17 and 18 of 1851 of the Sessions Court of Madura.

(Here enter Fl. Ch. No. 1059 of 1851)

The Court of Foujdaree Adawlut direct that the sentences recorded against the Prisoners in the above Cases on their conviction of perjury be suspended, pending the final disposal of Case No. 11 of 1851 on the file of the Sessions Court of Madura, the said Prisoners being detained in the mean time in Custody, without Labor and without irons.

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

(Sent following Precept No. 485)

Read

Read Criminal Reports for 1850 submitted by the Sessions Judges named in the margin.

† No. 695 Cuddalore Sessions Judge
† " 819 Nellore do do
† " 554 Tinnevelly do do
† " 420 Bellary do do
† " 457 Rajahmundry do do
† " 992 Combaconum do do
† 1016 Mangalore do do
† 653 Tellicherry do do
† 1102 Salem do do

(Here enter Fl. Ch. No. 428 of 1851)

The Court of Foujdaree Adawlut observe that the recapitulation in this report of those particulars which are exhibited in the figured statements, is unnecessary, and serves only to increase the labor of preparing the Duplicate and Triplicate Copies required to be transmitted to the Government of India and the Honorable Court of Directors; and they consequently direct that the Sessions Judge of * be requested, in submitting an amended report, to confine his remarks to those points in which the information conveyed by the figured statements may be defective, or the results apparent therein may require explanation† and to call upon the Magistrate for an amended report prepared in accordance with the above observations.

* Sessions Judge Nellore

Ordered that the reports now under consideration be returned to the Sessions Judge

Judge of [x] with an Extract from these Proceedings by Precept requiring Conformity thereto and returnable within XX days from and after its receipt.

(Sent following Precept No. 469)

Read Extract from the Minutes of Consultation of Government under date 30th April 1851 directing that a searching Enquiry be instituted by the Sessions Judge of Masulipatam into the Statements made by the pardoned Convict Goondeya before the Magistrate on the 31st November 1850, to the effect that the Confession of having taken part in the attack upon the Government Treasury at Ellore on the night of the 23d March 1838, recorded against him in Case No. 2 of 1839 was extorted from him by ill usage.

(Here enter F. Do. No. 1043 of 1851)

The Court of Sessions does direct that a Copy of this Extract with the Original Correspondence thereon be transmitted, and noted marginally, be forwarded to the Sessions Judge with instructions to make the requisite investigation and report

[x] to be returned

From Captain G. R. Edwards 5th Feb. 1849 with enclosure.
" Actg Collr of Masulipatam 25th Feby 1850
Extract Mins. Con. 8th Feb. 1850 No. 99
From Mag.te of Masulipatam 28th May 1850 and enclosure
" Honorable Court of Directors 17th July 1850 No. 9 Para 17
Ex. Mins Con. 29th Oct. 1850 No. 700 3 para 9.

report the result for the information of the Court without delay.

2 The Sessions Judge will further be pleased to ascertain and report whether the deceased Convict Cowloo Nursimloo left a wife or Children, or other relatives dependent upon him for support.

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

(Sent following Precept No. 470)

Read Criminal Report submitted by the Chief Magistrate and Superintendent of Police under date the 7th Instant of a Case tried under Act XXII of 1837 in the Month of April last.

(Here enter F. Do. No. 1067 of 1851)

Read Calendars of Cases No. 18 and 20 of 1851 submitted by the Sessions Judge of Combaconum under date the 6th Instant.

(Here enter F. Do. No. 1069 & 1070 of 1851)

Read Letter dated 1st Instant from the Sessions Judge of Honore, reporting that

that during the last month no Cases were pending
before his Court for more than 25 days.

(Here enter F. Uo. No. 1071 of 1851)

Read Calendars of Cases
Nos. 10-15 & 17 of 1851 submitted by the Subordinate
Judge in charge at Mangalore under date
the 2nd May 1851.

(Here enter F. Uo. Nos. 1072. 1073 & 1074 of 1851)

Read Calendar of Case No. 19
of 1851 submitted by the Sessions Judge
of Salem under date the 1st May 1851.

(Here enter F. Uo. No. 1075 of 1851.)

Read letter dated 1st May 1851
from the Sessions Judge of Tellicherry, reporting
that no case was before his Court during
April 1851 for a period in excess of 25 days
from date of commitment.

(Here enter F. Uo. No. 1076 of 1851)

Read Calendar of Case No. 13
of 1851 submitted by the Sessions Judge of
Masulipatam under date the 3rd May 1851.

(Here enter F. Uo. No. 1082 of 1851)

F. Uc.

Wednesday 14th May 1851. } At a Court of the Foujdaree Udalut

Present

G. S. Hooper Esqr — 1st Puisne Judge

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

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

Read letter dated 3d Instant from the Sessions Judge of Calicut, submitting for the final judgment of the Foujdaree Udalut the record of Case No 10 of 1851 of the Calendar of the Sessions Court.

(Here enter No 1087 of 1851)

The Court of Foujdaree Udalut,

Mr. G. S. Hooper.
Mr E. D. Thompson.
Mr W. A. Morehead.

on a deliberate consideration of all the Circumstances of the Case in evidence before them being of opinion that the proof against the prisoner

"Moplah Padaree Koonhapa"

is sufficient to convict him of the Crime of murder, do convict him thereof, but being of opinion under the Circumstances of the Case that the punishment to which the prisoner is liable under the provisions

of

of Section X Regulation VIII of 1802 would in this instance be too severe, the Court under the provisions of Clause Second Section III Regulation I of 1825, 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.

As it appears that the fatal stab was inflicted by the prisoner in this case under the influence of a sudden and violent fit of irritation and without any premeditation or previous malice, the Court of Foujdaree Udalut have considered a sentence of 14 years imprisonment with hard labor in irons sufficient to meet the demands of justice.

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

(Sent in No. 1475.)

Read Calendars of Cases Nos. 1-2-3-4-5-6-7 and 8 of 1851 submitted by the Sessions Judge of Bellary under date the 11th January 1851.

(Item entries Nos. 163-164-165-166-167-168-169 and 170 of 1851)

2d 18d.

FH

Thursday 15th May 1851. } The Court of the Fiscal Adalat

Present

W.H. G.S. Fisher Esqre —— 1st Puisne Judge
E.P. E.P. Thompson Esqre —— 2d Puisne Judge
W.H. W.H. Morehead Esqre —— 3d Puisne Judge

The Court of Fiscal Adalat
direct that the attention of the Superior Judge
of Chingleput be invited to their Proceed-
ings of the 9th August 1850, specially called to the
Orders of Government dated 20th January 1842, under
which the allowance of 13 Rupees granted to
the Jailor as a temporary measure should cease
upon the gangs of Convicts detached at a dis-
tance from the Jail being recalled.

Ordered that a Extract from
these Proceedings be sent to the Superior Judge
of Chingleput.

(Sent in No 424)

Page Calendar of Cases for
of 1851 of the Superior Court of Salem.

(Entered FH. No 1153. of 1851.)

Adverting to the fact that the
crime of which the 2d Prisoner in this Case was
convicted differed from that with which
he was originally charged the
Court

Court of Judicature Adalut deem it proper to direct that in all future similar cases in which stolen property may be found in the possession of a Prisoner whose conviction of the theft may appear to be in any degree doubtful an additional Count be inserted in the indictment charging the prisoner with having in possession of Stolen property knowing it to be such.

Ordered that Extract from these Proceedings be forwarded to the Superior Judge of Salem for his information and for communication to the Acting Subordinate Judge.-

Read the criminal Returns submitted by the Superior Judge of Chicacole for the year 1850.-

Here enter 9th Dec 1940 of 1851

The following errors and obscurities are observable in these Returns.-

Vizagapatam Appendix B to Statement No 1.-

1

The entries under the heading "Total" of this Appendix do not correspond with the total of Columns 16 and 37 of the Statement No 1.-

Vizagapatam Statement No 2.

2

3

No credit seems from the entries in Columns 2 and 3 under heads 2 that the Case and person appearing in Columns 36 and

and 37 should have been entered in Columns 28- 29-1

4

The entries under heading 36 and 37 in Columns 5 are apparently erroneous there being no entry under either heading in Columns 4.-

Vizagapatam Appendix A to Statement No 3 and Gunjam Appendix A to Statement No 3.-

5

The headings "Petty Calendars" of the Magistracy and "monthly Statements" of the Police received by the Superior Judge during the year should be filled up in the appropriate Columns.-

Vizagapatam Appendix A to Statement No 3 A.

6

The 3 persons imprisoned in default of payment of fine should be entered under head "Imprisoned" "Minor Columns" under 3.6.12 three months.-

Vizagapatam Appendix A to Statement No 3 B

7

The 4 persons imprisoned in default of payment of fine should be entered, under head "Imprisoned" "Minor Columns" under 3.6.12 three months.-

Be D B to D- and Chicacole Appendix B to 3

8

The Total Number of persons entered in Columns 33 and 34 and 34 of the Statement No 3 B and the cases in which they are implicated should be entered in Column "Trials reported."-

Gunjam Appendix C to Statement No 2.-

9

Only 1 Case including 1 person is entered as disposed of under Sec VII of 1843 but the Columns 36 and 37 of the Statement and the Appendix A show 3 Cases and 3 persons

Ordered

Ordered that Extracts from the Proceedings be sent to the Sessions Judge of Chicacole by Precept returnable within XV days from and after its receipt.-

/And following precept No 479/

Read letter dated the 7th May 1851 from the Sessions Judge of Bellary submitting for the final judgment of the Sowdaree Adalut the record of Case No 4 on the Calendar of the Sessions Court.-

/Herewith Fds No 1187 of 1851/

W. G. Arbuthnot
W. E. Thackeray

The Court of Sowdaree 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 "Tyambady Sooda Chando" is sufficient to convict him of the crime of culpable homicide for which the penalty of Deyut is awardable under the Mohomedan Law, as declared in Fatwas of their Law Officers, & convict him therefore and under the provisions of Clause Second Section XX Regulation VIII of 1832, Section XXIII Regulation XIII of 1832 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 on irons on the public roads or other public works for and during the period of his natural life.-

/Sentence No 480./

Read

Read letter dated the 7th April 1851 from the Sessions Judge of Mangalore, submitting for the final Judgment of the Sowdaree Adalut the record of Case No 3 of 1851.-

/Herewith Fds No 1089 of 1851./

W. G. Arbuthnot
W. E. Thackeray

The Court of Sowdaree 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 Appoo, and

2nd Mingaly

is sufficient to convict them of the crime of Culpable Homicide, for which the penalty of Deyut is awardable under the Mohomedan Law as declared in Fatwas of their Law officers, do convict them therefore and under the provisions of Clause Second Section XX Regulation VIII of 1832, sentence them to be imprisoned and kept to hard labor in irons on the public Roads or other public works for and during the period of (14) fourteen years.

/Sentence No 481./

Read Calendar of Cases Nos 20 & 21 of 1851, submitted by the Sessions Judge of Bellary under date the 17th March 1851.-

/Herewith Fds No 676 of 1851/

Read Criminal Reports for the Months of February 1851, submitted by the Sessions Judge of Bellary under date the 15th March 1851.-

/Herewith Fds No 677 of 1851/

Read

15th May 1851.

Read Calendar of Case No 11
of 1851 submitted by the Superior Judge of
Caliacut under date the 10th March 1851.

/Entered in F.R. No 680 of 1851/

Read Calendar of Case No 13
of 1851, submitted by the Superior Judge of
Caliacut under date the 18th March 1851.

/Entered in F.R. No 681 of 1851/

Read Calendar of Case No 5
of 1851 submitted by the Superior Judge of
Vaniyambalam under date the 14th March 1851.

/Entered in F.R. No 682 of 1851/

Read Calendar of Case No 7
of 1851. submitted by the Superior Judge of
Combaconum under date the 22d March 1851.

/Entered in F.R. No 690 of 1851./

Read Return dated the 22d
March 1851 from the Superior Judge of
Cuddalapah, to the Precept of the Zemindar
Udaluk under date the 27th February 1851,
directing the late Acting Superior Judge to annex
the instructions issued by him to the Acting
Magistrate regarding the disposal of Cases
Nos 33 and 37 on the release Calendar of the
Magistracy during the 3d Quarter of 1850.

/Entered in F.R. No 693 of 1851/

Exd 18d.

FK

Friday 16th May 1851 } At a Court of the Tanjore Adalut.

Present.

GS Cooper Esquire ——— 1st Puisne Judge.
CP Thompson Esquire ——— 2d Puisne Judge.
WA Maitland Esquire ——— 3d Puisne Judge.

Read Letter dated 22d April 1851 from the 1st Puisne Judge of Guntoor requesting that additional Prisoners may be transferred to his charge for employment on the high Roads.

(Vide minute FK 943 of 1851.)

The Court of Tanjore Adalut regret that the important works now in progress at the Stations of Masulipatam, Rajahmundry, Nellore and Cuddapah preclude the drafting of any additional Convicts to Guntoor.

Ordered that Extract from these Proceedings be forwarded to the 1st Puisne Judge of Guntoor for his information.

(Vide Vol. F. No. 482.)

Read Extract from the Minutes of Consultation of Government under date 9th May 1851 requesting that a strong party of Convicts may be employed under the orders of the Military

Military Board in deepening the ditch of the Fort a Vellore if the work can now be proceeded with.-

/Have enter F/R No 1080 of 1851./

The Court of Foujdaree Adalut direct that the Sessions Judge be requested to make arrangements for the employment of as many of the Convicts now located at Vellore as can be spared from less important works upon the Fort ditch and for strengthening the gang at that Station as far as may be practicable by Drafts from Chittoor.-

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

/Submit Rs 483./

Read Calendar of Cases Rs 33 of 1851 submitted by the Sessions Judge of Bellary under date the 29th April 1851.-

/Have enter F/R No 1039 of 1851./

Read Calendar of Cases Rs 34 of 1851 submitted by the Sessions Judge of Bellary under date the 29th April 1851.-

/Have enter F/R No 1030 of 1851./

Read Letter dated the 1st Instant from the Sessions Judge of Cuddapah reporting that there are no cases at present to be returned in

the Monthly Report of Cases pending trial before the Sessions Court for the last month.-

/Have enter F/R No 1031 of 1851./

Read Report dated 1st May 1851 submitted by the Sessions Judge of Salem of Cases pending on the 30 April 1851 before him for a period in excess of 35 days calculated from the date of commitment.-

/Have enter F/R No 1032 of 1851./

Read Calendar of Cases Rs 10 of 1851 submitted by the Sessions Judge of Salem under date the 24th April 1851.-

/Have enter F/R No 1034 of 1851./

Read Calendar in Cases Rs 16 of 1851 submitted by the Sessions Judge of Coimbatore under date the 18th March 1851.-

/Have enter F/R No 1035 of 1851./

Read Calendar in Cases Rs 23 of 1851 submitted by the Sessions Judge of Calicut under date the 29th April 1851.-

/Have enter F/R No 1037 of 1851./

Read Report dated 1st Instant submitted by the Sessions Judge of Guntoor of Cases pending on the 31st March and committed for trial during the Months of April 1851 before him

/Have enter F/R No 1039 of 1851./

Ed 180.

F 96

Saturday 17th May 1851.

At a Court of the Foujdaree Adalut

Present

W.R. for E.P.T. E. P. Thompson Esqre 2nd Puisne Judge

C.W.C. for 3d Judge W. A. Morehead Esqre 3d Puisne Judge

Read again Calendar of Case No. 11 of 1851 of the Session Court of Masulipatam.

/Here enter F. 96. No. 931 of 1851/

Read also Return dated the 3d Instant, from the Session Judge of Masulipatam to the precept of the Foujdaree Adalut dated the 29th April last conveying their observations and orders on the above Case.

/Here enter No. 1081 of 1851/

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, on his conviction of Highway Robbery, be reduced to 7 years with 150 Lashes & the Session Judge is authorized to issue his warrant accordingly.

Ordered that Extract from these Proceedings be forwarded to the Session Judge

of

17th May 1851.

of Mahulipatam for his information

/Sent in No. 486./

Reads the Criminal Reports submitted by the Sessions Judge of Salem for the year 1850.

/Here enter No. 1102 of 1851/

1 The following errors and discrepancies are observed in these returns.

Appendix D to Stat. No. 2. 2 The aggregate of the entries in the total Column of this Appendix under the heads "Magistrate" &c. should be 206 in accordance with the total of Columns 32. 35 and 37 of the Statement.

3 The aggregate of the entries also in the total Column under the head "Heads of Police" &c. should be 1633, in accordance with the total of Columns 14. 17 and 19 of the Statement.

C. B to Stat. No. 3 B 4 The total number of persons entered in Col: 22 and 24 of the Statement No. 3 B and the Cases in which they are implicated should be entered in Cols: "Trials reported".

C. D to D. 5 The entry under "Col 8" in this Appendix is erroneous. The 3 Cases appear under the separate heads 11. 19. and 57 of the Statement No. 3. B and should be excluded altogether from the Appendix.

The

17th May 1851.

The entries under Columns "Col 9" and "Of which charged" &c. will probably also require amendment with reference to the foregoing remarks.

The 2 Cases included in one Calendar

Stat. No. 4. 6 referred to in the note should be entered in conformity with the instructions of the Circular letter dated 28th October 1850 as two Cases.

The appendix C will be affected by

7 the amendment shewn in the preceding para to be necessary.

The aggregate of the entries in this

Appendix B to D. 8 appendix should apparently be 97.

The Session Judge will be pleased

9 to report the manner in which the Sudr Ameens have exercised the Criminal jurisdiction vested in them as required under circular Proceedings of this Court dated 18th February 1845.

Ordered that Extract from these Proceedings be sent to the Session Judge of Salem by precept returnable within 15 days from and after its receipt.

/Sent following precept No. 487./

Read letter dated the 28th Ultimo from the Agent to the Governor of Fort St. George

at

17th May 1857

at Ganjam Submitting a report of the trial of the Prisoner in Case No. 23 of 1857 who was charged with belonging to a Gang of Robbers and with attempt at Robbery.

(Here enter No. 1078 of 1857)

1 The Agent convicts the Prisoner of the Crime laid to his charge, and recommends that a Sentence of Seven years' imprisonment in the Jail at Masulipatam with hard labor in irons be passed upon him, under Clause third Section IV Regulation XV of 1803.

2 The Court of Foujdaree Adalut concurring in the conviction of the Prisoner.

"Ramprasdan"

resolve to confirm the Sentence accordingly.

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

(Sent in No. 488)

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

(Sent in No. 489.)

Read

F.D.

17th May 1857.

Reads Calendar of Case No. 8 of 1857 on the file of the Sessions Court of Chittoor.

(Here enter F.D. No. 1046 of 1857)

The Court of Foujdaree Adalut sanction the proposed reduction of the prescribed penalty in this case to (5) Five years' imprisonment with hard labour in irons.

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

(Sent in No. 490.)

Reads letter dated the 1st Instant from the Agent to the Governor of Fort St. George at Ganjam, Submitting a report of the trial of the Prisoner in Case No. 17 of 1857 who was charged with belonging to a Gang of Marauders for the purpose of plunder.

(Here enter F.D. No. 1079 of 1857)

1 The Agent convicts the Prisoner of the crime laid to his charge, and recommends that a Sentence of 5 years' imprisonment with hard labor in irons be passed upon him under Clause third Sec. IV Regn. XV of 1803.

2 The Court of Foujdaree Adalut

Concur

concur in the conviction of the Prisoner,

"Sankaly Broondachetty"

and resolve to confirm the Sentence proposed to be passed upon him -

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

/ Sentence No. 491 /

Read Calendar of Case No. 27 of 1857 Submitted by the Sessions Judge of Calicut under date the 7th Instant -

/ Here enter F.C. No. 1104 of 1857 /

Read Calendar of Case No. 28 of 1857 Submitted by the Sessions Judge of Calicut under date the 7th Instant -

/ Here enter F.C. No. 1105 of 1857 /

Read Calendar of Case No. 24 of 1857 Submitted by the Sessions Judge of Cuddalore under date the 9th Instant -

/ Here enter F.C. No. 1106 of 1857 /

Read Calendar of Case No. 11 of 1857 Submitted by the Sessions Judge of Guntoor under date the 9th Instant -

/ Here enter F.C. No. 1107 of 1857 /

Read Report dated the 8th Instant Submitted by the Sessions Judge of Coimbatore of Cases pending on the 31st March and committed for trial during the Month of April 1857 before his Court.

/ Herewith F.C. No. 1111 of 1857 /

Read return dated the 7th Instant from the Acting Sessions Judge of Tinnevelly to the precept of the Foujdaree Adalut under date the 4th Instant having reference to the Criminal Reports Submitted for the Month of March last -

/ Herewith F.C. No. 1112 of 1857 /

Read Calendar of Case No. 4 of 1857 Submitted by the Sessions Judge of Chingleput under date the 12th Instant.

/ Here enter F.C. No. 1116 of 1857 /

Read Letter dated the 7th Instant from the Sessions Judge of Calicut Submitting the proceedings held regarding the sanity of the Prisoner in Case No. 16 of 1857 on the Calendar of his Court.

/ Herewith F.C. No. 1120 of 1857 / s

F.C.

F.No.

Monday, 19th May, 1851. At a Court of the Foujdaree Udalut.

Present:

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

H.M. for L.M.J. E. P. Thompson, Esquire - 2d Puisne Judge -

H.M. for L.M. W. A. Morehead, Esquire - 3d Puisne Judge -

Read Miscellaneous Petition presented on the 3d April 1851 by Keshava Shetti and Govindamma of Tillak Cuddalore.

Have Enter F. M. P. No 53 of 1851 /-

The Petitioner is referred to the former orders passed by the Court of Foujdaree Udalut in the matter to which this Petition relates.

Mr. G. S. Hooper.
Mr. E. P. Thompson
and
Mr. W. A. Morehead.

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

Read Miscellaneous Petition presented on the 22d April 1851 by Chetumbaram of Tillak Cuddapah.—

Have Enter F.No. No 62 of 1851 /-

The

19th May, 1851.

Mr E. P. Thompson and Mr W. A. Marshead

The Petitioners, who was one of the Prisoners in Case No 19 of 1847. on the file of the Special Commissioner of Cuddapah, and released under the Orders of the Court of Foujdaree Udalut dated the 4th August 1848, seeks to obtain an Order from the Court directing the restoration of the Cirnuum Meerasy of which he was then deprived.—

2. The Court of Foujdaree Udalut are precluded from passing an Order of the nature adverted to by the Petitioner the matter in question being one beyond their jurisdiction. The proper authorities to whom the Petitioner should apply are the Collector or the Revenue Board, who can reinstate him in his office should it be deemed by them a fitting to do so.—

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

Read letter dated 7th April 1851 from the Sessions Judge of Cuddapah soliciting

19th May, 1851.

soliciting instructions "as to where jurisdiction lies in cases of a petty affray occurring between two Europeans in the Mofussil."—

Here Enter F/6 No 852 of 1851.—

Read also letter dated 10th Idem from the same Officer, submitting the further question "Can a charge of abuse be tried before a Criminal Authority, the alleged abuse not having been direct, but thro' the instrumentality of a third party, menacing gestures and threats of violence being also asserted to have accompanied it."—

Here Enter F/6 No 863 of 1851.—

The Court of Foujdaree

1. Udalut observe that the orders of Government dated 23d December 1834 define the jurisdiction to be exercised by the Magistracy and the Judges or Subordinate Judge respectively as justices of the Peace and to these Orders the Sessions Judge is referred.—

The Court of Foujdaree

2. Udalut decline to pass any orders upon the

19th May, 1851.

the hypothetical question submitted in the 2nd letter above mentioned, and they are constrained to express their surprize that Officers of Messrs. Morris and Conolly's standing should have found it necessary to apply for instructions upon so simple a point as is apparently involved in it.

Ordered, that Extract from these Proceedings be forwarded to the Session Judge of Calicut for his information and for communication to the Magistrate of Malabar.—

/Sent in No. 494/—

Read Calendar of Case No. 7 of 1851, of the Sessian Court of Trichinopoly.—

/Here Enter F.No. No. 1108 of 1851/—

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this Case, that the sentence recorded against the Prisoners in this Case on their conviction of "Robbery by open violence" be mitigated

F.No.

19th May, 1851.

mitigated to 8 years' imprisonment with hard labor in irons, and the Sessions Judge is authorized to issue his warrants accordingly.—

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

/Sent in No. 495/—

Read Calendar of Case No. 8 of 1851 of the Sessions Court of Trichinopoly.—

/Here Enter F.No. No. 1109 of 1851/—

The Court of Foujdaree Udalut approve of the recommendation made by the Acting Sessions Judge in this Case that the sentence recorded against the Prisoners on their conviction of Highway Robbery be mitigated to 5 years' imprisonment with hard labor in irons, and the Sessions Judge is authorized to issue his warrants accordingly.—

Ordered, that Extract from

19th May 1851.

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

/Sent in Sr. 496 /-

Read Miscellaneous Petition presented on the 22d April 1851 by Sudarshana Dasu of Jillah Vizagapatam.—

/Here Enter F. M. P. No 60 of 1851/-

Mr. E. P. Thompson. 1. The Court of Foujdaree Udalut cannot interfere in the matter to which the Petitioner refers the late Magistrate of Vizagapatam having on the 22d August 1849 reported his inability to enforce any Court proceedings in the territories of the Zemindar of Jeypore.—

2. The Court are therefore constrained to dismiss this Petition.—

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

2d 1d.

F.N.6.

Tuesday,
20th May, 1851.

At a Court of the Foujdaree Udalut

Present.

G.A.L. Cooper, Esquire 1st Puisne Judge.

G.P. Thompson, Esquire 2d Puisne Judge.

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

Read Calendar of Case
No. 3 of 1851 on the file of the Sessions
Court of Chicacole.—
Here Enter F.N.6. No. 876 of 1851.—
Adverting to the remarks
recorded by the Sessions Judge regard-
ing the character of the Head of
Police by whom this case was com-
mitted and who is stated to have
been "dismissed from the Ganjam
District for dishonesty and as being
untrustworthy", the Court of Foujdaree
Udalut resolve to direct that the Magis-
trate of Ganjam be required to submit
an Explanation in regard to the
appointment of the Head of Police
which

which would appear to be in violation of the orders of Government and of the Court of Directors.—

Ordered, that Extract from these Proceedings be forwarded to the Session Judge of Chicacole for his information and guidance by Precept returnable within XX days from and after its receipt.—

/Sent following Precept No. 501/-

Read Calendar of Case No. 26 of 1851 of the Session Court of Calicut.—

/Here Enter F.No. No. 1121 of 1851/-

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this Case that the period of imprisonment awarded to the 1st. 2d. and 3d. Prisoners on their conviction of "Housebreaking and Theft", be mitigated in the case of the first Prisoner to 5 years' imprisonment and in that of the 2d. and 3d. Prisoners to two years' imprisonment, with hard labor

labor in irons, and the Session Judge is authorized to issue his warrants accordingly.

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

/Sent in No. 502/-

Read Monthly Criminal Reports submitted by the Session Judge of Salem for the month of April 1851.—

/Here Enter F.No. No. 1125 of 1851/-

The Court of Foujdaree Udalut consider the sentence of one months' imprisonment with a fine of 5 Rupees recorded by the Joint Magistrate in this case to be very inadequate punishment for the offence of breaking the Prosecutor's

Magistrate's Report B. Case No. 8.

dwn.

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

20th May, 1851-

to the Joint Magistrate.—

/Sent in No. 503./-

Read letter dated the 22d ultimo, from the Session Judge of Rajahmundry submitting for the final Judgment of the Foujdaree Udalut the record of Case No. 11 of 1851 of the Calendar of the Session Court.—

/Here Enter FD. No. 1134 of 1851/-

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 prisoners,

1st Kookala Audy

and

2d Valloo Venkadoo

is sufficient to convict them of the crime of Murder do convict them thereof and under the provisions of Section X Regulation VIII of 1802 sentence them to suffer death by being hanged at the usual time and place of Execution.—

The

FD.

20th May, 1851-

The Court of Foujdaree Udalut direct that it may be explained under what circumstances the prisoners in this case were examined by the Subordinate Criminal Judge on the day preceding the examination of the witnesses.—

1.

The Court of Foujdaree Udalut consider the practice of examining with reference to the charge preferred against them immediately on their arrival at the Criminal Court and before the trial can be regularly commenced to be extremely objectionable.

2.

The Court observe that the examination prescribed by Circular Order 27th October 1830 B is merely intended to ascertain whether prisoners have any complaints of maltreatment to prefer against the Police - and should not have reference to the offence charged.—

3.

The Court always view with extreme distrust a confession made

4.

made by a prisoner before the Subordinate Court whilst he is still more or less under the custody of the Police.—

5. The Court observe that no evidence was recorded before the Session Court to prove the identity of the corpse found in the 1st prisoner's house with the body of her husband, an omission which should not have been permitted to occur.—

Ordered, that Extract from these Proceedings be forwarded to the Session Judge of Rajahmundry for his information and guidance by precept returnable within V days from and after its receipt.—

/Sent following Precept No. 504/—

Read Statement dated the 6th instant submitted by the Session Judge of Honore showing the amount realized by the labor of the Prisoners in the Honore Jail in the 1st quarter of 1851.—

/Here enter F.C. No. 1122 of 1851/—

Read Statement dated the

the 5th ultimo submitted by the Session Judge of Honore showing the amount realized by the labor of the Prisoners in the Surcey Jail in the 1st quarter of 1851.—

/Here enter F.C. No. 1123 of 1851/—

Read Criminal Reports dated the 11th instant submitted by the Session Judge of Chingleput for the month of April 1851.—

/Here enter F.C. No. 1129 of 1851/—

Read Criminal Report dated the 11th instant submitted by the Session Judge of Guntoor for the month of April 1851.—

/Here enter F.C. No. 1139 of 1851/—

Read Criminal Report dated the 10th instant submitted by the Session Judge of Tellicherry for the month of April 1851.

/Here enter F.C. No. 1141 of 1851/—

Read Report dated the 13th instant submitted by the Session Judge of Chingleput of Persons apprehended in that Zillah and delivered to the Session Judge

20th May, 1851.

Judge for the month of April 1851.—

/Here enter F.C. No. 1144 of 1851/—

Read Criminal Report A dated the 16th May 1851 submitted by the Session Judge of Guntoor for the month of May 1851.—

/Here enter F.C. No. 1148 of 1851/—

Read return dated the 15th Instant from the Session Judge of Madura to the precept of the Foujdaree Udalut under date the 8th Idem, returning for amendment certain Criminal Statements for 1850.—

/Here Enter F.C. No. 1150 of 1851/—

Read return dated the 15th Instant from the Acting Session Judge of Nellore to the precept of the Foujdaree Udalut under date the 10th Idem, reducing the term of imprisonment awarded to the Prisoner in Calendar No. 13 of 1851 to three years.—

/Here Enter F.C. No. 1153 of 1851/—

Read Calendar of Case No. 5 of 1851 submitted by the Session Judge of Tellicherry under date the 8th Instant.—

/Here Enter F.C. No. 1155 of 1851/—

2d 180

F. C.

Wednesday 21st May 1851.

At a Court of Foujdaree Udalut

Present

R/ C. P. Thompson Esq. 2d Puisne Judge

W. A. Morehead Esq. 3d Puisne Judge

Read Letter under date the 5th May 1851 from the Agent to the Governor of Fort Saint George in Ganjam submitting a report of the trial of Case No. 16 of 1851 on the file of his Court—

/Here enter F.C. No. 1128 of 1851/

The Court of Foujdaree Udalut resolve to defer the disposal of this case until the consequences of the wound inflicted on the Prosecutor shall have been fully ascertained, the Medical Officer having pronounced the Prosecutor not to be out of danger at present

The Agent will be pleased to

2

submit a report on this point as soon as practicable—

Ordered that Extract from these Proceedings be forwarded to the Agent to the Govr. of Fort St. George in Ganjam for his information and guidance—

/Sent in No. 506/

Read

21th May 1851

Read Calendar of Case No. 20 of 1851 of the Session Court of Coimbatore.

/Then enter: F.C. No. 1131 of 1851/

Before passing their final Orders on the above Case, the Court of Foujdaree Adalut deem it proper to call upon the Session Judge to submit for their consideration translates of the depositions taken both before the Police and Session Court from the 2d, 4th, 5th and 6th Witnesses, who, it is stated, distinctly depose to having recognised the 1st, 4th, 6th and 7th Prisoners among the gang of robbers on the occasion of the robbery.

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

/Sent following Precept No. 504/-

Ed. 16.6.

F.96

Thursday 22nd May 1851. At a Court of the Tongdaru Udalut

Present

S/R for E.P. D. J. Thompson Esqr. 2nd Puisne Judge

W.P. for W.R. W. A. Morehead Esqr. 3. Puisne Judge

Read the Criminal Reports

submitted by the Session Judge of Trichinopoly

for the year 1850.

(Recenter F.96. N. 1113 of 1851)

The following errors and discrepancies

are observed in these returns-

Appendix C to Statement No 1 — 2

The 43 persons entered in Column

20 of the Statement as pending before the Police

on the 31st December should be entered in this

appendix -

Statement No 2. — 3

The entries under headings 9. 10. 21 and

68 in Column 5 are apparently erroneous, there being

no entry under these headings in Column 4. -

Appendix B to D. — 4

The 4 persons entered in Column

23 of the Statement as pending before the Police

on the 31st December should be entered in this

appendix -

Appendix A to D. — 5

The Reading Monthly Statements

of

22nd May 1851

of the Police which has been left blank should be filled up.

Appendix A to Statement No. 3A — 6 — The No. of persons in Column 5 "Implicated" should apparently be 16.

Appendix B to Statement No. 3A — 7 — The total No. of persons in Column "Trials reported" (39) does not agree with Column 7 of the Statement (44)

Statement No. 3B — 8 — The 1 Case including 1 person entered in Columns 2 and 3, Head 28, should be excluded from this Statement, because they appear to have been pending before the Sudder Ameen.

9 — The undermentioned discrepancies are observable between this and the Statement No. 2, and must be explained or amended.

Readings	Statement No. 2 Forwarded to the Principal Sudder Ameen				Statement No. 3. B Received by the Principal Sudder Ameen			
	By the Police		By the Magistrate		From the Police		From the Magistrate	
	C	D.	C	P.	C	P.	C	P.
Number 8	5	19	"	"				
" 9	.	.			4	20	"	"
" 42	1	1	1	10	.	"	.	.
" 50	16	99	"	"	"	"	"	"
" 57	2	13	"	"	14	94	"	"
" 58	2	12	"	"	4	21	"	"
" 65	1	1	"	"	1	8	"	"
" 66	"	"	"	"	"	"	"	"
" 70	"	"	"	"	"	"	1	10
" 71	"	"	"	"	1	1	"	"

22nd May 1851.

Appendix B to Statement No. 3B — 10 — The total No. of persons entered in Columns 22 and 24 of the Statement No. 3B and the Cases in which they are implicated should be alone be entered in Column "Trials reported"—

Appendix D to Statement No. 3B — 11 — The entries under the Head "Deduct charged with more than one offence" should be 55, if the Column of which charges with be correct; for the latter shows that 38 persons were charged with 2 offences, 4 with 3 offences, and 3 with 4 offences, and that consequently from the Table "No. of persons" entered in the "total" Column, 55 should be deducted, Viz:- 38, for the No. twice entered therein, 8 for the No. three entered and 9 for the No. entered 4 times—

12 — The entry under Column "Column 8" Reading "Deduct Separate committals" in this appendix is erroneous, the 3 Cases appearing under the Separate Readings 51. 58. and 69 of the Statement No. 3B.—

The entries under Column "Column 9" and of which "charged" &c. will probably also require amendment with reference to the foregoing remark—

Statement No. 4 — 13 — The 2 Cases, in which 3 persons were implicated should be entered under Head 46 in conformity with the instructions conveyed in

22nd May 1851.

in the Circular Letter dated 28th October 1850-

14 The Appendix C will be affected by the amendments shown in the preceding Statements to be necessary -

Headings	Statement No. 3B Committed by the Principal Sudder Ameen		Statement No. 4 Received by the Sessions Court -	
	C	P	C	P
No. 21	1	4	"	"
22	"	"	1	4
46	2	3	"	3
50	12	91	12	87
51	4	21	4	25

Appendix A to Statement No. 4

16 The Nos. of persons in Columns "Imprisoned" and "Imprisoned and flogged" should apparently be 57.

17 The aggregate of Persons under head "Imprisoned", minor Columns "under 1-2-3 &c years," should also be 57.

Statement shewing the nature and the result of Charges preferred against the Police -

18 The Total Nos. of Persons in Columns 3 and 10 should apparently be 6 and 13, in accordance with the Statements Nos. 1 and 2 -

19 The Sessions Judge will be pleased to report the manner in which the Sudder Ameen has exercised the Criminal jurisdiction vested in him as

F.C.

22nd May 1851. as required under Circular Proceedings of this Court dated 18th February 1845 -

Ordered that Extracts from these Proceedings be sent to the Acting Sessions Judge of Trichinopoly for his information by precept returnable within XV days from and after its receipt.

(Sent following precepts &c.)

Circular

The Court of Foujdaree Adalat direct that, in future, in all cases of Theft or Robbery wherein Stolen or plundered property may be found in the possession of Prisoners a second count be inserted in the indictment charging them also with the offence of knowingly receiving the plundered or Stolen property, as the case may be.

Ordered that Extracts from these Proceedings be forwarded to the several Sessions Judges and Agents for their information and communication to the Subordinate Judicial Officers within their Jurisdiction -

(Sent following Circular Order No. 512.)

Read letter dated the 14th Instant from the Agent to the Governor of Fort St. George at Kurnool returning the death warrant issued by

22 May 1857.

by the Judges of the Foujdaree Udalut in Case No. 13 of 1857 on the file of the Agent to the Governor at Kurnool and enclosing Copy of a report from Asst. Agent Lieutenant Russell regarding its execution.

(Here enter F. Pt. A: 1149 of 1857)

Read Return dated the 12th Inst. from the Acting Sessions Judge of Nellore to the precept of the Foujdaree Udalut under date the 16th Ultimo 1857 directing the Acting Sessions Judge to review the Proceedings held in Case No. 29 of 1857 of the Calendar of Persons punished by the Magistracy.

(Here enter F. Pt. No. 1152 of 1857.)

F. 28.

F.C.

Friday,
23rd. May, 1851.

At a Court of the Foujdaree Udalut
Present.

J.P.S. E.D. Thompson, Esquire 2nd. Puisne Judge.
W.A. Morehead, Esquire 3rd. Puisne Judge.

Read letter under date the 23rd. April 1851 from the Sessions Judge of Madura transmitting the Calendars of Petty Cases disposed of by the Magistracy during the 1st. Quarter of 1851.—

Here Enter F.C. No. 974 of 1851.

Calendar of persons punished. Cases Nos. 4-6.

The Court of Foujdaree Udalut observe that the frauds charged against the prisoners in these Cases which consisted in the fraudulent disposal of the property of persons who had died intestate in their respective villages do not constitute that abuse of authority contemplated by the provisions of Section VIII Regulation VII of 1819 and should have been punished as simple frauds under Section VII Regulation

23rd. May, 1851.-

Regulation X of 1816.—

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Madura for communication to the Magistrate.—

/Sent in No. 616./-

Read letter under date the 29th. April 1851 from the Sessions Judge of Guntoor submitting the Petty Calendars of cases disposed of during the 4th. Quarter of 1850.-

/Here Enter F.No. No. 1015 of 1851/-

1. With reference to the orders issued by the Sessions Judge under date the 22d. April last regarding the insertion in the Petty Calendars of cases of persons required to find security under the provisions of Sections V and VII Regulation VII of 1827 the Court of Foujdaree Udalut observe that the Acting Magistrate was correct in the construction put by him upon the Circular Order 25th. February 1824 which clearly refers exclusively to those cases of requisition of

of security in which the requisition has been made under the provisions of Regulation II of 1822.-

2. The Sessions Judge will therefore be pleased to recal the orders above adverted to.-

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

/Sent following Precept No. 617./-

Read report of Case No. 24 of 1851 on the file of the Criminal Court of Guntoor.-

/Here Enter F.No. No. 1053 of 1851/-

The Court of Foujdaree

1. Udalut resolve to direct that it may be pointed out to the Acting Magistrate, for communication to the Native Police Officers that in all cases of Cattle Killing, Maiming, or Woundings it is necessary to constitute a criminal offence

23d. May, 1851.

offence that the act should have been done maliciously:—

2. Had this rule been attended to in the case under notice it is to be inferred that the prisoner would not have been sent upon to the Court.—

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Guntoor for communication to the Acting Magistrate.

/Sent in No. 518/—

Read Calendar of Cases No. 15 of 1851 of the Sessions Court of Madura.—

/Here Enter F.C. No. 1157 of 1851/.

The Court of Foujdaree Udalut direct that the sentence recorded against the Prisoner, in the above Case on his conviction of Perjury be suspended pending the final disposal of the No. 11 of 1851 on the file of the Sessions Court of Madura, the said Prisoner being detained in the meantime in custody without labor and without irons.

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

/Sent following Precept No. 519/—

F. C.

Monday 26th May 1851. } At a Court of the Foujdaree Udalut

Present

G. S. Hooper Esqre 1st Puisne Judge.

E. P. Thompson Esqre 2d Puisne Judge

W.S. for W.M. W. A. Morehead Esqre 3d Puisne Judge

Read Criminal Report for 1850 Submitted by the Sessions Judge of Chittoor under date the 14th Instant.

(Here enter F.C. 1130 of 1851)

The Court of Foujdaree Udalut observe that the recapitulation in this report of those particulars which are exhibited in the figured Statements is unnecessary and serves only to increase the labor of preparing the duplicate and triplicate Copies required to be transmitted to the Government of India and the Honorable Court of Directors and they consequently direct that the Sessions Judge of Chittoor be requested in submitting an amended report to confine his remarks to those points in which there is information

information conveyed by the figured statements may be defective, or the results apparent thereon may require explanation.

Ordered that the Reports now under consideration be returned to the Sessions Judge of Chittoor with an Extract from these Proceedings by Precept requiring conformity thereto and returnable within XX days from and after its receipt.

(Subt. following Precept No. 522)

Read the Criminal Reports submitted by the Sessions Judge of Chittoor for the year 1850.

(Here enter F. No. No. 1130 of 1851)

1 The following errors and discrepancies are observed in these returns:

Statement No. 3B 2 The one Case in which the person in Column 5, under head 23 is concerned should be entered, in conformity with the instructions conveyed in Circular letter dated 28th October 1850.

3 The Appendix D will be affected by the amendment shewn in the preceding para to be necessary.

Committed Cases should be excluded from this appendix, in which the total number of persons entered in Columns 23 and 24 of the Statement No. 3B, and the Cases in which they are implicated should alone be entered in Column 4 "Trials Reported."

Appendix B & Do. 4 The entry under "Column 8" Do. D & Do. 5 heading "deduct separate Committals" is erroneous "Column 9" will require amendment with reference to the foregoing remarks.

Do. A & Stat. No. 4 6 The 34 persons entered in Column 15 of the Statement No. 4 should appear in the 1, 2, 3, 4 or 5 Columns of this appendix, as the case may be.

7 The Court of Foujdaree Adalut observe that the Cases brought before the Magistrate and entered in the Quarterly Calendars as heinous ought not to have been excluded from Statement No. 2 notwithstanding that the charges on enquiry were proved to be unfounded.

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

Sent following Precept No. 523

Read Calendar of Case No. 36 of 1851 Submitted by the Sessions Judge of Bellary under date the 16th Instant.

(Here enter F. 26. No. 1160 of 1851.)

Read return dated 15th Instant from the Agent to the Governor of Fort St. George at Rumnad to the Precept of the Foujdaree Adalut under date the 30th April 1851 directing certain alterations and amendments in the Criminal Statements of 1850 Nos. 2 and 3.

(Here enter F. 26. No. 1165 of 1851.)

Read Calendar of Case No. 17 of 1851 submitted by the Sessions Judge of Coimbatore under date the 17th Instant.

(Here enter F. 26. No. 1173 of 1851)

Read

Read letter dated 16th Instant from the Subordinate Judge in charge of the Sessions Court of Rajahmundry submits an original warrant and Copy of the letter from the Subordinate Judge showing that the final sentence of the Court of Foujdaree Adalut upon the prisoner in Case No. 8 of 1851 has been duly executed.

(Here enter F. 26. No. 1170 of 1851)

Read report B dated 15th May 1851 from 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 April 1851)

(Here enter F. 26. No. 1180 of 1851)

Read Calendar of Case No. 22 of 1851 Submitted by the Sessions Judge of Combaconum under date the 19th Instant

(Here enter F. 26. No. 1183 of 1851)

Read Calendar of Case No. 16 of 1851 Submitted by the Sessions Judge of Cuddalore under date the 20th Instant.

(Here enter F. 26. No. 1185 of 1851)

Read

26th May 1851.

Read. return dated 15th Instant from the Sessions Judge of Chicacole to the Precept of the Foujdaree Adalut under date the 30th April 1851 desiring to be informed of what the extra Batta, inserted in the Criminal reports for March last as having been paid to 5 prisoners consisted, and to state the kind of grain given and the quantity allowed.

(Here enter F. Co. No 1193 of 1851)

Read. Calendar of Case No 13 of 1851 submitted by the Sessions Judge of Guntoor under date the 20th Instant.

(Here enter F. Co. No 1194 of 1851)

Read. Criminal Report B dated 15th Instant submitted by the Sessions Judge of Ganore for the Month of April 1851.

(Here enter F. Co. No 1195 of 1851.)

Ex 1851.

F. U.

Tuesday 27th May 1851. } At a Court of the Foujdaree Udalut

Present

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

Read Calendar of Case. No 25 of 1851 of the Sessions Court of Cuddapah (Hereinafter F. U. No 1146 of 1851)

Before passing their final orders on this Case the Court of Foujdaree Udalut resolve to call upon the Sessions Judge to submit for their consideration translations of such portions of the record as affect the 3d 4th and 5th Prisoners.

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

(Sent following Precept No 526)

Read Calendar of Case No 21

of

of 1851 of the Sessions Court of Coimbatore

(Hereunto F. No. 1174 of 1851)

1 Before passing their final orders on this case, the Court of Foujdaree Udalut resolve to direct that an English translation of the entire record be submitted for their consideration.

2 Adverting to the concluding observations of the Sessions Judge in the sentence recorded in this case, the Court of Foujdaree Udalut deem it proper to remark that the mere fact of a Prisoner having been formally held to security cannot be considered to bring him under the denomination of an old offender, neither is he liable on that account to an enhancement of punishment.

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. 626)

Read Calendar of Case No. 16 of 1851 of the Sessions Court of Mangalore.

(Hereunto F. No. 1092 of 1851)

The

The Court of Foujdaree Udalut finds in the Futwa recorded in this case that allusion is made to a deposition taken from the 9th witness, but on reference to the Calendar no such witness is to be found. The Sessions Judge will be pleased to furnish an explanation in respect to this discrepancy, and he will at the same time be pleased to inform the Court of the cause of the 7th & 8th Witnesses not having been examined before the Sessions or Criminal Courts.

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

(Sent following Precept No. 624)

Read Calendar of Case No. 21 of 1851 of the Sessions Court of Combaconum

(Hereunto F. No. 1164 of 1851)

1 Before passing their final orders on this case the Court of Foujdaree Udalut resolve to direct that a translation of the Police Proceedings be submitted for their consideration, and in transmitting the same

the

the Sessions Judge will be pleased to explain the cause of delay between the date of the Prisoners' apprehension, and that of their arrival before the Subordinate Court.

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

(Sent following Precept No. 628)

Read letter dated the 1st Instant from the Acting Sessions Judge of Trichinopoly submitting for the final Judgment of this Tribunal the Record of Case No. 3 of 1851 of the Calendar of the Sessions Court.

(Here enter No. 1040 of 1851)

Read also return under date the 19th May 1851 from the Acting Sessions Judge of Trichinopoly to the precept of this Tribunal dated the 7th May 1851 calling for further evidence in the foregoing Case.

(Here enter File No. 1207 of 1851)

The Court of Sudder Adawlut, 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 Murday

and

2nd Goondan, alias, Curpen anchetty

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

But being of opinion that the prisoner

3rd Thavaroyen

is not convicted on presumptive proof, or on the evidence of Credible witnesses, or on his own confession of the above crime, the Court do acquit him thereof, and direct that he be set at liberty.

The Court of Sudder Adawlut, having been unable to discover any sufficient grounds for a mitigation of the sentence adjudgeable to the 1st and 2nd prisoners in this case, and they have therefore sentenced them to suffer death.

The Court observe that whenever the Acting Sessions Judge may recommend a

a punishment other than that which the law has provided for the offence proved, he should state his reasons for the recommendation made by him.

03

The Court have been unable to concur in the conviction of the 3rd Prisoner, there being no evidence against him but his Police Confession and his crimination by the 1st and 2nd prisoners.

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

(Sent in No. 529)

Read Extract from the Proceedings of the Sessions Court of Tirchinopoly on review of the Petty Calendars submitted by the Magistrate of that Zillah for the 1st Quarter of 1851.

(Herewith Sh. No. 1179 of 1851)

Adverting to the remarks of the Acting Sessions Judge on this Case, the Court of Sudder Adalut deem it proper to direct the attention of that Officer to the ruling laid down in Sudder Adalut Circular Order dated the 26th November 1822.

Case No. 2
Professing stolen property.

As

No.

As it does not appear that the Prisoners in this Case were persons of the character contemplated in Clause first Section III Regulation II of 1822, the Court of Sudder Adalut observe that recognizances for keeping the peace should have been taken from them by the Assistant Magistrate under Clause first Section V Regulation VI of 1827.

Calendar of persons committed and since released.
Case No. 2

Before confirming the requisition 03
for security under which the prisoner in this Case has been placed, the Court of Sudder Adalut require to be informed whether security was taken from the prisoner on the ground of his being a notoriously bad character, or on the suspicion of his having been concerned in the gang robbery adverted to in the charge: if the latter were the case, the Court observe that the demand was illegal, and the bail bond must be immediately cancelled.

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

(Sent to following Precept No. 530)

Rad. letter under date the 13th
May 1851 from the Acting Session Judge of
Trichinopoly forwarding translation of the
record of case No 6 of 1851 on the file of the
Session Court for the final judgment of
the Sunjdaree Udalut.

(Here enter F. No. No 1142 of 1851)

Mr. E. P. Thompson.

The Court of Sunjdaree 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
"Rama Kistna Sutten"
is sufficient to convict him of the Crime
of perjury, do convict him thereof; and under
the provisions of Clause first Section III
Regulation VI of 1811, and Section XXXIV Act VII
of 1843, sentence him to be imprisoned and
kept to hard labor in irons on the public
roads, or other public works, for and during
the period of (3) three Months.

1

The Prisoner in this case was
charged with wilful and corrupt Perjury
in having given two contrary depositions
before the Sunn. Moonsiff of Trichinopoly

when

whom examined by that officer upon solemn
affirmation as a witness in certain suits.

2

The Acting Session Judge
dissenting from his Mahomedan Law officer,
who acquitted the prisoner, considered the
evidence sufficient for his conviction of the
crime charged, and he accordingly referred
the trial for the final judgment of the
Sunjdaree Udalut.

3

In his letter of reference the
Acting Session Judge expresses his doubts
of the legality of the Moonsiffs proceeding
in taking in writing the depositions upon
which the charge in this case is based.

4

The Acting Session Judge
construes the provisions of Clause 2d of the
Section XV. Regulation IX of 1816, which declares
that "it shall not in any case be necessary
"to take the depositions of the witnesses
"in writing" taken in connection with the
marginal reading that "the witnesses
"are to be examined viva voce" to preclude
"a town or village Moonsiff from recording
"depositions in suits tried by him" and he

was

is of opinion that the deposition in which the perjury charged is alleged to have been committed were taken illegally, and therefore recommends that the prisoner be released.

5 The Court of Tonjdaree Udalut do not view the provisions of the law quoted by the Acting Session Judge as precluding the village or town Moonsiffs from recording written depositions in the trial of Civil Suits.

6 The enactment in question certainly relieves those officers from the necessity of taken written depositions, but the Court can see nothing in the wording of the clause quoted, or in the general tenor of the Regulation to which it belongs, which would convey the impression that any prohibition against the recording of such depositions was contemplated by the legislature; and Section XXI of the same Regulation, prescribing the manner in which the decrees of village Moonsiffs are to be prepared, would seem to show that the taking of depositions in writing was intended in those cases in which the adoption of that course might seem desirable.

The

The Court of Tonjdaree Udalut,

7 concurring with the Acting Session Judge in considering the evidence sufficient to the prisoner's conviction, have sentenced him to three Months' imprisonment with hard labor in irons; the circumstances not appearing to render a severer sentence requisite for the ends of justice.

The Court of Tonjdaree Udalut

8 observe that the indictment upon which the prisoner in this case was tried was not drawn up in the form prescribed in the Circular Order of the Tonjdaree Udalut under date the 23d November 1826, which should be strictly observed in all trials for perjury held under the provisions of Regulation III of 1826.

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

(Sent in No. 531.)

Read letter dated 15th Instant from

from the Acting Sessions Judge of Jimmerally submitting for the final judgment of the Foujdaree Udalut the record of Case No. 11 of 1851 of the Calendar of the Sessions Court.

(Herewith No. 1198 of 1851)

Wm. J. Fr. Thomas.
and
Wm. & 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

"Ramasawmy"

is sufficient to convict him of assault and severe wounding, for which according to the Moohummudan Law as declared in Futwas of their Law Officers discretionary punishment is awardable, do convict him thereof, and, under the provisions of Clause third Section VII Regulation XV of 1803, sentence him to be imprisoned and kept to labour, without irons, on the public roads, or other public works, for and during the period of (2) Two years.

The Court of Foujdaree Udalut observe that the women of the house, in which the offence charged is alleged

to

to have been committed, should have been examined, and that the evidence of the medical officer should have been taken on oath.

Vide C. O. F. U. 11th April 1828.

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

(Sent in No. 632)

4 W.

No.

Wednesday 28th May 1851.

At a Court of the Fuydaara Malabat:

Present:

C P Bell

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

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

Read Return dated 5th Instant from the Agent at Gayaan to the Precepts of the Fuydaara Malabat under date the 14th April 1851 returning for amendment the Criminal Statements for 1850.-

/ per order FC No 137 of 1851 /

With reference to the remarks contained in Para 2 of this Return the Court of Fuydaara Malabat observe that the Cases received direct from the Police by the Agent in his capacity of Sessions Judge should be entered in Columns 4 and 5 of Statement No 4 and should be excluded from Statement No 3B and that Cases taken up directly by the Agent or his Assistants in the capacity of Subordinate Judge should be entered in Columns 4 and 5 of Statement No 3B the

heading

heading of Alcoholic shall be altered to "Taken up directly by the Agent and his Assistants"

2 The Court of Inquiry Notable concur with the Agent in deeming the entry of any Cases disposed of by himself or his Assistants under the heading "Sec VII of 1848" unnecessary.

3 With reference to the request for instructions conveyed in Para 4, the Court of Inquiry Notable direct that the Agent be requested to open a new Column in the Statement No 2, should he have occasion to enter therein any punishments under the Post office Regulation.

Ordered that an Extract from these Proceedings be forwarded with the several Statements transmitted with the Returns above mentioned to the Agent at Ganjam for his information and guidance by first practicable in 2 days from and after its receipt.

/Sent following precedent No 539./

Read the Criminal Reports submitted by the Sessions Judge of Ganjam for the year 1856.

/Vide enter Pol Con No 189 of 1857./

The

The following errors and discrepancies

1 are observed in these Returns.

The entries under the heading "Total

2 of this appendix" do not correspond with the totals of Columns 16 of the Statement No 1.

The aggregate of the entries in the "Total" heads "Heads of Police &c

3 of this appendix under the heads "Heads of Police &c should be 617 in accordance with the totals of Columns 4-17 and 19 of the Statement No 2.

The 104 persons under heads "Trials

4 Reported" should be entered in the following Columns Viz "Sentences Modified" as the case may be.

The 105 persons entered in Column

5 36 of the Statement No 3 B as committed should be entered in this appendix.

The 24 persons imprisoned in default of payment of fine should be entered under heads "Imprisoned" "Minor Columns" under 3. 6 12 &c Months &c

6 The 1 person imprisoned in default of payment of fine should be entered under heads "Imprisoned" Minor Columns under 3. 6. 12 &c Months &c

7 204 Cases including 330 Persons &c are entered in this Statement as forwarded to the

8 The

28th May 1851.

the Criminal Court by the Heads of Police whereas according to Columns 16 and 17 of the Statement No 2 the Numbers should be 221 and 359.-

Statement shewing the nature and the result of Charges preferred against the Police.

Two persons are included in this Approximate who do not appear in Heading 1 and 2 of Statements Nos 1 and 2.-

Ordered that Extracts from these Proceedings be sent to the Stipendiary Judge of Bonne Bay per Packet returnable within XX days from and after its receipt.-

/Sent following precept No 540./

Read Report dated 25th Ultimo submitted by the Stipendiary Judge of Chatham of the Labor of Convicts of the Jail & Village under the charge of the Head Assistant Magistrate of North Head for the Months of March 1851.-

/Here enter F.R. No 1048 of 1851./

Read Report dated the 29th Ultimo submitted by the Stipendiary Judge of Salmon of the Labor of Convicts of the Jails under charge of the Magistrate of Salmon for the months of March 1851.-

/Here enter F.R. — No 1049 of 1851./

Read Letter dated 1st Instant from the Stipendiary Judge of Calmet stating that there is no Case during the past Month to be entered in the Return required by the Fogodarre Adalut Circular Letter of the 16th October 1834.-

/Here enter F.R. No 1050 of 1851./

£ 18.0.

F.R.

Thursday 29th May 1851. At a Court of the Fogodarre Adalut.-

Present

J.K. C.P. Thompson Esquire — 2d Puisne Judge
W.P. W.R. W. A. Hoskead Esquire — 3d Puisne Judge

Read Letter dated the 17th May 1851 from the Stipendiary Judge of Combaconnum submitting the Calendar of Cases disposed of by the Magistracy of Fogoes during the 1st Quarter of 1851.-

/Here enter F.R. No 1030 of 1851./

The Court of Fogodarre Adalut

Furnished Calendar Case No 17.- direct that the Magistrate be called upon to furnish full explanation in respect to the nature of the acts of disobedience to his orders of which the Prisoners in this Case have been found guilty.-

The Court further direct that the attention of the above Officer be drawn to his omission to prefix appropriate Heading to the Cases entered in the Calendar of persons committed and released during the Quarter.-

Ordered that Extracts from these Proceedings be forwarded to the Stipendiary Judge of Combaconnum for his information and for communication to the Magistrate by Packet returnable within X days from and after its receipt.-

/Sent following precept No 541./

Read

Read Letter dated the 13th May 1851 from the Sessions Judge of Chicacole certifying that the death warrant in case No 2 on the Calendar of the Sessions Court of Chicacole was carried into execution on the 13th Instant.-

/Presenter F.R. No 1732 of 1851./

The Court of Foujdaree Adalut observe that the information required in the concluding part of Foujdaree Adalut Circular order dated 3d May 1830 has not been afforded in the foregoing Letter, and they request that the omission may now be supplied.-

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

/Sent following precept No 543./

Read Criminal Reports for 1850 submitted by the Sessions Judge of Nundial under date the 13th Instant.-

/Presenter F.R. No 1189 of 1851./

The Court of Foujdaree Adalut observe that the recapitulation in this Report of those particulars which are exhibited in the figured Statements is unnecessary, and serves only to increase the labor of preparing the

duplicate and triplicate copies required to be transmitted to the Government of India, and the Honorable Court of Directors, and they consequently direct that the Sessions Judge of Nundial be requested, in submitting an amended Report, to confine his remarks to those points in which the information conveyed by the figured Statements may be deficient, or the results apparent therein may require explanation.-

Ordered that the Reports now under consideration be returned to the Sessions Judge of Nundial with an Extract of these Proceedings, by Precept requiring conformity thereto, and returnable within xx days from and after its receipt.-

/Sent following precept No 543./

Read Calendar of Cases No 160 of 1851 submitted by the Sessions Judge of Cuddapah under date the 21st May 1851.-

/Presenter F.R. No 1304 of 1851./

Read Primary and Supplementary Calendars of Cases No 238 of 1851 submitted by the Sessions Judge of Cuddapah under date the 21st May 1851.-

/Presenter F.R. No 1305 of 1851./

Read Calendar of Case No 240 of 1851 submitted by the Sessions Judge of Combaconum under date the 22d May 1851.-

/Presenter F.R. No 1310 of 1851/

Read

29th May 1852.-

Read Calendar of Cases Nos 23 of 1851 submitted by the Sessions Judge of Combaconum under date the 23d May 1851.-

/Herewith F.C. No 1211 of 1851/

Read Calendar of Cases No 19 of 1851 submitted by the Sessions Judge of Madura under date the 22d May 1851.-

/Herewith F.C. No 1213 of 1851/

Read Calendar of Cases No 30 submitted by the Sessions Judge of Bellary under date the 23d May 1851.-

/Herewith F.C. No 1229 of 1851/

Read Calendar of Cases No 21 of 1851 submitted by the Sessions Judge of Madura under date the 23d May 1852.-

/Herewith F.C. No 1231 of 1851/

Read Calendar of Cases No 33 of 1851 submitted by the Sessions Judge of Madura under date the 23d May 1851.-

/Herewith F.C. No 1232 of 1851/

Read return dated the 24th May 1851 from the Acting Subordinate Judge in charge at Combaconum to the Precepts of the Tongadarre Adalut under date the 8th May 1851 forwarding for amendment certain Criminal Statements submitted for the year 1850.-

/Herewith F.C. No 1235 of 1851/

P.W.S

F.C.

Friday 30th May 1851.

At a Court of the Tongadarre Adalut.

Present

W.M. for 2. P.J. E.S. Thompson Esqr 2d Puisne Judge

W.M. for 3d Judge W.A. Morehead Esqr 3d Puisne Judge

Read again Criminal Reports submitted by the acting Sessions Judge of Nellore for the month of March 1851.

/Herewith F.C. No 899 of 1851/

Read also return under date the 12th May 1851 from the Acting Sessions Judge of Nellore to the precepts of the Tongadarre Adalut dated the 30th April 1851 conveying their orders on the foregoing Criminal Reports.-

/Herewith F.C. No 1124 of 1851/

The Court of Tongadarre Adalut observe that the offence of which the Prisoner in Case No 27 of 1851 on the file of the Principal Sudder Ameen was convicted should have been clearly stated in the reports.

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Nellore for communication to the Principal Sudr Ameen

/Sent in No 549/

30th May 1851.

Read Criminal Reports Submitted by the Acting Session Judge of Nellore for the Month of April 1851.

/ Reference F. C. No. 1167 of 1851 /

Case No. 50 1 The Court of Foujdaree Udalut observe that the offence charged against the Prisoners in this case viz. uttering Counterfeit coins was beyond the jurisdiction of the Subordinate Criminal Court and they accordingly resolve to direct that the Sentences be quashed that the prisoners be committed for trial to the Sessions Court under the provisions of Clause first Section VI Regulation III of 1822.

2 The Court of Foujdaree Udalut desire that the rate of the allowance of Grain issued to the prisoners, which should be invariably specified in the Monthly Criminal Reports be stated for their information.

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

/ Sent following precept No. 550 /

Read

30th May 1851.

Read Criminal Reports Submitted by the Sessions Judge of Chittoor for the month of April 1851.

/ Reference F. C. No. 1135 of 1851 /

Adverting to the case of a prisoner punished under the provisions of Regulation X of 1832 the Court of Foujdaree Udalut observe that the fact of a prisoner being permitted in the middle of the night to quit the ward in which he was confined evinces gross negligence on the part of the Guard and demands the serious attention of the Officer in charge of the Jail.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chittoor for Communication to the Subordinate Judge.

/ Sent in No. 551 /

Read Criminal Reports Submitted by the Sessions Judge of Combaconum for the Month of April 1851.

/ Reference F. C. No. 1132 of 1851 /

The Court of Foujdaree Udalut

Case No. 52 1 observe that the report A of this Case should have been prepared in the prescribed form and the

Sentence originally passed recorded in it in the usual manner.

Convict labor Report

2 The Court of Foujdaree Udalut have already directed that the issue of the maximum allowance of grain should be discontinued.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Combaconum for his information and for communication to the Acting Subordinate Judge.

/Sent in No. 552/

Read letter dated 15th May 1851 from the Sessions Judge of Calicut submitting for the final Judgement of the Foujdaree Udalut the record in Case No. 102 of 1850 of the Calendar of the Sessions Court

/Here enter F.C. No. 1170 of 1851/

M.W. Moorhead

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,

1. Andoor Ramen
2. Koonjatan Ittanen
3. Toombiporatha Manadath
7. Konoony

and

8. Vikeran

are

are not convicted on presumptive proof or on the evidence of credible Witnesses or on their own confessions of the Crime charged, do acquit them thereof; and direct that the prisoners,

3rd Toombiporatha Manadath

7th Konoony

and

8 Vikeran

be set at liberty.

But being of opinion that strong suspicion, though not amounting to conviction attaches to the Prisoners,

1st Andoor Ramen

and

2nd Koonjatan Ittanen

the Court direct, under Provisions of clause Sixth, Section II Regulation XI of 1803, and Section XXXIV Act VII of 1843, that they be severally required to find two Sureties each the 1st in 150 Rs. and 2nd in 100 Rs. each Surety, for their good behaviour and appearance when required within three years. and that in default thereof they be detained for three years in confinement. the Prisoner

10th Oranien Moideen

being concerned in four other cases no Special Order

are

30th May 1851.

are called for in respect to him in this Case.

/ Sent in No. 553. /

Read letter dated 19th May 1851 from the Session Judge of Calicut submitting for the final judgment of the Tonjdaree Adalut the record in Case No. 103 of 1851 of the Calendar of the Sessions Court.

/ Here enter F. Rs. No. 1220 of 1851 /

A. W. Moreheed.

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

2d. Palakel Madary

3d. Parapooratha Kanachen

4th. Tombipooratha Mamarah

5th. Koyapooratha Seyed Ahmod

6th. Kadiakotil Pokur.

7th. Ateuplakal Chitty Coonhen

8th. Karamlankooratha Coonbarah

and

10th. Kalodoombil Pokur.

are not convicted on presumptive proofs or on the evidence of Credible witnesses or on their own confessions of the crime charged do accordingly acquit them and direct that they be set at liberty the Prisoner

1st. Keykootvalapil alias chakaparambil Oorainien Moideen

being

30th May 1851

being concerned in other cases no Special orders are called for in respect to him in this case.

/ Sent in No. 554 /

Read Report dated the 1st Instant submitted by the Sessions Judge of Nellore of Cases pending for the month of April 1851.

/ Here enter F. Rs. No. 1051 of 1851 /

Read Report dated the 1st Instant submitted by the Sessions Judge of Bellary of Cases pending on the 31st March 1851 before his Court for a longer period than 25 days.

/ Here enter F. Rs. No. 1052 of 1851 /

Read Calendar of Case No. 14 of 1851 Submitted by the Sessions Judge of Calicut under date the 1st Instant.

/ Here enter F. Rs. No. 1056 of 1851 /

Read Calendar of Case No. 16 of 1851 Submitted by the Sessions Judge of Combaconum under date the 3d Instant.

/ Here enter F. Rs. No. 1057 of 1851 /

Read Calendar of Case No. 12 of 1851 Submitted by the Sessions Judge of Madura under date the 3d Instant.

/ Here enter F. Rs. No. 1058 of 1851 /

/ Read

F.C.
30th May 1857

Read Report dated the 5th Instant
Submitted by the Sessions Judge of Combaconnum account
of the Gaols under charge of the Magistracy for the month
of March 1857.

/Here enter F.C. No. 1061 of 1857/

Read letter dated the 29th
Ultimo from the Agent to the Governor of Ganjam
submitting Reports A & B from Mr. Fraser Assistant Agent
for the month of March 1857.

/Here enter F.C. No. 1062 of 1857/

Read report dated 1st Instant
Submitted by the Sessions Judge of Masulipatam of
Cases pending on the 31st March 1857 and committed for
trial during the month of April 1857, before his Court.

/Here enter F.C. No. 1065 of 1857/

Read communication dated the 3d Inst.
from the Sessions Judge of Calicut submitting copy of
the Magistrate's Return to the Court's precept on the 29th
April last relative to the delay in sending the Corpse
of the deceased Coonjathoonah for Examination by the
Civil Surgeon.

/Here enter F.C. No. 1066 of 1857/

Read Calendar of Case No. 15 of 1857
Submitted by the Sessions Judge of Cuddalore under date
the 10th Instant.

Ed 18/3. /Here enter F.C. No. 1091 of 1857/

F.C.

Saturday 30th May 1857. At a Court of the Fouzdaree Adalut.

Present:

W.h.f. 2.P.J. C. D. Thompson Esquire 2d Puisne Judge.
W.f.p. 3.P.J. W. A. Morehead Esquire 3d Puisne Judge.

Read Miscellaneous Petition presented on the 30th March 1857 by C. Ramasawmy late Subordinate Police Officer of Pallacollo in the Zillah of Rajahmundry.--

/Here enter Sundry F.M.P. No. 30 of 1857/

The Court of Fouzdaree Adalut are precluded from passing any orders on the prayer of the Petition, the matter to which it refers not being within their proper jurisdiction.--

The Petitioner is recommended to apply to the Revenue Board for the redress of his alleged grievance.--

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

Read Miscellaneous Petition presented on the 31st March 1857 by Parasurama Mudali and others of Zillah Chingleput.--

/Here enter F.M.P. No. 31 of 1857./

W.h.f. C.D.T.
W.f.p. W.A.M.

The

31st May 1851.

Wm R Thompson
vs
Wm H Morehead.

The Court of Foujdaree Udalut declare to interfere in the matter to which this Petition refers and their application is dismissed.-

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

Read Miscellaneous Petition presented on the 7th April 1851 by Nanoo Bhai of Zillah Chittoor

/ Here enter F M P. for 84 of 1851 /

Wm R Thompson
Wm H Morehead.

The Court of Foujdaree Udalut see no reason to question the propriety of the Sentences passed upon the 10 Prisoners in Case for 17 of 1850 on the file of the Sessions Court of Chittoor and the Court accordingly resolve to dismiss this Petition.-

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

Read Miscellaneous Petition presented on the 14th April 1851 by Kanchi pursaud Sundarayer of Zillah Chinglepute.-

/ Here enter F M P. for 57 of 1851 /

Wm R Thompson.
Wm H Morehead.

The Petitioner prays the Court of Foujdaree Udalut to order his restoration to the office of Jemadar from which he has

31st May 1851.

has been dismissed by the Magistrate of Chinglepute in consequence of his having been convicted by the Principal Sudder Ameen upon a charge of abuse of authority and fined.-

The Court of Foujdaree Udalut

2

have no Authority to interfere with any orders passed by Magistrates for the dismissal of subordinate officers of Police and they are therefore constrained to dismiss this Petition.-

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

Read Miscellaneous Petition presented on the 17th April 1851 by P Tirumala Row Talaver on behalf of Lakshmi of Zillah Tanjore.-

/ Here enter F M P. for 58 of 1851. /

Wm R Thompson.
Wm H Morehead.

The Court of Foujdaree Udalut see no reason to question the propriety of the Sentence passed upon the 1st Prisoner in Case for 1850 on the file of the Sessions Court of Tanjore. and they accordingly resolve to dismiss this Petition.-

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

Read Miscellaneous Petition presented on the 22d April 1851 by V Seetharama Pillay

Takarbon behalf of R Yellappa Redole of Yillah Cuddapah.-

/ Have enter F.M.P. Fo 39 of 1851 /

Mr R.D Thompson.
Mr W.H Morhead.

The Court of Foujdaree Adalut cannot interfere in the matter adverted to in this Petition, the Parties to whom the Petition refers having been acquitted by a Court of competent Jurisdiction of the offence with which they were charged.-

Ordered that Extract from these Proceedings be given to the Petitioner Takarbon his Application.-

Read Miscellaneous Petition forwarded by the Sessions Judge of Madura from Virabadra Iyan and two others of Zillah Madura.-

/ Have enter F.M.P. Fo 64 of 1851 /

Mr R.D Thompson.
Mr W.H Morhead.

The Court of Foujdaree Adalut see no reason to question the propriety of the Sentences passed upon the prisoners in Case Fo 180 of 1850 on the file of the Sessions Court of Madura and they accordingly resolve to dismiss this Petition.-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Madura for Communication to the Petitioner

/ Sent id Fo 556 /

Read Miscellaneous Petition presented on the 22d Instant by A.M Ritchie Esquire Vakeel on behalf of Erootuppen Thavan of Zillah Madura.-

/ Have enter F.M.P. Fo 67 of 1851 /

Mr R.D Thompson.
Mr W.H Morhead.

The Petitioner prays the Court of Foujdaree Adalut to order the Suspension of the Sentence passed against his father in-law, the Prisoner in Case Fo 15 of 1851 on the file of the Sessions Court of Madura, pending the disposal of Case No 11. Orders having already been issued by this Court to the Sessions Judge of Madura to suspend the Sentence in question. this Petition requires no further orders.-

Ordered that Extract from these Proceedings be given to the Petitioner Takarbon his Application.-

Case Fo 40 1851

Read Criminal Reports submitted by the Sessions Judge of Cuddalore for the month of April 1851.

/ Have enter F.M. Fo 1145 of 1851 /

The Court of Foujdaree Adalut observe that the fact of the prisoner having been convicted of Criminal offence on a former occasion should have been entered as a 3d Count in the indictment in this case, Evidence being adduced to prove his identity with the prisoner tried and punished in the former

Case

31st May 1851.

Case referred to.-

Case No 45.

2 The 2d Counts preferred against the 2d Prisoner in this Case should have charged him with having ~~been~~ convicted on a former occasion and not with having committed the offence charged against him on the former occasion in question.-

3 The Sessions Judge will be pleased to instruct the Principal Sudder Ameen as to the Mode of preparing 2d Counts of the nature of those under notice.-

4 The number of days delay before the Police should be entered in the Nama noticing the delay.-

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

(Sent in No 557)

Read Criminal Reports submitted by the Acting Sessions Judge of Tinnevelly for the months of April 1851.

(Here enter Pr No 1168 of 1851.

Case No 39.

1 The Court of Tanjore Adalut do not understand with reference to the wording of the charge in this Case how the prisoner could have been convicted of receiving stolen cattle knowing them to have been stolen.-

31st May 1851.

2 It would appear from the charge that the cattle therein referred to had strayed and were taken by the Prisoner into his possession and the Court can conceive that under these circumstances a charge of Cattle Stealing might have been founded, but not such a charge as that upon which the prisoner has been tried.-

3 The Court of Tanjore Adalut direct that the Acting Sessions Judge will review the Proceedings in this Case and pass such orders thereon as he may think proper reporting the same for the information of the Tanjore Adalut.-

Convict Reports 4

The Court of Tanjore Adalut observe that the rate of the allowance of grain issued to the convicts has not been stated.-

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

(Sent following Precept No 658.)

Read Primary and Supplemental Calendars in Case No 16 of 1851 submitted by the Sessions Judge of Cuddalapah under date the 21st May 1851.

(Here enter P. Cs. Nos 1202 & 1203 of 1851.)

The

The Court of Inquiry Adalat observe that the designation of the offence preferred to the abstract of charge in these calendars is incorrect. It should have been Robbery by open violence.

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

/Sent in Ltr No 559/

Read Calendar of Cases No 29 of 1854 of the Sessions Court of Demerara.

/Prisoner FB No 1306 of 1854/

The Court of Inquiry Adalat approve of the recommendation made by the Sessions Judge in this case that the period of Imprisonment awarded to the Prisoner on her conviction of Perjury be reduced to 8 months and the Sessions Judge is authorized to issue his warrant accordingly.

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

/Sent in Ltr No 560/

Read Calendar of Cases No 3 of 1854 of the Sessions Court of Essequebo.

/Prisoner FB No 1213 of 1854/

The

The Court of Inquiry Adalat approve of the recommendation made by the Acting Sessions Judge in this case that the period of imprisonment awarded to the Prisoner on his conviction of "Robbery by open violence" be reduced to (5) years, and the Sessions Judge is authorized to issue his warrant accordingly.

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

/Sent in No 561/

Read Criminal Reports submitted by the Agent to the Governor of Berbice to George Town Georgetown for the month of April 1854

/Prisoner FB No 1340 of 1854./

From the Statement of the charge in this case the Court of Inquiry Adalat see reason to think that the offence committed by the Prisoner, was "high way robbery" rather than one of simple Theft.

Ordered that Extract from these Proceedings be forwarded to the Agent at Georgetown for his information and future guidance.

/Sent in No 562/

Read Letter dated the 15th Instant from the Agent to the Governor of Fort St George at Georgetown submitting a Report of the Trials of 3 Prisoners in Cases No 90 of 1854.

/Prisoner FB No 1238 of 1854./ Read

The Agent convicts the Prisoner of severe assault and recommends that a sentence of one years imprisonment with hard labor in irons and Seventy five lashes be passed upon them under Clause 4th Section II Regulation XI of 1843.-

The Court of Inquiry Malabar concur in the conviction of the Prisoners.

1st Huddy Ruggo Naiko

and

2d Huddy Ramo Naiko

and sentence them to one years imprisonment with hard labor in irons.-

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

/Sent in - Fo. 663.

/

Read Letter dated the 17th May 1851 from the Sessions Judge of Coimbatore submitting the annual Criminal Reports for 1850.-

/Vide entries F.R. Fo. 1842 of 1851./

In paras 9 and 10 of this Report the Sessions Judge requests permission to allow Meat to the Prisoners once a week, and that the

Judges

Judges are not satisfied that an indulgence which in some Jails has never been granted and the suspension of which in others has not been attended with any injurious effects, can be necessary in Coimbatore, they in compliance with the urgent recommendation of the Sessions Judge, Authorize the issue of Meat to the Prisoners on Sundays as a temporary measure.-

The Sessions Judge will be pleased

2

to submit a return of deaths in the Coimbatore Jail by Diarrhea for the last five years distinguishing those which occurred between the 1st January and 30th June and 1st July and 31st December in each year.-

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

/Sent following Precept Fo. 664

Read Calendar of Cases No. 170 of 1851 submitted by the Acting Sessions Judge of Malabar under date the 9th May 1851.-

/Vide entries F.R. No. 1093 of 1851./

Ex. Bd.

31st May 1851.

The Agent convicts the Prisoner of severe a fault and recommends that a sentence of one years imprisonment with hard labor in irons and twenty five lashes be passed upon them under Clause 1st Section II Regulation XX of 1813.-

The Court of Foujdaree Adawlut concur in the conviction of the Prisoners.

1st Huddy Ruggo Sahib

and

2d Huddy Ramoo Sahib

and sentence them to one years imprisonment with hard labor in irons

Ordered that Extract from these Proceedings be forwarded to the Agent to the Governor of Fort St George at Cuyaum for his information.-

/Sentence Sr 663.

Read Letter dated the 17th May 1851 from the Sessions Judge of Coimbatore submitting the annual Criminal Reports for 1850.-

/Vide Letter to Sr 1847 of 1851/

In paras 9 and 10 of the Report the Sessions Judge requests permission to allow Meat to the Prisoners once a week, and that the Judges

31st May 1851.-

Judges are not satisfied that an indulgence which in some Jails has never been granted and the suspension of which in others has not been attended with any injurious effects, can be necessary in Coimbatore, they in compliance with the urgent recommendation of the Sessions Judge, Authorize the issue of Meat to the Prisoners on Sundays as a temporary measure.-

The Session Judge will be pleased

2

to submit a return of deaths in the Coimbatore Jail by Diarrhea for the last five years distinguishing those which occurred between the 1st July and 31st December and 1st January and 30th June in each year.-

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

/Sent following precept Sr 564

Read Calendar of Case Sr 1795 of 1851 submitted by the Acting Sessions Judge of Malabar under date the 9th May 1851.-

/Vide entries 7th Sr 1093 of 1851/

2d Bch.

J. C.

Monday 3d June 1855.

At a Court of the Inferior Tribunals.

Present:

W. M. for C. P. J. C. D. Thompson Esquire — 2d Puisne Judge.

W. J. for W. A. H. W. A. Sherwood Esquire — 3d Puisne Judge.

Read the Criminal Reports submitted by the Stipendiary Judges of Calvados for the year 1854.

(Per letter F. B. — No. 1148 of 1854.)

The following errors and discrepancies are observed in these Returns.

Appendix C to Statement No. 3. 2 The Column "unsatisfied" under head "Monthly Statement" should be filled up.

No. 1 to Statement No. 3 A. 3 The 47 persons imprisoned in default of payment of fine should be entered under head "Imprisoned Minor Crimes" under 3 d. 3 days 3 Months.

Do. B to Do. 4 The numbers of Cases (98) do not agree with the Statement No. 3 A and the Entries in Columns Sentences Modified, Annulled and Overturned (135) do not agree with the number of Persons (174).

Appendix A to Statement No. 3 B. Subordinate Courts. 5 The aggregate of the entries under heading "Fines" "Minor heads," "Fines levied," "Imprisonment"

in default of payment" should correspond with that of Columns "Tried" "Imprisoned" and "Fined" - Viz.t 47 - whereas it is 39, and the Total of the Entries under heading "Imprisoned" "Minor Columns" under 3. 6. 12 "Days" "Months" should agree with the total of the Column of "Imprisoned D" and "Fined E" and "Flogged de" in default of payment - Viz.t 81 - whereas it is 62 - 6

Appendix B to Statement N.o 3B Subordinate Court.

The total Number of persons entered in Columns 23 and 24 of the Statement N.o 3B, and the Cases in which they are implicated should be entered in Column "Trials Reported." The entries in the 3 succeeding Columns do not agree with the total Number of persons.

Appendix D to Statement N.o 3B Subordinate Court.

7 The entry under Columns "Column 8," heading "distinct & separate Committals" in this Appendix must be erroneous, the remanded Cases appearing in the Statement under heading 4. 7. 8. 15. 46. 50 and 51.-

Appendix B to Statement N.o 3B Sub.d & Assistant Court.

8 The Total number of persons entered in Columns 22 and 24 of the Statement N.o 3B, and the Cases in which they are implicated should be entered, in Column "Trials Reported" - The entries in Column "Sentences

"Sentences" Undistributed do not correspond with the total number of persons.-

Statement N.o 4

114 Cases are entered in the total of Column 4 of this Statement as committed during the year, whereas Column 25 of the Statement prepared by the Subordinate Judge and Principal Sudder Ameen shew that 118 Cases were committed to the Sessions Court. The difference of 4 Cases appears under heads 5. 33. and 53.-

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

(Vide N.o 565 following Precept.)

Read Letter dated 10th May 1851 from the Sessions Judge of Calicut submitting the Criminal Statements N.o 4 for 1850.-

(Vide N.o 1143 of 1851.)

The Court of Foujdary Adawlut observe that the recapitulation in this Report of those particulars which are exhibited in the Annual Statements is unnecessary and does only to increase the labor of preparing the duplicate and triplicate Copies required to be transmitted to the Government of India and the Honorable Court of

of Directors, and they consequently direct that the Sessions Judge of Calicut be requested, in submitting an amended Report, to confine his remarks to those points on which the information conveyed by the figures stated cannot be objected, or the results apparent therein may require explanation.-

2 With reference to para 4 of the Report the Court of Sessions Malabar observe that it is competent to the Sessions Judge to call for any information that he may require from the Magistracy in respect to the release by the Police of persons charged with offences of a heinous nature.-

3 In the last clause of para: 6 the Sessions Judge expresses regret that directions of duty on the part of the Police should have been allowed to pass unnoticed, and the Court of Sessions Malabar direct that Mr. Norris be called upon to specify the particular cases to which he alludes.-

4 It is stated in the 8th Para that the abuses reprobated in Paras 9. 10. 11 of the Sessions Judge's Report for 1849 still exist. It would however seem that in the opinion of

of the Sessions Judge the orders recently issued will check one of the evils formerly complained of, viz. in respect to irregularities stated to have prevailed in the abstraction of Robbers and searching for stolen property, the Court of Sessions Malabar observe that the remedy was in the hands of the Sessions Judge, who was bound, as each instance of irregularity came before him, to notice it to the Magistrate, and to order it to be discontinued; it was equally the duty of the Sessions Judge to point out to the Magistrate any Case in which the Police had neglected to forward a Corpse to the Tillah Surgeon for inspection within a reasonable time after its discovery, and to have drawn his attention to any points upon which the Tillah Surgeon considered the information afforded by the Police defective.-

It must scarcely be remarked that in such a Climate as India, and in so extensive a district as Malabar, it cannot but frequently happen that, notwithstanding every precaution, decomposition will take place before a body can reach the Tillah Station, and that in consequence of the necessity of forwarding a Corpse for examination immediately, and of discovery the information as to the alleged cause of death previously

previously required by the Police must be frequently scanty.-

5th The Sessions Judge will be asked to report whether the application of the Magistrate for the retransfer of the gang of Prisoners referred to in the 4th para has been complied with.-

Ordered that a Extract from these Proceedings be forwarded to the Sessions Judge of Calicut by parcel Returnable within [illegible] days from and after date of receipt.-

Read Letter dated 21st May 1851 from the Sessions Judge of Tellicherry explaining the circumstances which have led him to charge the Principal Sudder Ameen with complicity in the late attempt upon his life, and complaining of the Proceedings of the Joint Magistrate of Malabar in the matter.-

/Per entry in P.C. No. 1234 of 1851/

In the opinion of the Court of Sessions Malabar it is much to be regretted that Mr Forsyth should have on the present occasion followed a course which has the appearance

appearance of a desire on his part to constrain the Joint Magistrate to act towards the accused in a manner which is contrary to the dictates of his own judgment, and they consider that all proceedings & complaints against the Proceedings of the Joint Magistrate should be reserved until the Magistrate has completed the investigation in which he is engaged, otherwise irregularities that may have occurred may be overlooked & the accused [illegible] committed on the charge.

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

/Per entry in P.C. No. 567 of 1851/

Read Letter dated 21st May 1851 from the Magistrate of Calicut requesting, in accordance with a recommendation to that effect from the Joint Magistrate, authority to offer a conditional pardon to one Peeru a gardener in the service of Mr Forsyth who has confessed complicity in the attempt recently made upon the life of his employer and has criminated the Nazir and a Peon attached to the Civil Court.-

/Per entry in P.C. No. 1223 of 1851/

The Statements contained in the Deposition

deposition submitted with this Letter are so vague and unsupported that at present the Court of Tuydaree Taluk must decline to comply with the Magistrate's request.-

2 It is evident that neither the Magistrate nor the Joint Magistrate considers these statements sufficient to warrant the conviction of the alleged accomplices - and the grounds upon which the present application mainly rests - namely that "the case should be investigated "by tribunals of whose impartiality there can be "no doubt" - because the Magistrate's character and "that of Mr. Chatfield is more or less concerned "in having the fullest and most public "investigation possible" - cannot justify the subjecting to trial before a Criminal Court, persons against whom, as it would seem, no evidence exists, save the uncorroborated crimination of the proposed approver.-

3 It appears to the Court of Tuydaree Taluk that the statements of Pechay were capable of being tested in some other and particulars - for instance he might have been called upon to point out the spot in which he put the pills, and to state the hour

hour when this was done - and Mr Forsyth the domestic might have been questioned as to whether he had selected the right Dr Pat; and whether it was proved that at the hour named the Cook and every other Servant would have been absent from the Kitchen. Furthermore as the Suspension was to have been given to 2 dogs, it might have been ascertained whether this was the usual way of disposing of it - for if not, suspicion would obviously arise that the Cook or other person usually making use of it was aware that some thing injurious had been mixed with it.-

4 The Joint Magistrate is stated to have resolved to commit the case to the Criminal Court, and that evidence corroborative of the facts asserted by Pechay & Sparrow the Records elicited in the Course of his Proceedings, induced the Subordinate Judge of Calicut, to whom under the orders of Government dated 29th May 1857 the case will have been already referred, to submit an application for Authority to admit this person as an approver - the Court of Tuydaree Taluk will be prepared to take that into consideration

But should the Joint Magistrate have arrived at the result of the present application and

should

shall be the case he shall pending before him it will remain for that Officer to use his own discretion in deciding what further steps shall be taken in the matter.-

Ordered that a Extract from these Proceedings be forwarded to the Magistrate of Calicut for his information and Communication to the Joint Magistrate.-

/Sentence No 568/

Read Letter dated 24th February 1851 from the Sessions Judge of Calicut submitting for the final judgment of the Foujdaree Adalut the records of Cases Nos 99. 101. and 104 on the Calendar of the Sessions Court of Calicut

/Herewith File No 540 of 1851/

No 11 A Monthly.

The Court of Foujdaree Adalut, upon a deliberate consideration of all the circumstances of the Case and evidence before them being of opinion that the proof against the prisoner

Koykoot Valiapalakas
Cherkomparambil
Coramin Moideen"

is sufficient to convict him of the Crimes charged to convict him thereof, and under the provisions of Clause third Section IV Regulation XX of 1803 and Section XXXIV Act VII of 1848 sentence him to be transported to such place or places beyond sea-

2nd June 1851.-

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.-

/Sentence No 569./

Read Letter dated 23rd May 1851 from the Magistrate of Malabar submitting copy of a Communication to Government dated 21st May together with its enclosures on the subject of the alleged attempt to poison the Sessions Judge of Tellicherry

/Herewith File No 1337 of 1851/

Read Return dated 26th May 1851 from the Sessions Judge of Chingleput, to the precept of the Foujdaree Adalut under date the 13th May 1851 returning for correction the Criminal Statement No 2.-

/Herewith File No 1338 of 1851/

Read Report dated 23rd May 1851 submitted by the Sessions Judge of Rajahmundry, of the Labor of Convicts at Cocanada under charge of the Magistrate for the months of April 1851.-

/Herewith File No 1343 of 1851/

Read Calendar of Cases No 17 of 1851 submitted by the Sessions Judge of Masulipatam under date the 21st May 1851.-

/Herewith File No 1351 of 1851/

Read Jail Report submitted by the Acting Subordinate Judge in charge of Combaconum under date the 28th May 1851.-

/Herewith File No 1358 of 1851/

Read

2d June 1851.

Read extract from the Proceedings of the Sessions Court of Cuddalore under date the 22d May 1851, on the Petty Calendars of the Magistracy for the 4th Quarter of 1850.

/Herewith 776 A.D. 1259 of 1851./

Read Calendar of Cases No. 24 of 1851 submitted by the Sessions Judge of Madura under date the 27th May 1851.

/Herewith 776 A.D. 1262 of 1851/

Read Letter dated 27th May 1851 from the Sessions Judge of Madura to the Register of the Foujdaree Adalut under date the 23d May 1851 directing suspension of Sentence recorded on the conviction for perjury of the Prisoner and No. 15 of the Calendar for 1851.

/Herewith 776 A.D. 1263 of 1851./

Read Calendar of Cases No. 19 of 1851 submitted by the Sessions Judge of Bellary under date the 29th May 1851.

/Herewith 776 A.D. 1267 of 1851./ S

2d 1809.

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776.

Tuesday 3d June 1851.

At a Court of the Foujdaree Adalut.

Present

C P S — C S Thompson Esquire — 2d Puisne Judge.

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

Read Letter dated 21st May 1851 from the Magistrate of Malabar, reporting an attack by a band of armed men on the house of a Coppramuth in the Nedingunaad Talook, in which 10 of the Inmates of the said house were burnt to death, and stating that a reward of 350 Rs has been offered for the discovery of the perpetrators of the outrage.

/Herewith 776 No. 1226 of 1851./

Under the provisions of Section XXI Regulation IX of 1816, the Court of Foujdaree Adalut authorize the rewards specified in this communication.

Ordered that Extract from these Proceedings be sent to the Magistrate of Malabar for his information.

/Entered — No. 571/

Read Calendar of Case No. 90 of 1851 of the Sessions Court of Chittoor.

/Herewith 776 — No. 1230 of 1851./

The

3d June 1851.

The Court of Foujdaree Adalut observe that a second question should have been put to the Law officer in this case, to ascertain distinctly whether or not, the Prisoner would have been convicted, had the technical objections urged against the evidence of the 1st 2d and 8th witnesses not been attended to.

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

/Sent in Ft. 572./

Read Criminal Reports submitted by the Sessions Judge of Combaconum for the Month of February 1851. under date the 1st March 1851.

/Here enter FR. Ft. 626 of 1851./

Read descriptive Roll, submitted by the Acting Subordinate Judge of Salem, dated the 25th March 1851. of 50 Convicts sent to the charge of the Magistrate of Salem.

/Here enter FR. Ft. 717 of 1851./

Read Letter dated 4th April 1851. from the Sessions Judge of Bellary, forwarding a copy of the Magistrates return to his Proceedings of the 3d January last, held by him receiving the petty Calendars for the 4th Quarter of 1850.

/Here enter FR. Ft. 796 of 1850./

Read

3d June 1851

Read Return dated 19th April 1851 from the Agent to the Governor of Fort St George at Kurnool to the Precept of the Foujdaree Adalut under date the 13th April 1851 directing the unconditional release of the 3d 3 and 64th Prisoners in Cases Nos 36 and 37. File of the Agent to the Governor at Kurnool.

/Here enter FR. Ft. 947 of 1851./

Read Return dated the 8th May 1851 from the Acting Sessions Judge of Nellore, to the Precept of the Foujdaree Adalut under date the 3d April 1851, returning for amendment the Criminal Statements of this Zillah for the year 1850 and calling for certain explanations relative to the Statement

Ft 3 B.-

/Here enter FR. Ft. 1083 of 1851./

Rd 18th

Fr. U.

Wednesday 4th June, 1851.

At a Court of the Foujdaree Adalut.

Present.

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

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

Read letter dated 20th Ultimo, from the Acting Sessions Judge of Trichinopoly submitting for the final Judgment of the Foujdaree Adalut the Record of Case No. 2. of the Calendar of the Sessions Court.-

(Here enter Fr. Ct. No. 1266 of 1851).

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 Veerapen.

2nd Cander Sab.

and

3rd Sengily Solagen,

is sufficient to convict them of the crime of Gang Robbery, do convict them thereof; and under the provisions of Clauses third and Fifth Section IV. Regulation XV. of 1803, sentence them to be imprisoned and kept to hard labor in irons on the public roads or other public works for

for and during the period of Seven Years.-

But being of opinion that the Prisoner, 4th Moottachy

is not convicted on presumptive proof or on the evidence of credible witnesses or on her own confession of the crime charged do acquit her thereof, and direct that she be unconditionally released.-

1. The Court of Foujdaree Udalut have been unable to concur in the conviction of the 4th prisoner of the offence laid to her charge.

2. The Court observe that the evidence of the 4th and 5th witnesses is very vague and most contradictory and has not been subjected by the Acting Sessions Judge to any cross examination which was clearly requisite to reconcile the contradiction which the statements of those witnesses involve.-

3. The Court of Foujdaree Udalut observe that the value of the property found Nos 1, 2, 3 and 4 should have been distinctly stated in evidence, and that a translation of the original warrant issued for the apprehension of the prisoner has not been forwarded as required by Circular Order 18th October 1850. and they desire that an explanation of the delay which occurred in the disposal of the case after the apprehension of the

the prisoner may be transmitted for their information.-

Ordered that Extract from these Proceedings be sent to the Acting Sessions Judge of Trichinopoly by precept returnable within XV days from and after its receipt.-

(Sent following Precept No 576).

Read Criminal Reports dated the 15th April 1851. submitted by the Sessions Judge of Madura for the month of March 1851.-

(Here enter F: U: No 897 of 1851).

Read return dated the 17th April 1851. from the Sessions Judge of Salem to the precept of the Foujdaree Udalut under date the 11th Instn on review of Calendar of Case No 9 of 1851, and returning it for a fresh sentence being passed under Clause VII Section II Regulation XV of 1803.-

(Here enter F: U: No 934 of 1851).

Read Criminal Report B dated the 14th Ultimo submitted by the Sessions Judge of Calicut for the Month of April 1851.-

(Here enter F: U: No 1171 of 1851).

Read return dated the 9th April 1851. from the Sessions Judge of Chittoor to the precept of the Foujdaree Udalut under date

2d 4th June 1851.

date the 26th Ultimo returning the Criminal Reports for the year 1850 for amendment.

(Here enter F. 26. No. 1371 of 1851).—

2d Hd.

F. 26.

Thursday 5th June 1851. } 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 Calendar of Case No. 17 of 1851, of the Sessions Court of Cuddalore.

(Here enter F. 26. No. 1186 of 1851)

1 In the foregoing Case, one Prisoner was charged with snatching.

2 The Futwa of the Mohamedan Law officer convicted the Prisoner of the Crime charged, and, on a second Question put by the Sessions Judge, declared him liable to the penalty of Death. The Sessions Judge concurring in the Conviction of the Prisoner, has sentenced him to 7 years imprisonment under Section XXI Regulation VII of 1802 and recommends that that sentence be mitigated to three years imprisonment with hard labor in irons.

The Court of Foujdaree Adalut observe

5th June 1851.

observe that the Mohamedan Law officer erred in declaring the prisoner liable to the penalty of Hud. the Crime of which he was convicted, Viz. "Snatching," being one for the punishment of which Sokoobut or Tazeer is alone awardable.

4 The Court resolve, therefore to return the Calendar to the Session Judge who, after calling upon the Mohamedan Law officer to amend the error into which he has fallen will proceed to pass upon the prisoner such sentence of imprisonment as may be deemed fitting under the provisions of Clause Seventh Section II. Regulation XV of 1803.

5 The Court further direct that the Moofty be required invariably to specify in all future Futwas the precise nature of the Crime of which the prisoner may in his opinion stand convicted.

6 A Copy of the opinion delivered by the Cazee ool Coozat regarding the Futwa declared in this Case, and in reply to a question put in respect to it by the Court of Foujdaree Udalut, together with translates thereof are annexed for the information of the Sessions Judge, and for communication to the Mohamedan Law officer of his Court.

5th June 1851.

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

(Sessions No. 588)

Read letter dated the 31st May 1851 from the Magistrate of Canara reporting an attempt made on the life of the Tahsildar of Soopah and requesting sanction for the offer of a reward not exceeding 500 Rupees for the discovery and apprehension of the offender.

(Preventive No. 1246)

Under the provisions of section XXI Regulation IX of 1816 the Court of Foujdaree Udalut authorize the offer of the reward specified in the above Communication.

Ordered that Extract from these proceedings be sent to the Magistrate of Canara for his information.

(Sessions No. 584)

Read letter dated 29th Ultimo from

from the Sessions Judge of Chittoor submitted an amended Statement of Batta paid to prosecutors and witnesses from 1st to 31st December 1850.

(Here enter F. Dc. No. 1268 of 1851)

Read Calendar of Case No. 17 of 1851 submitted by the Sessions Judge of Nellore under date the 24th Ultimo.

(Here enter F. Dc No. 1269 of 1851)

Read Calendar of Case No. 9 of 1851 submitted by the Acting Sessions Judge of Nellore under date the 29th Ultimo.

(Here enter F. Dc. No. 1271 of 1851)

Read return dated 20th May 1851 from the Sessions Judge of Rajahmundry to the precept of the Foujdaree Adalut under date the 20th May 1851 conveying their remarks on perusal of the record of a Case of murder No. 11 of 1851 on the Calendar.

(Here enter F. Dc. No. 1273 of 1851)

Read letter dated 1st Ultimo from the Magistrate of Salem, submitting the convict Labors' report of the Jails under his charge for the Months of April 1851.

(Here enter F. Dc No. 1275 of 1851)

Read letter dated 27th Ultimo from the Sessions Judge of Mangalore forwarding the warrant issued by him for the execution of the sentence of death passed by the Court of Foujdaree Adalut on Koojoomba alias Abdoolla, prisoner in Case No. 6 of 1851 on the Calendar, and a Copy of the Report of the Subordinate Judge according to Circular Orders Foujdaree Adalut dated 3d May and 26th September 1830.

(Here enter F. Dc. 1301 of 1851.)

Read letter dated 27th Ultimo from the Sessions Judge of Mangalore, forwarding the warrant issued by him for the execution of the sentence of death passed by the Court of Foujdaree Adalut on Rama, Prisoner in Case No. 14 of 1851 on the Calendar and a Copy of the report of the Subordinate Judge according to Circular Orders Foujdaree Adalut dated 3d May and 26th September 1830.

(Here enter F. Dc. No. 1282 of 1851)

Read Calendar of Case No. 10 of 1851 Submitted by the Acting Sessions Judge of Tinnevelly under date the 28th Ultimo.

(Here enter No. 1276 of 1851.)

Read

Read letter dated 2d Instant
from the Sessions Judge of Chingleput
reporting that no cases to be reported on as
required by the Circular letters dated 16th
October 1844 and 21st January 1845, were pending
last Month before the Sessions Judge.
(Here enter Fl. No. 1290 of 1851)

Read letter dated 2d Instant
from the 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 May 1851.
(Here enter Fl. No. 1293 of 1851)

Read return dated 30th May
1851 from the Sessions Judge of Guntoor,
to the Precept of the Foujdaree Adalut
under date the 23d May 1851, conveying their
observations on the petty Calendars of
the Magistracy for the 4th Quarter of 1850.
(Here enter Fl. No. 1295 of 1851.)

Read Calendar of Cases No 19

of 1851, submitted by the Sessions Judge
of Honore, under date the 27th Ultimo.
(Here enter Fl. No. 1296 of 1851)

Read Calendar of Cases No 25
of 1851 submitted by the Sessions Judge
of Madura, under date the 31st May 1851.
(Here enter Fl. No. 1298 of 1851)

Ex Rec.

F.No.

Friday,
6th. June, 1851.— At a Court of the Foujdaree Udalut.

Present.

Sd/ C.D. Thompson, Esquire 2nd. Puisne Judge.
Sd/ W. A. Morehead, Esquire 3rd. Puisne Judge.

Read letter under date the 24th. May 1851 from the Sessions Judge of Guntoor forwarding the Calendars of petty cases disposed of by the Magistracy during the 1st. Quarter of 1851.—

Here Enter F.No. 1227 of 1851.—

Calendar of persons discharged— Case No. 8—

The Court of Foujdaree Udalut direct that the explanation called for in this case when received may be submitted for their consideration.

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

Sent following Precept No. 584.—

Read

6th June, 1851.

Read Criminal Reports
submitted by the Subordinate Judge in
charge of the Sessions Court of Rajah=
=mundry for the month of April 1851.—
/Here Enter F.C. No. 1154 of 1851/—

Case No. 18.

The Court of Foujdaree
Udalut observe that all cases of abuse
of authority punishable under the
provisions of Regulation III of 1819 if
calling for more severe punishment than
that which the Magistracy are empow=
=ered to inflict under Clause Second
Section III of the said Regulation must
be committed to the Criminal Court;
Section XXIV Act VII of 1843 not vesting
the Magistracy with extended powers in
any cases not previously cognizable
by them under Regulation IX of 1816
the disposal of the case in question
as recorded by the Magistrate was
therefore illegal and the proceedings
of the Sessions Judge erroneous.—

Ordered, that Extract
from these Proceedings be forwarded to
the

6th June, 1851.

the Sessions Judge of Rajahmundry for
his future guidance and for communi=
=cation to the Magistrate.—
/Sent in No. 588/—

Read letter dated 23d ultimo,
from the Agent to the Governor of Fort
St. George at Ganjam, submitting a report
of the trial of a Prisoner in Case
No. 21 of 1851 who was charged with
Culpable Homicide.—
/Here Enter F.C. No. 1294 of 1851/—

1

The Agent convicts the
Prisoner of the crime laid to his
charge and recommends that a sentence
of five years' imprisonment with
hard labor in irons be passed upon
him, under Clause Seventh, Section II,
Regulation XV of 1803.—

2.

The Court of Foujdaree
Udalut concur in the conviction of
the Prisoner,
Coosnoo Bijoalo
and sentence him to two years' imprison=
=ment with hard labor in irons.—

Ordered

6th June, 1851.

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

/Sent in No. 589./

Read Letter dated the 28th May 1851 from the Session Judge of Calicut, referring for the final Judgement of the Foujdaree Udalut, the Record of Case No. 25 of 1851 of the Calendar of the Sessions Court.

/Here Enter F.R. No. 1300 of 1851/

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,

"Kootypillody Abdoola"

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 in No. 590./

Read

6th June, 1851.

Read Letter dated the 29th May 1851 from the Session Judge of Bellary, referring for the final Judgment of the Foujdaree Udalut, the Record of Case No. 39 of 1851 of the Calendar of the Sessions Court.

/Here Enter F.R. No. 1299 of 1851/

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,

"Ramah"

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 in No. 591./

Do. 18th.

F.C.

Saturday 7th June 1851.

In the Court of the Fouydaree Udalute.

Present.

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

W. for W.M. W.A. Morehead Esquire — 3d Puisne Judge.

Read again Letter under date the 5th May 1851 from the Agent to the Governor of Fort St. George and Gangam submitting a Return of the trial of Case No 1 of 1851 on the file of this Court.

(Prosecutor F.C. No 138 of 1851.)

Read also letter dated 28th Inst from the same Officer reporting on the State of health of the Prosecutor in the above Case.

(Prosecutor F.C. No 139 of 1851.)

1 The Agent convicts the Prisoner of Murder sounding and recommends that a Sentence of seven years imprisonment with hard labor in irons be passed upon him under Clause Seventh Section II Regulation XX of 1816.

2 The Court of Fouydaree Udalute concur in the conviction of the Prisoner Kunoi Saib and Sentence him to (4) four years imprisonment with labor in irons.

Ordered

7th June 1854.

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

/ Enclosure No 596 /

Read Letter dated 26th May 1854 from the Sessions Judge of Rajahmundry - submitting the Reports of Cases disposed of by the Magistracy during the Month of April 1854.-

/ Per roster Feb No 1341 of 1854 /

Case No 34.

It appears to the Court of Sessions that the Accused Velakula are convicted of the Statement of the charge in this Case that the offence committed by the Prisoners was one of Robbery, and not cognizable by the Acting Head Assistant Magistrate.-

The Court accordingly requests that the Sessions Judge will call for the Proceedings held in the Case, and should it appear to him that the view now entertained by the Court is correct, he will be pleased to direct the committal of the Case and Report the result of his enquiry for the information of the Tanjore Velakula.-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Rajahmundry for his information and guidance by Precept returnable in x days.-

/ Enclosure following precept No 597. /

7th June 1854.

Read Calendar of Cases No 33 of 1854 of the Sessions Court of Cuddapah.-

/ Per roster Feb No 1350 of 1854 /

Adverting to the observations recorded in the 20th para of the sentence recorded by the Sessions Judge in this Case, the Court of Sessions declared Velakula deem it proper to direct that Officer to call upon the Magistrate to submit a full & explanation in respect to the practice which is stated to obtain in the Cuddapah District of inviting Armed persons keeping fires for cattle trespasses & becoming the Renters of such privately imposed taxes.-

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

/ Enclosure following precept No 598 /

Read Calendar of Cases No 33 of 1854.-

of the Sessions Court of Coimbatore.-

/ Per roster Feb No 1354 of 1854 /

Adverting to the dangerous station in which the deceased is stated to have been lying at the time of his transfer from the Village to the Talook Authorities, the Court of Sessions declared Velakula deem it proper to direct that the Magistrate may be instructed to caution his Subordinate Police Officers to exercise greater discretion in this respect

respectain all future similar Cases.-

2 The removal and consequent
confinement of a person in the precarious condition
in which the deceased is represented to have been,
must in all probability have had the effect
of greatly enhancing his danger; and had a
report of this event been transmitted to
the Head of Police in the
first instance, the necessity of his removal
might possibly have been obviated, by that
Officer himself repairing to the spot.-

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

/ Sent in - Rs 599

Read Calendar of Case Rs 75
of 1857 of the Sessions Court of Tenore.-

/ Fire enter F.B. - Rs 350 of 1857 /

The Court of Sudder Adalut
see no cause for excepting the 1st Prisoner in
this Case from the Mitigation of punishment
which has been recommended by the Sessions
Judge in favor of the other prisoners; nor can
the Court discover in the conduct of the 1st
Prisoner any palliating circumstances which
would justify their acceding to the Sessions
Judges recommendation that his Sentence
be

be mitigated to 3 years Imprisonment. The
Court accordingly direct that the Prisoners
be severally sentenced to 3 years imprisonment
with hard labor in irons.-

Ordered that Extract from these
Proceedings be forwarded to the Sessions Judge
of Tenore by precept returnable within ten
days from and after its receipt.-

/ Sent following precept Rs 600 /

Read Report dated 2d Instant -
Submitted by the Sessions Judge of Cuddapah Case
pending on the 30th April and committed for trial
during the Month of May 1857 which remained on the
file of the Sessions Court for more than 30 days.-

/ Fire enter F.B. - Rs 15 of 1857 /

Read Calendar of Case - Rs 19 of 1857
Submitted by the Sessions Judge of Mangalore under
date the 31st May 1857.-

/ Fire enter F.B. - Rs 303 of 1857 /

Read Calendar of Case - Rs 30 of 1857
Submitted by the Sessions Judge of Mangalore
under date the 30th May 1857.-

/ Fire enter F.B. - Rs 304 of 1857 /

Read Calendar of Case - Rs 11 of 1857
Submitted by the Acting Sessions Judge of Bellary
under date the 2d June 1857.-

/ Fire enter F.B. - Rs 305 of 1857 /

Read

7th June 1851.

Read Report dated 2d Instant submitted by the Deputy Judge of Salem, of Cases pending on the 31st May before him for a period not exceeding 25 days from the date of commitment.—

/True entry F.C. No 356 of 1851./

2d 1851.

T. Ub.

Monday 9th June 1851

At a Court of the Tanjdaree Udalut

Present

E. P. Thompson Esqre 2d Assist Judge

W. A. Morehead Esqre 3d Assist Judge

Read again Calendar of Cases

No 1 of 1851 on the file of the Sessions Court of

Trichinopoly

(Here enter T. Ub. No 583 of 1851)

Read also return under date the

30th May 1851 from the Acting Session Judge

of Trichinopoly to the Receipt of the Tanjdaree

Udalut dated the 20th March 1851 directing

the transmission of English translations of the

record of the foregoing Case.

(Here enter T. Ub. No 1277 of 1851)

On a deliberate consideration

of the entire record of this Case the Court of Tanjdaree

Udalut are unable to concur with the late Acting

Session Judge in considering the evidence sufficient

to the conviction of the Prisoner of the crime laid to his

charge.

2 The evidence to the discovery of the

articles

articles Nos 1 and 2 in the Prisoner's cloth appear to the Court of Tongdaree Udalut to be far from satisfactory and it is manifest from the Police proceedings (although to this point no allusion is made in the proceedings of the Session Court) that the parties who obtained the warrant for the prisoner's apprehension and who took him into custody had every facility for placing the articles above referred to on the prisoner's clothes as the prisoner himself asserts.

3. The Court of Tongdaree Udalut observe that the assertion of the parties who obtained the warrant for the prisoner's apprehension from the Head of Police that they had derived from the 7th Witness the information which led them to apply for it, is contradicted by the 7th witness himself and the Court therefore consider the Statements of these witnesses as to the other facts to which they do appear to be deserving of but little credit.

4. It seems strange that when a clue was given to the Police as to some of the plundered property was discovered and under all the circumstances of the case the Court of Tongdaree Udalut inclined to the impression that the charge against the prisoner has been fabricated for the purpose of stifling

9th June 1851

stifling further enquiry and enabling the real perpetrators of the robbery to escape.

The Court accordingly resolve to

5. direct that the prisoners in this case be unconditionally released.

Ordered that Extract from these Proceedings be forwarded to the Acting Session Judge of Trichinopoly by Precept returnable within 7 days from and after its receipt.

(Sent following Precept No 607)

Read the Criminal Reports submitted by the Session Judge of Guntoor for the year 1850.

(Here enter T. No. No 1233 of 1851)

The following errors and discrepancies are observed in these returns.

1. The 115 persons entered in Column 26 of the Statement No 3 B as committed should be entered in this Appendix C to Statement No 3 B.

2. The entries in Columns 10 and 12 of this Statement do not agree with the Statement Nos 1 and 2.

Appendix C. to Statement No 3 B.

Statement shewing the nature and the result of charges preferred against the Police.

3. The Statement shewing the number of cases forwarded to the Criminal Court by the Heads of Police required under Circular Order No 175 should

9th June 1851.

should be forwarded.

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

(Sent following Precept No. 608)

It appeared to the Judges of this Court of Tanjore Vakeel that the recital of an abstract of the examination-grounds of committal &c. in the Calendars of Cases taken up direct by the Session Courts from the Police may be dispensed with, and they accordingly direct that the Session Judges of Chicacole, Masulipatam and Bellary be directed to expunge Columns 6 and 7 from the Form of Calendar now in use and to enter in Column 8 a succinct Statement of the evidence recorded upon the trial, with such remarks upon the preliminary inquiry by the Police as the circumstances of the case may require.

Ordered that Extract from these Proceedings be sent to the Session Judges of Chicacole, Masulipatam and Bellary for their information and guidance.

(Sent Ann. No. 609)

5th February 52. Rum 5.

F No.

Tuesday 10th June 1851.

At a Court of the Tanjore Vakeel

Present

R. P. Thompson Esqre 2nd Assistant Judge

W. A. Morehead Esqre 3rd Assistant Judge

Read again Calendar of Cases No. 20 of 1851 of the Session Court of Coimbatore

(Here enter F No. No. 1131 of 1851)

Read also return dated the 31st May 1851 from the Session Judge of Coimbatore to the Precept of the Tanjore Vakeel under date the 21st Inst. transmitting for translations of the depositions of certain witnesses taken before the Police and Session Court in the above case

(Here enter F No. No. 1291 of 1851)

The Court of Tanjore Vakeel direct the Session Judge to submit translations of the entire record of the case for their consideration

Ordered that Extract from these Proceedings be sent to the Session Judge of Coimbatore for his information by Precept returnable in xx days from and after its receipt.

(Sent following Precept No. 611

Read

10th June 1851

Read letter dated 22d May 1851 from the Session Judge of Guntoor, submitting the Criminal Statements for 1850

(Hereunder J No. N° 1233 of 1851)

1. The Session Judge recommends that the Assistant Magistrates be located in the Tahsil and the Innacondah Talook respectively and calls attention to a case tried by the Magistrate under Section XIV Act XXV of 1843 in which the parties had to travel 30 Miles further than if they had been forwarded to the Court

2. The Court of Foujdaree Udalut direct that the Session Judge be requested to transmit a copy of Para: 3 of the letter above mentioned to the Magistrate, who will be pleased to submit his opinion upon the measure recommended therein

3. The Court of Foujdaree Udalut further desire that the Magistrate be directed to instruct his Police Officers to send cases to the Magistracy only when they are nearer to the Police station than the Courts.

4. The Court of Foujdaree Udalut do not concur in the views expressed by the Session Judge in Para: 4 of his Proceedings under date 20th May 1851 in respect to cattle trespass, but

10th June 1851

before passing final orders on the subject they direct that explanation be called for from the Acting Magistrate as to the Proceedings of 1842, to which allusion is made in the 4th para: of his report.

5. The attention of the Magistrate should specially be called to the urgent necessity which appears to exist for fencing the wells by parapets or pails.

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

(Sent following Precept N° 612)

Dr 1800

Wednesday 11th June 1851.- At a Court of the Tonjdaree Udalut.

-Present-

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

Findlay Anderson — W. A. Morehead Esquire — 3d Puisne Judge.-

Read the Petty Calendars of Cases disposed of by the Magistracy of Canara during the 1st Quarter of 1851.-

(Here enter J.U. No 1297 of 1851.)

Convicted Calendar A. Case No 1.- The Court of Tonjdared Udalut observe that the nature and extent of the fraud committed by the Prisoner should have been stated in this case.-

Case No 28. 2. The Court of Tonjdared Udalut direct that the additional Joint Magistrate be called upon to explain the nature of the circumstances which led him to view the act of the Prisoner in this case as a Criminal offence.-

Security Calendar 3. The Court direct that the attention of the Magistrate be drawn to his omission to prefix headings to the Cases entered in this Calendar.-

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

of Honore by Precept returnable within X days from and after its receipt.—

(Sent following Precept No. 617

Read letter dated 3d Instant from the Session Judge of Madura, submitting for the final judgment of the Foujdaree Udalut the record of Case No. 23 of the Calendar of the Session Court.—

(Here enter Fld. No. 1352 of 1851.)

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 "Pernal"

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.—

1. The Court of Foujdaree Udalut observe that the letter of reference, which accompanied the record of this case, has not been prepared as required by their Circular Orders, and they consider that the Sessions Judge has not acted discreetly in submitting such a meagre and unsatisfactory production

production for their consideration. The Court also remark that the Record of the case has not been prepared in strict conformity with the Foujdaree Udalut Circular Order dated the 11th November 1848.—

2. These omissions on the part of the Sessions Judge impose upon the higher Court trouble of which it is the duty of the lower Courts to relieve them, and the Court of Foujdaree Udalut expect that Mr. Baynes will be more careful in future.—

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

(Sent in No. 618

Read Calendar of Case No. 8 of 1851 of the Sessions Court of Nellore.—

(Here enter Fld. No. 1270 of 1851.)

With reference to the amount of property stolen in this case, which, under Section IX Regulation I of 1825, required its committal for trial before the Sessions Court, and also to the fact that the alleged previous convictions of the Prisoner could not have the effect of enhancing this

11th June 1851. –

his punishment, the Court of Sessions Udalut observe that the additional counts were uncalled for. –

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

(Sent in No. 619

Read return dated the 29th May 1851 from the Sessions Judge of Rajahmundry to the precept of the Sessions Udalut under date 13th idem, directing him to amend his Criminal Report for the year 1850 and to confine his remarks to those points in which the information conveyed by the figured statements may be defective, or the results apparent thereon may require explanation.

(Here enter F. C. No. 1284 of 1851.)

The Sessions Judge will be pleased to explain the data on which the average given in the 3d Para of the abovementioned letter has been calculated, as the table entered below shows that the average delay between the Despatch of the record and the receipt of the sentence by the Session Court was but 25 days in 1850, and excluding the delay caused by the defects in the Proceedings of the Session Court in 1

of

F. C.

11th June 1851.

of 1850 but 20 days. –

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Rajahmundry by Precept returnable within 15 days from and after its receipt. –

(Sent following precept No. 620–

No. of the Cases.	Record despatched.	Record received.	Sentence passed.	Sentence despatched.	Ordinary Postal time.	Total Days.
1 of 1850	27th March 1850	3d April 1850 ×	8th May 1850	11th May 1850.	5 days	1 Month & 24 days
6 of do.	26th do. do.	8th do. do.	5th April do.	8th April do.	5 days	19 days.
13 of do.	11th April do.	20th do. do.	23d do. do.	26th do. do.	5 days	21 days.
18 of do.	8th May do.	16th May do.	25th May do.	25th May do.	5 days	19 days.
9 of do.	12th do. do.	18th do. do.	22d do. do.	25th do. do.	5 days	16 days.
19 of do.	30th July do.	5th August do.	7th August do.	9th August do.	5 days	

× Precept issued on the 12th April 1850. for further evidence, and Return received 6th May 1850. –

F. C.

Ft. W.

Thursday 12th June, 1851.

At a Court of the Foujdaree Adalut.

Present

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

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

W.S. for C.M.

Read the Criminal Reports submitted by the Session Judge of Coimbatore for the year 1850.-

(Here enter Ft. W. No. 1184 of 1851).

1. The following errors and discrepancies are observed in these Returns:-

Appendix D 6. Statement No 2.

2. In this Memo: 13 persons are entered as disposed of under Act VII of 1843, whereas according to Column 37 of the Statement No 2 the number would seem to have been 6.-

3. The 17 persons entered in Column 33 of the Statement as pending at the end of the year should be excluded from the head "Heads of Police" Vide.-

D F 6 Do.

4 The entries under the head "Deduct. charged with more than one offence" should be 42, if the Column "of which charged with" be correct. For the latter shews that 16 persons were charged with 2 offences 4 with 3 offences, and 6 with 4 offences, and

and that consequently from the total No. of persons entered in the "total" Columns; 42 should be deducted - Viz. 16 for the number twice entered therein, 8 for the No., thrice entered and 18 for the No. entered 6 times.-

Statement No. 3B. 5. The total of Column 6 (349) does not agree with Column 16 of the Statement No. 2. (237) and the entries in Column 6 and 7 under heads 8, 9, 11 &c. do not correspond with statement No. 2.-

Appendix A to Statement No. 3B. The head "Imprisoned" Minor Columns "under 3-6-12 &c. Months" - should include the persons "imprisoned", "Do. and fined," "Do. and flogged" and "imprisoned in default of payment."-

Do. B to Do. 7. The total No. of persons entered in Columns 22 and 24 of the statement No. 3 B and the cases in which they are implicated should be entered in Columns: "Trials Reported".-

Do. D to Do. 8. The remark in para 4 applies also to this Appendix.-

Statement No. 4 9. The total of Columns 12, 13, 14, 15, 18 and 20 (178) does not correspond with the total of Column 9, (170) the errors will appear under headings 21, 22, 25, 46, 47 and 51.-

Appendix B to statement No. 4.- 10. The aggregate of the entries in this Appendix should be 160.-

Do. C. to Do. 11 The remark in para 4 applies also to

to this Appendix.-

Statement shewing the nature and the result of charges preferred against the Police.- 12. The 5 persons appearing under heading 2 of the Statement No. 2 as forwarded by the District Police to the Magistracy should be entered in Columns 3 and 6 of this Statement.-

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

(Sent following Precept No. 622).

Read Criminal Reports of the Sessions Court of Mangalore for the month of April 1851.-

(Here enter J. Dr. No. 1280 of 1851).

Report B. Case No. 71. 1. Adverting to the fact that the Prisoner in this Case was also convicted of Theft in the preceding number, the Court of Foujdaree Adalut are of opinion that he should have been sentenced Under Clause 4th Section III. Regulation VII of 1822. to one year's imprisonment with hard labor in irons, and they accordingly direct that this punishment be now awarded to him, in lieu of the revised sentence which has been passed upon him under the instructions of the Sessions Judge.-

II

12th June 1851.

Magistrate Report B. 2.
Case No. 1.

It appears to the Court of Foujdaree Udalut on perusal of the statement of the charge in this case, that the crime committed by the Prisoners amounted to Robbery by open violence, and that the case was consequently not within the jurisdiction of the Magistracy. Before passing their final orders therefore the Court direct that the Magistrate be called upon to submit further explanation in respect to the case, and they request that it may at the same time be pointed out to that officer that the locality where the robbery was committed should have been set forth in the indictment and also that the name of the 8th Prisoner, who does not appear to have been apprehended, should not have been entered in the Report, as having been tried.

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

(Sent following Precept No. 623).

Read Letter dated the 30th May 1851 from the Magistrate of Canara requesting authority to offer a pardon to any of the supposed accessaries

F. G:
12th June 1851.

accessaries to the attempt upon the life of the Tahsildar of Soopah.—

(Here enter F. G: No. 1317 of 1851).

It has been repeatedly ruled that the supposed Accessaries, for whom a conditional pardon is recommended, shall be named in the application—and that a general permission, such as is now solicited, to tender such pardon cannot be given.—

Ordered that Extract from these Proceedings be forwarded to the Magistrate of Canara for his information.—

(Sent in No. 624).

Read letter dated the 2nd June 1851 from the Magistrate of Tinnevelly applying for authority to tender a conditional pardon to one Iralapen an accomplice in a case of Gang robbery attended with murder.—

(Here enter F. G: No. 1324 of 1851).

The Court of Foujdaree Udalut are unable, in the absence of all evidence tending to confirm the statements made by him, to authorize the tender of a conditional pardon to the accessary above specified.—

Ordered that Extract from these Proceedings be sent to the Magistrate of Tinnevelly

12th June 1851.

Immediately for his information.—

(Sent in No. 620.)

Rs 180.

Friday
13th June 1851.

Fll

At a Court of the Joydaree Adalut.

Present

C P Thompson Esquire — 2d Puisne Judge.
W A Morehead Esquire — 3d Puisne Judge.

Read the Criminal Reports submitted by the 2d Puisne Judge of Masulipatam for the year 1850.—

(Vide entry Fb. Fe 1357 of 1851)

The following errors and omissions are observed in these Returns.—

Statement No 3.— 3 The entries in Columns 18 and 19 of Cases and persons forwarded by the Police to the Magistracy should all again appear in Columns 36 and 37 or 38 and 39 as the case may be.—

3 The Appendices A and D will be affected by the above remark.—

Appendix A to D. 4 The entries under the head "Deduct charged with more than one offence" "should be 83; if the Column" of which charged with "be correct— For the latter shews that 14 persons were charged with 2 offences, 4 with 3 offences, 5 with 4 offences, and 4 with 5 offences and

and that consequently from the total No of persons entered in Column 17, 83 should be deducted No 14 for the number twice entered therein 8 for the 3d time entered 48 for the 4th entered 4 times and 16 for the 5th entered 5 times.-

Appendix A to Statement No 3B.

5 The 1 person imprisoned in default of payment of fine should be entered under head "imprisoned Minor Columns" under 3.6.12 days Months."-

D° C to D°

6 The 109 persons entered in Column 26 of the Statement No 3B as committed should be entered in this appendix.-

D° D to D°

7 The remark in para 4 applicable to this appendix.-

D° A to Statement No 3A.

8 The 3 persons imprisoned in default of payment of fine should be entered under head "Imprisoned" Minor Columns" under 3-6-13 days Months."

D° C to Statement No 4.

9 The remark in para 4 applicable to this appendix-

Statement showing the nature and the result of charges preferred against the Police.-

10 The 1 person appearing under heading 3 of the Statement No 3B should be entered in Columns 16 and 17 of this Statement.

Ordered that Extract from the Proceedings be sent to the Sessions Judge of Masulipatam for his information by present returnable within X days from and after receipt

(Sent following receipts No 627)

Read Letter dated the 6th instant from the Chief Magistrate and Superintendent of Police Madras, transmitting Report of a case tried under Act XXII of 1837 in the Months of May last.-

(Here enter F/C No 1325 of 1851.)

Read Calendar of Cases No 24 of 1851 submitted by the Sessions Judge of Coimbatore under date the 15th May 1851.

(Here enter F/C No 1330 of 1851.)

Read Letter dated the 2d instant from the Sessions Judge of Calicut stating that there is no Case during the last 6 Months to be entered in the Report required by the Foujdaree Notification Circular Letter of the 16th October 1844.-

(Here enter F/C No 1342 of 1851.)

Read Report dated the 9th Ultimo submitted by the Sessions Judge of Chittoor, of the labor of Convicts of the Jail at Vellore under the charge of the Head Assistant Magistrate of Vellore for the Months of April 1851.

(Here enter F/C No 1343 of 1851.)

Read Calendar of Cases No 30 of 1851 submitted by the Sessions Judge of Cuddalore under date the 6th June 1851.

(Here enter F/C No 1345 of 1851.)

Read Return dated 3d June 1851 from the Sessions Judge of Nagapatam to the Register

13th June 1851.

Receipt of the Inyclarra Holalut under date the 27th May 1851 calling upon the Sessions Judge to furnish explanation regarding the 9th Petitioner to whose disposition an allusion is made in the Future not having been mentioned in the Calendar of Cases Nos 6 of 1851 and to inform the Inyclarra Holalut of the Causes of the 7th and 8th Petitioners not having been examined before the Sessions and Criminal Courts.

/Here enter F.C. No 347 of 1851./

Read Letter dated the 3rd Inst from the Sessions Judge of Tellicherry reporting that no Case was before the Sessions Court during the May 1851 for a period in excess of 25 days from the date of commitment.

/Here enter F.C. No 349 of 1851./

Read Calendar of Cases No 15 of 1851 submitted by the Sessions Judge of Cuttanad dated the 6th June 1851.

/Here enter F.C. No 360 of 1851./

Sh BM

F.C.

Tuesday 17th June 1851.

CPS
WH

In Court of the Inyclarra Holalut.

Present.

C. P. Thompson Esquire — 2d Puisne Judge.
W. H. Horsbad Esquire — 3d Puisne Judge.

Read Letter dated the 4th June 1851 from the Sessions Judge of Chingleput submitting the Petty Calendar of Cases disposed of by the Magistracy of that Zillah during the 1st Quarter of 1851.

/Here enter F.C. No 327 of 1851./

The Court of Inyclarra Holalut observe that no readings have been furnished to the Cases referred in these Reports, and they direct that the attention of the Magistrate be called to the omission.

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

/Sent in. No 630./

Read Calendar of Cases No 10 of 1851 of the Sessions Court of Chittoor.

/Here enter F.C. No 328 of 1851./

The Court of Inyclarra Holalut approve

approve of the recommendation made by the
Sessions Judge in this Case that the period of
imprisonment awarded to the Prisoner on his
conviction of Highway Robbery be reduced to 5
years and that the Sessions Judge is Authorized to issue
his Warrant accordingly.-

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

(Sentence Rec. 631.)

Read Calendar of Case Rec. 631
of 1851 of the Sessions Court of Cuddalapah.

(Prisoner Petn. Rec. 333 of 1851.)

The Court of Sanjolarre Vola Lutchmiah
Sessions Judge in this Case that the punishment
awarded to the Prisoner in this Case Veeranjia
Sentenced to 4 Months imprisonment with hard
Labor in irons and the Sessions Judge is
Authorized to issue his Warrants accordingly.-

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

(Sentence Rec. 632.)

Read

Read Calendar of Case Rec. 27 of 1851.
of the Sessions Court of Cuddalapah.

(Prisoner Petn. Rec. 332 of 1851.)

On a careful perusal of the
evidence set forth in the Calendar of this Case the
Court of Sanjolarre Vola Lutchmiah are of opinion that the
grounds upon which the Prisoners have been held
to security are not sufficient to justify the
requisition, and the Court accordingly direct that
the same be immediately cancelled and that the
Prisoner be unconditionally set at liberty.-

Adverting to the lengthy observations
2
of the Sessions Judge in the Sentence recorded in
this Case - the Court of Sanjolarre Vola Lutchmiah
request to draw the attention of that officer to the
instructions issued to him in the Extract from the
Proceedings under date the 5th March 1851 and to direct
that his remarks be in future confined to a brief but
clear recital of the facts of the Case and of the grounds
on which his Sentence is based.-

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

(Sent following Precept Rec. 633.)

Read

Read Report of Cases pending on the 30th April and committed for trial before the Sessions Court of Masulipatam during the Month of May 1851.-

/ Inwards Fl. No. 338 of 1851. /

Read also Letter from the Sessions Judge of Masulipatam dated the 6th instant requesting instructions as to the disposal of Cases depending on the file of the Sessions Court-

/ Inwards Fl. No. 366 of 1851. /

The Court of Foujdaree Adawlut are of opinion that no further delay should be permitted to occur in the disposal of this Case and they direct that Measures be adopted by the Sessions Judge for concluding the trial before the close of the present Month.-

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

/ Outward No. 634 /

Read Calendar of Cases pending on the 30th April 1851 of the Sessions Court of Rajahmundry.-

/ Inwards Fl. No. 1361 of 1851. /

The Court of Foujdaree Adawlut

as at present constituted are of opinion that the orders issued by the late Court under date the 30th August 1844 and which are now quoted by the Sessions Judge as his grounds for referring this Case are clearly erroneous.-

The Court observe that by the Regulation in force the crime of wounding with intent to kill or maim is the crime of Wounding with intent to kill or maim punishable to the Foujdaree Adawlut and the only circumstance which would justify a reference in such Cases would be the fact of the Sessions Judge deeming the punishment which he is empowered to inflict under Clause 2nd in the Section II Regulation XII of 1808 to be inadequate.-

The Court accordingly resolve to return the Calendar of this Case to the Sessions Judge who will be pleased to dispose of the same with reference to the foregoing observations.-

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

/ Outward No. 635. /

Read Return dated the 4th Instant from the Sessions Judge of Cuddalore to the Precepts of-

of the Tanjore Taluk under date the 13th May 1851 observing that the recapitulation in the annual Criminal Report for 1850 of these particulars exhibited in the figured Statements is unnecessary, and directing to submit an amended Report.-

(Here enter F.R. No 310 of 1851.)

Read Report dated the 2nd instant submitted by the Sessions Judge of Guntoor of Cases pending on the 30th April and committed for trial during the Months of May 1851 before the Sessions Judge.-

(Here enter F.R. No 312 of 1851.)

Read Calendar of Case No 39 of 1851 submitted by the Sessions Judge of Madura under date the 2nd June 1851.-

(Here enter F.R. No 313 of 1851.)

Read Report dated the 1st June 1851 submitted by the Acting Sessions Judge of Salem of Cases pending before the Sessions Court for the Months of May 1851.

(Here enter F.R. No 314 of 1851.)

Read Report dated the 2nd instant submitted by the Sessions Judge of Bellary of Cases pending on the 30th April 1851 before the

the Sessions Court for a longer period than 35 days.-

(Here enter F.R. No 315 of 1851.)

Read Calendar of Case No 35 of 1851 submitted by the Sessions Judge of Chingleput under date the 29th May 1851.-

(Here enter F.R. No 319 of 1851.)

Read Calendar of Case No 31 of 1851 submitted by the Sessions Judge of Canara under date the 30th May 1851.-

(Here enter F.R. No 1331 of 1851.)

Read Letter dated the 3rd instant from the Sessions Judge of Rajahmundry, submits the original Warrant and Copy of the Letter from the Subordinate Judge of the Court of Tanjore Taluk stating that the final sentence upon the 1st and 3rd Prisoners in Case No 110 of 1851 has been duly executed.-

(Here enter F.R. No 1332 of 1851.)

Read Return dated the 9th instant from the Acting Sessions Judge of Tinnevelly to the Precepts of the Tanjore Taluk under date the 31st May 1851 directing the Acting Sessions Judge to review the Proceedings held by the Principal Sudder Ameen in Criminal Case No 39 of 1851 on the file of that Officer and to pass such orders as may appear proper

7th June 1851.-

proper reporting the result to the Court of
Foujdaree Adalut.-

/ Herewith Ft. No. 1395 of 1851 /

2d 18d.

F.C.

Wednesday 18th June 1851. } At a Court of the Foujdaree Adalut

Present

Wh for C.P.J. E. P. Thompson Esqre 2d Puisne Judge

Rd for 3d Judge W. A. Morehead Esqre 5th Puisne Judge

Read Letter dated 5th June 1851 from the Subordinate Judge of Rajahmundry stating that the hours of Labour prescribed under date 5th April 1850 cannot be strictly adhered to without great inconvenience.-

/ Here Enter Ft No 1354 of 1851 /

Under the circumstances reported in this communication, the Court of Foujdaree Adalut direct that the hours of labour at Rajahmundry shall be from 8 A.M. to 4 P.M, with an interval of one hour for rest, viz.- from 12 to 1 O'clock during the hot weather.-

Ordered, that Extract from these Proceedings be forwarded to the Subordinate Judge of Rajahmundry for his information.-

/ Sent in No 641 /

Read

Read Calendar of Case No. 14 of 1851 on the file of the Sessions Court of Guntoor.

/Here Enter Ftt No. 1359 of 1851/

1. The Court of Foujdaree Adalut consider that the period of Imprisonment awarded to the prisoner in this case may with propriety be reduced to seven years, and they authorize the Sessions Judge to mitigate the sentence accordingly.

2. Should the Sessions Judge dissent from the opinion above recorded he will be pleased to submit an English Translation of the record for the consideration of the Foujdaree Adalut.

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

/But following precept No. 647/

The Court of Foujdaree Adalut direct that the Sessions Judge of Madura be called upon to submit without delay the papers noted below which are connected

connected with case No. XI on the Calendar for 1851, and to forward the original records of the several cases of Perjury Nos. 15. 16 17 and 18 which have been called up - translations of the same not being deemed requisite.

Copy of the order (in English) of the Sessions Court on a petition presented by the said Cundasamy in November 1850.

Copy and Translation of the Petition presented by Coopsamychee widow of Soobbaroya Chetty on the 24th December 1850 and the order (in English) passed thereon.

Translation of the Petition presented by Seechaya, alias, Purvathum, and the order (in English) passed thereon.

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

/But following Precept No. 645/

45 Ds.

30 June 1857.

+

Fll

Thursday 19th June 1857. } At a Court of the Foujdaree Adalut

Present

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

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

Read letter dated 4th June 1857 from the Session Judge of Masulipatam soliciting instructions for his guidance in the disposal of cases forwarded by the Police, which may not be cognizable by the Session Court, or which may have been improperly and unnecessarily committed.

Perc Cutcherry No. 1034 of 1857

The Session Judge in para: 1 of this communication refers to the case of a woman, who has been forwarded to the Court on a charge of having, by abuse, goaded a man to commit suicide, and he states that considering the case not to be cognizable by the Session Court he has postponed the trial pending the receipt of instructions from the Court of Foujdaree Adalut as the Circular Order 31st December 1828 prohibits the

Return

return of any case to the Police.

2. It does not clearly appear whether the Sessions Judge considered the act, with which the prisoner in question was charged, to be an offence punishable by a Criminal Court, or not. If however Mr. Dowdeswell had any doubts upon the subject it was his duty to follow the course prescribed by Circular Order 25th January 1820 - if otherwise, the Court of Foujdaree Adalut are unable to understand why the prisoner was not at once, either put upon her trial for the offence, or released as having been guilty of no offence of which a Criminal Court could take cognizance, by the Sessions Judge acting in that capacity, or in the exercise of the jurisdiction of a Subordinate Criminal Court assigned to him by Section XLIX Act VII of 1843.

3. In para 2 the Sessions Judge states that he considers some supervision on the part of the Magistracy necessary in cases prepared by the Police, who are now empowered to commit cases to the Sessions

19th June 1851.

Sessions Court direct - and in para 3 he instances a case sent up as an attempt to murder, in which, tho' the evidence shewed that the prisoners had been only concerned in a trifling quarrel, which could have been adequately dealt with by the Police or Magistracy, they were formally placed upon their trial before the Sessions Court.

4. The Court of Foujdaree Adalut observe that no new powers are exercised by the native Police. Cases have been always forwarded - under the provisions of Regulation XI of 1816 by them direct to the Criminal Court, and consequently there can be no greater necessity for the supervision of the Magistracy now than there was formerly. In the case specially referred to by the Sessions Judge the attention of the Magistrate was very properly called to the irregularity of the commitment, and should this warning be insufficient and the Head of

Police

19th June 1851.

Police be found again grossly misconduct-
-ing himself it will remain for the Sessions
Judge to follow the course prescribed
by Section XLV Act VII of 1849.

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

Sent in No 646/1

J. M.

Monday
23d June 1851. At a Court of the Foujdaree Udalut.

Present

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

Read again Calendar of Case
No. 21 of 1851 on the file of the Sessions Court
of Combaconum

(Here Enter J. M. No. 1164 of 1851)

Read also Return under date
the 27th May 1851 from the Sessions Judge in charge of the Sessions
Court of Combaconum to the Precept of the
Foujdaree Udalut dated the 27th May 1851
conveying their preliminary Orders on the
following Case

(Here Enter J. M. No. 1350 of 1851)

On perusal of the portion
of the record of this Case submitted with
the foregoing return the Court of Fouj-
daree Udalut are satisfied of the pro-
priety of the prisoners' conviction, and
approving of the recommendation made
by the Sessions Judge that the period

of

of Imprisonment awarded to the Prisoners respectively be reduced to Seven years, they authorize the Sessions Judge to issue his warrant accordingly

2. The Court of Foujdaree Adalut desire that it be pointed out to the Subordinate Judge that the Prisoner's examinations made before him should have been recorded in detail, and not merely their assent to the correctness of their Police Statements taken down.

Ordered that Extract from these Proceedings be forwarded to the Acting Subordinate Judge in charge of the Sessions Court of Comdaconnum.

(Serishtah No 648.)

Read again the Petty Calendars of Cases disposed of by the Magistracy of Trichinopoly during the 1st Quarter of 1851

(Here Enter Mr. Mack 1179 of 1851)

Read also Return dated the 5th June and Supplemental Return dated the 9th June 1851 made by the Acting Sessions Judge of Trichinopoly to the Precept of the Foujdaree Adalut under date the 27th May 1851 requiring explanation

in respect to the Security demanded from the Prisoner in Case No 2 entered in the above Calendar

(Here Enter Mr. Mack No 1340 of 1851 #1384)

The Court of Foujdaree Adalut learn from the Magistrate's explanation submitted with the foregoing Return that the Prisoner in the Case in question was required to furnish Security for his good behaviour on the ground of his being a suspicious character and for the part he was said to have taken in the Gang Robbery

2. As the latter reason assigned by the Magistrate for demanding Security is obviously an illegal one, the Court of Foujdaree Adalut deem it proper to direct that the Record of the said Case be called for by the Acting Sessions Judge, who, after ascertaining whether the evidence was such as to justify the Magistrate in requiring the Prisoner, as a suspicious character, to furnish Security under Clause first Section III Regulation II of 1822, will proceed to pass such Orders thereon as may to him seem proper, reporting the result for the information of the Court of

Foujdaree

Fouzdaree Udalut

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

(Sentence No. 649.)

Read Calendar of Case No. 4 of 1851 of the Sessions Court of Tellicherry

(Here Enter F.C. No. 1374 of 1857.)

The Court of Fouzdaree Udalut approve of the recommendation made by the Sessions Judge in this Case, that the punishment awarded to the Prisoner on his conviction of Highway Robbery be mitigated to 4 Years' imprisonment with hard labor in irons, and the Sessions Judge is authorized to issue his warrant accordingly.

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

(Sentence No. 650.)

Read letter dated 16th Instant from the Agent to the Governor in Kurnool

F.C.
23d June 1857.

Kurnool submitting for the final Judgment of the Fouzdaree Udalut the Record of Case No. 19 of 1857 on the Calendar.

(Here Enter No. 1435 of 1857.)

The Court of Fouzdaree Udalut on a deliberate consideration of all the circumstances of the Case in evidence before them, being of opinion that the proof against the Prisoner, "Sooriamanee Cayeeyadoo"

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 Fouzdaree Udalut observe that the arraignment upon which the Prisoner in this Case was tried is defective, no mention having been made therein of the "intent to kill" which constitutes the gist of the Crime of Murder; while the use of the words "in a moment of irritation" would appear to

to imply that the Crime charged amounted only to Culpable homicide

The Court of Foujdaree Udalut would have been precluded from convicting the Prisoner upon this arraignment had not the Crime charged been so described in the question put to the Prisoner by the Agent, when calling upon him for his defence, as to leave no doubt in the mind of the Prisoner as to the nature of the Charge to which he was called upon to make his defence

Ordered that Extract from these Proceedings be forwarded to the Agent to the Governor in Kurnool for his information

(Sent in No. 651.)

Read Miscellaneous Petition presented on the 20th June 1851 by A. Pa Ritchie Esquire Patteel on behalf of Ramaraw praying that the Agent of Kurnool may be instructed to furnish him with certified Copies of the Proceedings held on the trial of his brother Sreenevasaraw

(Here Enter S. No. Ch. 73 of 1851)

The

23d June 1851.

The Court of Foujdaree Udalut direct that a Copy of this Petition be forwarded to the Commissioner in Kurnool for his information, and that Mr Cushingtons attention be called to the Circular Order of the Foujdaree Udalut No. 1971 published in the Fort St George Gazette of the 6th May 1851.

Ordered that Extract from these Proceedings be sent to the Agent at Kurnool for his information

(Sent in No. 652)

A. R. B.

J. C.

Tuesday 24th June 1851. } At a Court of the Supreme Adalut.

Present

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

Read Miscellaneous Petition presented on the 10th April 1851 by Co Narayana Sami Mudeli of Jillah Chittoor.

(Register F. M. P. No 55 of 1851)

Mr C. P. Thompson.
Mr W. A. Morhead.

The Court of Supreme Adalut have already disposed of the matter to which this Petition refers, and they accordingly direct that the Petitioner be referred to their orders of the 28th April 1851 which are final.

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

Read Miscellaneous Petition presented on the 10th April 1851 by Ayyanala Vatandi of Jillah Trichinopoly.

(Register F. M. P. No 56 of 1851)

Mr C. P. Thompson.
Mr W. A. Morhead.

The case to which the Petitioner refers

letters having been disposed of by the authorities of Pattoocottah which state do not be within the jurisdiction of the Court of Tuydaree Hobalub, the Court have no authority to interfere.-

The Petitioners application is accordingly dismissed.-

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

Read Miscellaneous Petition presented on the 22d April 1851 by Barrer Vencata Sooboiah and two others of Jillah Chittoor.-

/ Prerunter F.M.P. No 61 of 1851 /

Pr. C.B. Thompson.-

Pr. W.A. Morehead.-

The Petitioners are referred to the orders passed by the Court of Tuydaree Hobalub on their former Petitions under date the 30th January last and they are again informed that no final orders can be passed in the matter until they shall have submitted for the Courts consideration an attested Copy of the order from which they appeal.-

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

Read Miscellaneous Petition presented

24th June 1851.-

presented on the 28th April 1851 by Ramanoojah Iyengar of Jillah Chingleput.-

/ Prerunter F.M.P. No 63 of 1851 /

Pr. W.A. Morehead.-

The Court of Tuydaree Hobalub observe that the matter to which this Petition relates is not one within their cognizance, and the Petitioner is accordingly referred to the Magistrate who alone can grant this request.-

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

Read Returns dated the 20th Instant from the Superior Judges of Mangalore to the Precepts of the Tuydaree Hobalub under date the 11th May 1851 returning for amendment the Criminal Statement for the year 1850.-

/ Prerunter F.M.P. No 137 of 1851 /

Statement showing the Nature and the result of Charges preferred against the Police.-

The Court of Tuydaree Hobalub observe that the aggregate of the entries in Columns 11 and 12 of this Statement should be 2 and 16 in accordance with the Statements 175 and 2 and direct that the Statement be returned for amendment in this particular.

The Superior Judges will be pleased to call upon the Magistrate to submit the Monthly

T 26.

Wednesday 25th June 1851

At a Court of the Tanjdaree Udalut

Present

G. L. Cooper Esqre — 1st Puisne Judge

E. P. Thompson Esqre — 2d Puisne Judge

W. A. Morehead Esqre — 3d Puisne Judge

M. for W.M.

Read again return dated 7th January 1850 by the Session Judge of Calicut to the precept of the Court of Tanjdaree Udalut dated 21st December 1849 calling for a report as to the state of the Police in Malabar.

(Here enter T 26 No 88 of 1850)

Read also again return dated 2d February 1850 by the same Officer to the Proceedings of the Court of Tanjdaree Udalut under date 24th January 1850 retransmitting the above return for signature and calling for an official statement of his own views upon the state of the Police in Malabar

(Here enter T 26 No 333 of 1850)

Read also again letter from the Magistrate of Malabar dated 12th February 1850 offering explanation upon the Session Judge's animadversions

24th June 1851.

Monthly Statements of the Police hereafter Quarterly for transmission conformably with Circular Order Tanjdaree Udalut 31st July 1833.

Ordered that Extract from these Proceedings be sent to the Superior Judge of Mangalore for his information by Precept returnable within XII days from and after its receipt.

(Sent following precept Fo 664)

Precept Returned Extract 17th Instant from the Superior Judge of Salem to the Precept of the Tanjdaree Udalut dated the 17th May 1851 returning certain Criminal Statements for amendment.

(Here enter T 26 No 1465 of 1851)

The Superior Judge will be pleased to inform the Subordinate Judge that the cases to be entered in Columns of the Appendix D to Statements No 3 B are those in which there may have been Superior Committals for the same offence.

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

(Extract Fo 666)

Ed 18

animadversions upon the state of the Police under
date 2d Idem.

(Hereunder T No. N.18 of 1850)

Read also again letter from the
same Officer dated 19th February 1850 forwarding
a note to be attached to an enclosure of his letter
of the 12th Idem.

(Hereunder T No. N.509 of 1850)

Read also again letters from the
Session Judges of Salem, Cuddapah, Coimbatore,
Mangalore, Tellicherry and Calicut, submitting
the returns called for under date 14th March 1850

(Hereunder T No. Nos 807-817-834-869-880 & 1160 of 1850)

Read also again letter from the
Session Judge of Calicut dated 31st May 1850 sub-
mitting the record of the trial held in Cases No. 36 on
the Calendar for 1850

(Hereunder T No. N.1485 of 1850)

Read also again Extract from the
Proceedings of the Session Court of Calicut under date
5th June 1850 submitted with reference to the orders
issued on the 19th March 1850 requiring the Sessions
Judge to call upon the Magistrate for explanation
as to the delays in the cases referred to in para 7 of his
return

return dated 21st December 1849 and to report the
result.

(Hereunder T No. N.1504 of 1850)

In the 2d para of the first of the
communications above mentioned the Session
Judge of Calicut seems to question the correctness
of the remarks made in the Proceedings of the Court
of Sessions Madras under date 22d December 1849
viz. that in his annual report for 1848 the Session
Judge gave 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 1st half yearly returns for
the present year from which general inefficiency
or irregularity on the part of the Police could be inferred
and calls attention to para 2 of the said annual
report for 1848, and quotes at length his proceedings
on the receipt of the returns of the Police and
Magistracy for the 1st half of 1849.

In the para to which Mr. Morris
alludes he writes "the Judges will observe that there
has been a decrease in the cases of murder during
the last year as compared with those committed in
the preceding one, but an increase in those of

"Daug

	In 1847	In 1848	Increase	Decrease
Gang robbery	36	46	10	25
House breaking by night	72	74	2	44
Theft	248	272	34	85

"Gang robbery, house breaking by night and theft"
"of which a large number still remain"
"undetected as specified in the margin."
"Of the 25 undetected cases of Gang"
"robbery 5 or 6 appear to have been"
"committed within the Talooks of Shernaad, 5 in"
"Betutnaad, and 6 in Nedungunaad. The thick"
"jungles in the former and latter Talooks may"
"have probably tended to baffle the Police in their"
"exertions to trace out the offenders but as no such"
"difficulties can be urged with respect to Betutnaad"
"I feel bound to attribute the want of success in"
"that Talook to the inactivity of the Police. It is"
"further to be regretted that more than a moiety of the"
"cases of house breaking by night and a considerable"
"number of the thefts still continue undiscovered."

Return for 2nd half year of 1848

	Number of Cases in which the Delinquents were committed	Number of Cases in which one or more persons were convicted	Per centage of convictions to Committed Cases
House breaking by night	2470	1351	54
Theft	1190	645	

From this it will be observed that in one Talook only did Mr. Morris attribute the non detection of offences to the inactivity of the Police. The undiscovered cases of theft and house breaking to which allusion is made are below the average of the Madras Presidency as noted in the margin, the returns for Malabar shewing a percentage of 54 per cent in House breaking and of 31 in theft.

With

No 71
25th June 1851

With respect also to Mr. Morris'
proceedings upon the Police returns for the 2nd half
year of 1848 as quoted by him it will be observed that
the results in Malabar tho' declared far from
favorable were in respect to undetected offences
equally below the average, and that no allusion
whatever is made to irregularities or misconduct
on the part of the Police.

The Court of Sunjdaree Adalut
therefore can only repeat the assertion which
Mr. Morris has incorrectly called in question,
that in the reports alluded to he had given them
as his reasons for supposing that any General laxity
prevailed in the Police administration of Malabar
and they must remark that the first intimation of
any serious irregularity or remissness was conveyed to
them in the reply to an appeal from the proceedings
of the Session Court which the Magistrate had
addressed on 30th July 1849 to the Court of Sunjdaree
Adalut directly in consequence of the Session Judge
having declined to transmit it.

In his return of the 2nd February
1850 the Session Judge states that it is his opinion
and decided opinion that the Police within his jurisdiction
is

is neither as regards the prevention or detection of crime in an efficient state and that he considers that the control exercised over the Police by the Magistrate is insufficient - copies of all the Police proceedings in every case not being laid before the Magistrate for otherwise) the great delays exhibited in the statement annexed to para 7 of the return dated 21st December 1849 can scarcely have occurred.

6 The results exhibited in the periodical returns do not the Court of Sessions Judge consider bear out the opinion expressed by the Session Judge in respect to the state of the Police within his jurisdiction - The table entered in the margin shows that although gang robberies were more frequent in 1849 the efforts of the Police in tracing out the parties implicated were as successful as in former years. The same result also is shown in House breaking whilst the proportion of undetected cases of theft in 1849 was 17 per cent below the average of the 5 preceding years. It is to be remarked that the increase in House breaking and decrease in Theft in 1849 is chiefly attributable to cases of the former

Years	Gang Robbery: Cases of Gang Robbery	Per centage of Gang Robberies to total Cases of Crime	House Breaking: Cases of House Breaking	Per centage of House Breaking to total Cases of Crime	Theft: Cases of Theft	Per centage of undetected cases of Theft to total Cases of Crime
1844	31		183		325	
1845	15		105		334	
1846	38		83		272	
1847	28		72		274	
1848	35		Not given		41	
1849	55		Average		355	

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former description having been included under the heading of Theft in the returns of previous years. The increase on both heads seems to have been the natural result of an unfavorable season and a diminished demand for Malabar Teak in the Bombay Dockyards.

7 The Table B submitted to Government with the annual Criminal report for 1849 shows that the per centage of undetected cases is only in 4 Zillahs lower than Column 6 will further show that the per centage of the Cultivating division of Malabar exhibits in the Fishery division of Canara

From the Tables entered below it

8 will also be seen that in many points, which have been on different occasions specially commented upon by the Session Judge - Malabar affords many favorable contrasts to other Districts.

Zillah	Per centage of confessions	Percentage of detections
Salem	46	59
Coddapah	32	53
Malabar	46	36

Zillah	Percentage of Persons detained by the Police for: from 3 to 7 days	8 days and upwards
Coimbatore	62	19
Mangalore	45	45
Malabar	55	36

Per

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Tillah	Percentage of persons who confessed		
	within 3 days after apprehension	within 4 days after apprehension	After 4 days
Coimbatore	48	27	24
Mangalore	47	30	22
Malabar	57	24	15

9 The Session Judge states as an instance of inefficient superintendence that the Magistrate does not insist upon copies of all the Police Proceedings in every case being laid before him. The Magistrate has explained that although all the depositions are not sent in "all cases with the detailed reports that always "do accompany the most essential ones are sent, as a "matter of course, more are called for wherever "suspicion is excited. To have a complete version "of every case, trivial as well as important would "be impossible with our present Talook Establishment

10 In the opinion of the Court of Sudder Udalut the system thus shewn to exist in Malabar whilst it cannot fail to bring before the Magistrate any improper detention of Prisoners in the Talooks, the point specially adverted to by the Session Judge

F 96.

25th June 1851

Judge, does not afford a sufficient check upon the proceedings of the Police in other respects. In all other Districts a transcript of the record of every investigation made by the Police in heinous offences is transmitted to the Magistrate, and the Court of Sunjdaree Udalut consider it so important that this practice should be adopted in Malabar that they have resolved to recommend that Mr Conolly be called upon to submit a proposition for such an increase to his Talook Establishments as will suffice to enable them to prepare copies of the proceedings in full in every case cognizable by the Criminal Courts whether the accused be committed or released.

Under Section XV. Act XX of 1843 the Sessions Courts are bound to bring to the notice of the Magistrates all instances of remissness on the part of their Police falling within their cognizance. Mr Morris however during 1849 appears to have given no intimation whatever to the Magistrate that he had reason to be dissatisfied with the reasons assigned for delays, notwithstanding the negligence of the Police was so serious as to require that the "matter should be matured for submission

submission in his annual report" Mr. Morris' silence under these circumstances is highly censurable - for it was manifestly injurious to the administration of justice and unfair towards the Magistrate.

12 It is to be inferred from the Extract from the Proceedings of the Session Court under date 5th June 1850 that in 12 of the 18 Cases appearing in the list appended to Para: 7 of the return dated 7th June 1850 the Session Judge was eventually satisfied that no unavoidable delay had occurred and the Court of Fouzdaree Udalut observed no serious dereliction of duty on the part of the Police in the remaining 6 cases.

13 In para: 11 of the letter submitting the trial in Case No 36 the Session Judge leaved to the Judges of the Court of Fouzdaree Udalut to determine how the offences, of which he considers the Heads of Police in Errnaad Pettunaad and Wallowanaad and Anta Menon, a Gomastah on the Establishment of the latter, to have been guilty should be dealt with. The Court of Fouzdaree Udalut however, after carefully considering the documents to which their attention has been specially called by the Session Judge, fail to discover sufficient ground for their interference in the matter - They observed

observe that the Magistrate was cognizant of the irregularities with which the 3 former seem justly chargeable and and was fully competent to deal with them - The Session Judge will be pleased to call upon the Magistrate to report for the information of the Court of Fouzdaree Udalut what he may have done in pursuance of Mr. Collett's report upon the conduct of the Acting Gomastah Eroocha Menon dated 4th June 1850 and with reference to the remarks contained in the 12th para: of the letter drawn to the Circular Orders of Fouzdaree Udalut the Heads of Police were referred to, direct that the attention of all 18th June 1817 - 7th September 1820 and 21st January 1822

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Cuttack for his information and future guidance - and for communication to the Magistrate by Receipt returnable in [illegible] days from and after its receipt.

Sent following Receipt No. 658.

Certificate

25th June 1851.

L. S.

Certificate of Pardon
to
Pocharata alias Kootilapoorathu alias
Koondilapoorakel Velayen.

Whereas under date the 23d Octo 1850 the Court of Zoujdaree Udalut were pleased to authorize the Magistrate of Malabar to tender an offer of pardon to Pocharata alias Kootilapoorathu alias Koondilapoorakel Velayen on condition of his making a full disclosure of every circumstance within his knowledge relative to the Gang Robbery committed on the night of the 5th June 1850 in the houses of the Prosecutors in the Talook of Betutnaud in the Zillah of Calicut

And whereas the Court of Zoujdaree 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 Zoujdaree 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

F. C.
25th June 1851.

said Pocharata alias Kootilapoorathu alias Koondilapoorakel Velayen so far as regards the acts herein referred to

And the Court do hereby confirm the said pardon accordingly

Given under our hands and the Seal of this Court this 25th day of June 1851.

(Section No 659

Rs 180

F. C.

Thursday 26th June, 1851.

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 31st Ultimo from the Sessions Judge of Coimbatore, submitting a report on Case No. 22 of 1851 on the file of his Court in which a Prisoner charged with an attempt to commit Arson has been acquitted on the ground of insanity.—

(Here enter F. C. No. 1331 of 1851).

The Court of Foujdaree Adalut direct that it be pointed out to the Magistrate for intimation to the Head of Police by whom this case was sent up, that the supposed insanity of the Prisoner should by him have been brought to the notice of the Criminal Court.—

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

(Sent in No. 664)

Read.

Read Criminal Report B dated the 14th Instant submitted by the Principal Sudder Ameen in charge of the Sessions Court of Cuddalore for the Month of May 1851.-

(Here enter F. C. No. 1408 of 1851).

Read Criminal Reports dated the 1st Instant submitted by the Acting Sessions Judge of Nellore for the month of May last.-

(Here enter F. C. No. 1442 of 1851).

Read Calendar of Case No. 26 of 1851 submitted by the Sessions Judge of Coimbatore under date the 9th Instant.-

(Here enter F. C. No. 1447 of 1851).

Read Criminal Reports dated the 16th Instant, submitted by the Sessions Judge of Madura for the Month of May 1851.-

(Here enter F. C. No. 1448 of 1851).

Read Calendar of Case No. 37 of 1851. submitted by the Session Judge of Bellary under date the 17th Instant.-

(Here enter F. C. No. 1451 of 1851)

Read Criminal Reports dated the 16th Instant, submitted by the Sessions Judge of Chicacole for the Month of May 1851.-

(Here enter F. C. No. 1472 of 1851).-

Ex 18 W.

F. W.

At a Court of the Foujdaree Adalut.

Friday 27th June 1851.

Present.

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

P. S.
F. W.

Read Miscellaneous Petition of Mootoo Padiachy forwarded by the Acting Sessions Judge of Trichinopoly under date 22nd May 1851.
(Here enter F. W. P. No. 68 of 1851).

The Court of Foujdaree Adalut

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

direct that this petition be returned to the Acting Sessions Judge of Trichinopoly with instructions to dispose of it as he sees fit.—

Ordered that Extract from these proceedings be sent to the Acting Sessions Judge of Trichinopoly for his information.—
(Sent in No. 671).

Read Letter dated 11th June 1851. from the Acting Sessions Judge of Nellore reporting that the construction of the new guard room, an Estimate for which was sanctioned by Government under date 13th February 1851, has been suspended by the Collector at the instance of the Zillah

Zillah Surgeon and forwarding copies of a correspondence between that officer and the Medical Board on the subject.—

(Here enter F: D: No: 1118 of 1851)

A Copy of the correspondence:— between the Zillah Surgeon, Commanding officer and Sessions Judge upon the site of the new guard room was submitted with the Estimate through the Board of Revenue in the Department of Public Works to Government, and, as no exception has been taken to the site proposed by Mr. Walker and assented to by Captain Beamish the Court of Foujdaree Adalut consider the question to have been finally disposed of and consequently direct the Sessions Judge to request the Collector to proceed with the work.—

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

(Sent in No: 672)

Read Letter dated 13th June 1851, from the Special Assistant to the Agent at Vizagapatam, requesting authority to offer a conditional pardon to one Singum Dorah an accomplice in a Gang robbery attended with murder recently perpetrated within the Vizianagaram Zemindary.—

Zemindary.—

(Here enter F: D: No: 1120 of 1851)

The Court of Foujdaree Adalut observe that it is not the practice of the Court to authorize the tender of a conditional pardon to parties who are not actually in confinement; and they cannot accede to the recommendation now made in favor of a Criminal who has baffled all the efforts made to apprehend him.—

2. It is to be pointed out to the Special Assistant to the Agent that unless strong and independant evidence of Dasintaroidoo's complicity in the robbery in question is forth-coming, the Court would on no account allow Singum Dorah to be admitted as an approver.—

3. The present reference should, the Court of Foujdaree Adalut remark, have been submitted through the Agent to the Governor at Vizagapatam.—

Ordered, that Extract from these Proceedings, be forwarded to the Agent to the Governor of Fort St. George at Vizagapatam, for his information; and for communication to the Special Assistant Agent.—

(Sent in No: 673)

Read Letter dated 19th June 1851 from

from the Sessions Judge of Chittoor reporting that he has directed 40 additional Convicts to be forwarded to Vellore for employment in deepening the Fort Ditch and that neither the accommodation at present available at that station nor the urgent demand for convict labor at Chittoor will allow of a greater number being sent.

(Here enter F. C. No. 1480 of 1851)

The Court of Foujdaree Adalut approve of the measures reported in this communication - They observe however from the accompanying correspondence that a party of 40 Convicts is at present engaged upon the roads at Velore, and as the deepening of the ditch can only be carried on during the dry season they consider that this gang should be temporarily withdrawn from the Roads and employed upon the ditch - The Brigadier in Command will thus have at his disposal a party nearly 200 Strong -

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

(Sent in No. 674) -

Ld
Bld.

F. C.

Saturday 28th June, 1851.

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 Letter dated 26th May 1851 from the Sessions Judge of Calicut transmitting copy of the Magistrate's explanation respecting the discrepancy between the original files of the Police officers and the Statements Nos. 1 and 2 noticed by the Sessions Judge in his report upon the Police for 1850 -

(Here enter No. 1278 of 1851).

Read also the amended annual report submitted by the Sessions Judge with his return to the Proceedings of the Court of Foujdaree Adalut under date 2nd June 1851 -

(Here enter F. C. No. 1410 of 1851).

The Sessions Judge states that

1.
13,163 persons are entered in the Police files as accused - but that in the statements 1 and 2 -
7644 persons are only entered, the difference being 5519 -

The

27th June 1851.

2. The Court of Tonjdaree Adalut observe that the statement No. 1 is intended to include only the persons actually summoned by the Police or Magistracy and any further detail in petty cases appears unnecessary — this statement therefore cannot agree with the Police files.—

3. The number of persons engaged in the offences appearing in Column 2. should be entered in Column 3 of statement No. 2. It is not however intended that the computation should be framed upon the statements of the Prosecutory which are so frequently exaggerated, but upon the evidence obtained during the investigation held by the Police, or other information which in the opinion of the Magistrate can be safely relied on and consequently this statement will, no more than No. 1, ordinarily agree with the Police files.

4 The Sessions Judge will be pleased to point out to the Magistrate that altho' the statement No. 2. contains no separate Column for unapprehended offenders their number can be readily ascertained by deducting the aggregate of Columns 5, 11, 29, minus those included in the latter column which may have appeared in Column 19; from Column 3.—

Ordered

28th June 1851.

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

(Sent in No. 676.)

Rec'd

against the Prisoner in Case should have been thus framed.-

2.) With having in his possession part of the above stolen property, to the value of about Rupees 332-2-- well knowing the same to have been stolen.-

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

(Sent in No. 683).

Read Calendar of Case No. 16 of 1851 of the Sessions Court of Guntoor.-

(Here enter F. 86. No. 1766 of 1851).

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this Case that the punishment awarded to the Prisoner on his conviction of Highway Robbery be mitigated to six years imprisonment with hard labor in irons, and the Sessions Judge is authorized to issue his warrant accordingly.-

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

(Sent in No. 684.)

Read

30th June 1851.

Read Calendar of Cases 11 of 1851.
of the Sessions Court of Chittoor.—
(Vide enter F: C: No. 1457/51).

1. Adverting to the fact that the property was actually stolen in this case, the Court of Foujdaree Udalut observe that the Mohammedan Law officer was correct in his first Futwa declaring the Prisoner to be liable under the Mahomedan Law to Qokoob, and the 2nd question put by the Sessions Judge was improper.

2. The Court accordingly resolve to return the Calendar to the Sessions Judge, who will be pleased to pass sentence upon the Prisoner under the provisions of Clause seventh Section II Regulation XV of 1803.

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

(Sent in No. 685.)—

4th 1851.